

Coins and Constitutions

AN INTRODUCTION

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On 23 June 2011 the Central Bank of Malta hosted a high level symposium in Valletta on the occasion of the launch of the first in a series of five €2 coins commemorating landmarks in Maltese constitutional history.

The speakers comprised Chief Justice Emeritus John J. Cremona, who had drafted the Malta Independence constitution of 1964, and President Emeritus Dr Ugo Mifsud Bonnici, who played a pivotal role in the negotiations to modify this constitution essentially by changing its model from that of a Constitutional Monarchy to one of a Republic in 1974. Both these distinguished panellists, therefore, spoke to a large extent from direct personal experience. The two other speakers were necessarily more academic in their presentations because they very validly discussed earlier constitutions, well beyond living memory. Dr Sergio Portelli, a university lecturer who holds a doctorate in Italian, spoke about the 1849 constitution, its *Risorgimento* associations and its aftermath, drawing to some extent on his doctoral thesis on a history of Italian language journalism in Malta. Dr Albert Ganado, a former president of the Malta

Historical Society and very well versed in modern Maltese history, I asked to discuss the advent of representative government in 1887, through what some have called the ‘Holland’ constitution, a reference Sir Henry Holland (later Baron Knutsford), who was the secretary of state for the colonies in London at the time that it was conceded, after a sustained and increasingly bitter nationalist struggle. This was a progressive development, allowing the Maltese a majority of elected members on the Council of Government – but, alas, not such a lasting one, as it would be withdrawn in 1903 when political viewpoints and attitudes came to a head and became irreconcilable.

The symposium, under my chairmanship as convenor, was brought to a conclusion by the then Governor of the Central Bank of Malta, Mr Michael Bonello, who also presented the panellists with a coin set by way of a token for their participation.

Thus this Central Bank of Malta coin set, sculptured by the well-known artist Gianni Bonnici, spans well over a century of Maltese constitutional history, which saw Malta progress from colonialism to statehood.

1849

After obtaining the abolition of the censorship and thus freedom of the press in 1839 following a determined campaign, Malta in 1849 was granted a constitution which, unlike its predecessor of 1835, endorsed the elective principle. This meant that, for the first time under British rule, at a time when continental Europe was in a state of reformist agitation, the Maltese electorate could vote to elect its own representatives to sit and deliberate in a colonial legislature: the Council of Government. Although Maltese elected members were in a minority, elections would be held at periodic intervals, which meant that there would be individual personalities presenting themselves to an electorate and competing as candidates, with manifestoes and electioneering through the newspapers and otherwise, thus



facilitating the formation of public opinion in Malta and Gozo, and slowly changing the nature of governance. Moreover from the 1820s onwards, Malta had seen hundreds of Italian refugees and agitators in its midst - for the most part liberals and republicans, whose language every educated islander spoke - striving for a united Italy free of foreign occupations.

1887

Once the 1849 constitutional upgrade had been attained, from the 1850s onwards situations started to arise occasionally where the elected members could not enforce their will even if practically unanimous because when it came to the vote in the Council, they were in a minority *vis-à-vis* the Governor and his nominated members on the official side. Depending on the attitude of successive administrations in London, freedoms increased or decreased but a general desire came to hold sway in favour of an elective majority which would be better able to enact legislation. This was no easy ride because Malta was seen by Britain as a fortress colony wherein security had to be assured within strict parameters. Following the unifications of Italy and Germany, Maltese political parties formed and mobilized, with the *Partito Nazionale* led by Dr Fortunato Mizzi, in the ascendant. Its main demand - an elected majority - materialised in 1887 with the grant of Representative Government. Due mainly to staunchly resisted attempts at Anglicization, coupled with a real or imagined fear of irredentism or proselytization, this constitution was revoked in 1903. An impasse ensued until after the First World War when, in the wake of further unrest which saw a number of Maltese demonstrators killed by British troops - the *Sette Giugno* - Responsible Government, that is internal self-government, was granted in 1921.



1921

Although the British retained various reserved matters under their direct control, including defence and foreign affairs, this new constitution was Malta's most advanced so far. It made provision for a Legislative Assembly to be returned by an extended franchise, and for a Senate by way of an Upper House. There would be a Head of Ministry which effectively meant that for the first time Malta's administration of its local affairs would be entrusted to a Cabinet of Ministers responsible to an elected legislature. The island's largest single employer, the Royal Dockyard, remained under Admiralty control, but the Maltese government began to initiate legislation in various domains. After three general elections, trouble arose between the new administration led by Sir Gerald Strickland of the Constitutional-Labour compact and the Church, heralding a period of recurrent constitutional turbulence. English and Italian were recognized as official languages until 1934 when culture clash came to a head, while a Nationalist administration returned in a landslide in 1932 was sacked in 1933. It was not until 1947 that self-government was restituted whereupon the march towards social and political reform resumed. The plan to integrate Malta with Britain having failed, in 1958 the Labour and Nationalist parties agreed to 'break with Britain' but a few months later Mintoff resigned and 'self-government' once again went into abeyance.



1964

After modifying some aspects of the newly granted constitution under which the 1962 elections were held, and claims for financial assistance to meet pressing needs went unheeded, Borg Olivier in August 1962 formally and urgently demanded independence. Negotiations lasted two years: although Mintoff supported the move in principle there were disagreements



as to what, when, who and how. Three smaller parties in parliament opposed such an immediate prospect. The Church, at odds with the Labour Party, was wary and wanted strictly to safeguard its position. Given shifting geopolitical readings in the Mediterranean during the Cold War, Britain would not let Malta go without certain provisions relating to strategy and security, nor would the British parliament consent to any constitution which unduly advantaged the Church in the would-be state. After a referendum on the proposed constitution - for a parliamentary democracy essentially based on a separation of powers - independence arrived in September 1964 together with a defence and finance package for ten years. For the first time in its endless history of foreign occupations, Malta joined the international community in its own right, seeking to transform its economy rendering it more self-reliant partly through new infrastructural institutions such as a Development Corporation and indeed a Central Bank.

1974

Following the return of Mr Mintoff's Labour Party in 1971 marked changes, which had long been on the cards, ensued in internal and external policy, the former tending towards a more centralised regulation of the market whereas the latter shifted from a pro-Western posture to neutrality and non-alignment. In constitutional terms, the most significant landmark was 1974. By a two-thirds majority in parliament, in a free vote, amendments were entered to the Independence constitution whereby Malta's status would change from that of a Constitutional Monarchy to that of a Republic. Thus, instead of a still British Governor-General, Malta would have its first President in Sir Anthony Mamo, who would also be the first Maltese Head of State. Other constitutional amendments would point in the direction of a rather more secular and autonomous state upholding in declaratory terms such norms as freedom of conscience and the right to work. In the



course of time, inevitably, further changes would be enacted even to the electoral system. The point was that, come Independence, Malta could take greater charge of its destiny, as it did, notwithstanding mutually agreed treaties and arrangements with Britain and other countries to its North and its South.

What this Central Bank of Malta initiative does is extend the minting of coins from simply the sphere of numismatics to a more generally instructive one as a yardstick depicting aspects of national development. Money becomes not simply legal tender as a means of purchase and exchange, but a living lesson artistically portraying and divulging our own history. It was particularly satisfying to see that the entire symposium was recorded, filmed and twice broadcast by a national TV station, Education 22, thereby reaching a mass audience.