

## **ESSAYS ON GOVERNING MALTA (1813-35) – GOVERNING MALTA IN THE EARLY YEARS OF THE 19<sup>TH</sup> CENTURY**

### *A REVIEW*

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A new book has recently been published which could well be of interest to those who have a developed interest in Maltese History, including Law students. The author, Patrick G Staines, who specialises in systems of government in the early years of British rule, published a book in 2007, entitled ‘Essays on Governing Malta (1800-13)’. He has produced a second book published in 2015, entitled ‘Essays on Governing Malta (1813-1835)’ (the Book) which complements the earlier book and takes the narrative a stage further, introducing in close detail the first couple of decades of Britain’s tenure of Malta as a sovereign possession.

The first book (1800-1813) has focused on the salient features of British administration of Malta during the time when the Napoleonic Wars were still ongoing. This was the de facto phase of Britain’s occupation when Britain was in control of the Maltese Islands, in war related circumstances, but without formal title. This phase witnessed the first stirrings of Maltese political awareness, and it was also a time when Malta enjoyed unprecedented prosperity, through its role as the coordinating centre of Britain’s efforts to break Napoleon’s Continental Blockade, through its Southern Mediterranean flank. Most significantly, however, in terms of Malta’s future, it was a period during which Britain came to a determination to acquire a permanent title to the Maltese Islands. A Royal Commission was sent out, to assess the situation in Malta, and also to examine the case for the political demands the Maltese were making.

Britain declared its sovereignty over Malta quite unilaterally on Thomas Maitland’s arrival in October 1813, despite the continuing historical rights which at that time remained vested in the Kingdom of Naples, and effectively its title was only legitimised by the Treaty of Paris in 1814. The decision by Britain to assume sovereignty over Malta coincided with the outbreak of a virulent form of Plague in May 1813 which decimated the population of Malta. It coincided as well with the coming to an end of the war with France which, with its freeing up of the maritime trade routes in the Mediterranean, had a most unsettling effect on Malta’s economic well-being.

The new book (1813-35) introduces Sir Thomas Maitland as Malta’s first British Governor and witnesses in detail the drastic reforms which he brought about in the systems of Malta’s Government, despite the relatively short time he spent in

Malta. It goes into analytical detail respecting the Judicial, Financial and Municipal reforms which formed the core features of the system changes, in part the outcome of the Royal Commission Report and in other respects of Maitland's own construction, founded on his earlier Ceylon experience. The Essay on Maitland's Judicial and Police reforms is highly interesting.

Maitland very early on foresaw the decline in Malta's maritime interests which the coming of peace would bring about and the book witnesses Maitland's strenuous efforts to keep Malta in the mainstream of British maritime activity in the Mediterranean after 1814. And also his efforts to promote avenues for direct trade from Malta, as far afield as the West Indies. His efforts failed to bear fruit, essentially because of an obstructive Board of Trade in London which ruled heavily against Malta's interests and because – in consequence – there was a departure from Malta of virtually all the major traders who had earlier operated through Malta. Malta's participation in Maritime activity thereafter was reduced to a secondary level of transshipment, which operated on marginal returns and generated poor levels of employment. Protracted disputes thereafter ensued, between the Merchant community in Malta and the Maitland Government, over tariff and other issues; disputes which eventually led to the submission of the 1821 Petition by the Merchants and which was effectively a challenge directed at Maitland's judgement and authority.

On the evidence of his administrative record, and his personal relationships with the senior members of his staff, there is little, the Book argues, to support the view that Maitland was the bullying autocrat which some historians have made him out to be. Indeed, what the record does show is that he was a powerful leader who led from the front and had a good relationship, premised on trust and total integrity, with virtually all the senior officials he would normally have dealt with. The Book has an interesting pen portrait of 'Maitland the Man'. Maitland's insistence on the essential integrity of public service is well brought out in the interesting cases (rehearsed in detail in the Book) of disciplinary procedures taken against three highly placed British employees who were dismissed from office for irregular practices.

The Book treats concisely on the Hastings Governorship during which the first venture in organised emigration was undertaken and also the time when Malta's currency system began being converted to a sterling base, both in its Government accounting and in the metallic currency in circulation. The conversion to Sterling is treated in very interesting detail.

The Book reaches out to the mid-1830s in several important respects. It speaks of the revival of Maltese political awareness, spearheaded by Mitrovich and Sceberras which led to the appointment of the 1835 Council of Government and influenced the nomination of the 1836-1838 Royal Commission whose reports impacted strongly and beneficially on a number of areas of Maltese concern. In the administrative sphere, the Commission deplored the Government's poor record generally in the management of its educational responsibilities, and triggered the subsequent powerful drive to develop both primary and secondary education. It was also a strong influence in enlisting Lord Glenelg's support to prevail on the governing

authorities in Malta to accept that in the Public sector, Maltese talent and suitability for appointment to the senior-most posts, should be given due recognition.

Interesting light is shed in the Book on the forms of Local authority then in practice and on the roles of the district Lord Lieutenants, the Deputy Lieutenants and later the district Syndics in their respective administrative and Judicial functions.

It is a little known fact that as from the early 1820s, the Governors of Malta were subject to control by the British authorities in London in virtually anything they did of any importance. This restriction on discretion was compounded by the severe financial constraints under which the Governments of Malta were obliged to operate, as a result of encroachments by the British Government on its revenue resources.

The final Essay in the Book relates to the highly interesting, controversial term of office of Chief Justice Sir John Stoddart, from 1826 to 1838. John Stoddart was a man of considerable talent who might have achieved a lot, were it not for his oversized ego, his tendency to take offence too easily, and his inclination to ignore Government policy decisions when his views were not adopted. He succeeded in antagonising even Royal Commissioners John Austin and George Cornwall Lewis and this no doubt contributed to their finding his post superfluous. Abolition of his office at the start of 1838 was facilitated by the fact that, owing to a circumstance that the Book fully explains, his appointment had been made out 'during pleasure' and not '*quam diu se bene gesserit*'.

By way of final comment, the Book is a hive of information not commonly available in the public domain and should not fail to be of interest to devotees of Melitensia, Law students and practitioners.