

Reasons for the delay in the appointment of Bishop F. S. Caruana

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It is not my intention to speak of the merits or demerits of the well-known historical personage Archbishop F.S. Caruana, whose personality has so far puzzled the Maltese historian. My aim is rather to prove that the delay in his appointment as Bishop of Malta was not due to any opposition or aversion to him on the part of the Holy See, as some people think and as others, perhaps through personal dislike, have asserted; but that it was merely due to the diplomatic controversy between His Britannic Majesty and the Neapolitan King concerning the right of nomination to fill the vacant See of Malta, a controversy in which most naturally the Holy See, who has the right to invest (or in other words to give the possession of the office to the nominated person) was, however unwillingly, involved.

This dispute had its roots in the old privilege claimed by the Kings of Sicily to nominate the Bishop of Malta, and in the new pretensions of sovereignty on the Island put forward by the British Government.

With regard to the former point, let us briefly trace the origin of the Sicilian prerogative. On the 5th of July, 1098, Pope Urban II, taking into consideration the piety and merits of Roger, Count of Calabria and Sicily, granted to him and to his legitimate successors a privilege whereby the Holy Father decreed that he would not send any Papal Legate in the Count's dominions without the latter's consent or advice; nay, he even granted to the Count the powers of an Apostolic Legate (*legatus a latere*) (1).

The latter personal privilege was unreasonably extended by Count Roger's successors, who unlawfully claimed a triple right:

- i. to enjoy the dignity and the rights of apostolic delegates;
- ii. to send the Bishops of their own choice to the synods held in Rome;
- iii. to nominate the Bishops of the dioceses in their possessions.

It is not my task to enter into the intricacies or consider the fairness of these claims; suffice it to say that Emperor Charles V, as King of Sicily, claimed and retained this last mentioned right and he used to nominate the titulars of the Sicilian Sees; the Holy See then gave them the investiture (2).

Malta as subject to the King of Sicily underwent the same fate with regard to the appointment of her Bishops.

In the cession of Malta as a feud to the Order of St. John, Charles V reserved the right of sovereignty over these Islands for himself and his successors, and this right of sovereignty was acknowledged by the present of a falcon on All Saints Day. In the deed of cession, it was stipulated that the "*jus patronatus*" to the

(1) JUNGSMANN, B., *Dissertationes Selectae in Historia Ecclesiastica*, V. 45.

(2) *Ibidem* pp. 45, 46.

bishopric of Malta was to remain with the Emperor and his successors, as kings of Sicily, and it was decided that, upon every vacancy in the See of Malta, three candidates (one of whom a subject of the Sicilian Kingdom), should be presented by the Grand Master and the Council of the Order to the Viceroy of Sicily, and that out of these three, he should have the right of selecting one qualified to fill the vacancy, the person so selected to be canonically invested by the Pope (3). This stipulation had been faithfully executed during the period that the Order was in possession of these Islands. Up to that time the See of Malta was suffragan to that of Palermo.

The first vacancy of the Maltese See after the British occupation of Malta occurred on the 30th April, 1807, with the death of Bishop Labini, a Calabrian, and the last foreign Bishop of Malta. Thirty-eight days later, Sir Alexander Ball, writing to the Right Hon. W. Windham, Secretary of State, stated that he was waiting for the appointment of the new Bishop and he informed him of the old way of appointment (4). The Sicilian Court was still resolved to maintain its right of appointment and King Ferdinand nominated a Maltese, Mgr. Ferdinando Mattei, Titular Bishop of Paphos, Dean of the Cathedral Chapter. So far, the Government of the Island by the English was only provisional and at the explicit mandate of the Sicilian King. The Allied Powers had not as yet confirmed the British rights over Malta. Luckily Mgr. Mattei had been previously recommended by Ball himself to the Sicilian King, during his visit at Palermo.

The Royal Commissioners of 1812, commenting on Mattei's appointment as Bishop of Malta, wrote that it appeared that the pretensions of the Sicilian Crown in such a matter had been neither fully admitted, nor formally denied. An individual, they said, had been recommended to the Court of Palermo by the British Government and this recommendation from the intimate connexion subsisting between the two Countries had received an unqualified approbation. The confirmation, also, of the Roman Pontiff appeared to have been obtained through the intervention of the Sicilian Court. But the right of appointment of the Bishop of Malta — it was admitted by the same Commissioners — implied a right of a much greater importance and wider extension, viz. the right of the possession of the Islands themselves. As a matter of fact, by the Act of Donation of 1530, between the Emperor Charles V and the Order of St. John, it was stipulated that if at any time the Order should presume to alienate these Islands without the consent of the suzerain, they should then revert *pleno iure* to the Crown of Sicily (5).

That this stipulation bound the Order, the Commissioners remarked, there would be no doubt. But did it bind also the possessors, the English? They had their doubts about it but they wrote: "It, however, appears certain that if the King of Sicily has a right for the nomination of the Bishop, it is impossible to refuse his right to the other stipulations of the same act, under which this privilege is claimed. We must therefore either deny his pretensions *in toto*, or admit them to their fullest extent... It would be highly desirable, that we should profit of our present intimate connection with the Sicilian Court, in order to obtain a

(3) R.M.L. Mss. *Deed of Cession*, 1530.

(4) *Papers relating to the R.C. Religion ordered by the House of Commons*, 1813, p. 3.

(5) *Report of the Royal Commission of 1812*, pp. 130-131.

formal renunciation of pretensions, which (whether well or ill founded) might in the hands of some future sovereigns involve us in very unpleasant discussions upon the subject of ecclesiastical appointments, and be the source of trouble and inquietude in many other respects" (6).

Earl Bathurst, Secretary for War and the Colonies touched on this subject in his instructions to Thomas Maitland in his despatch of the 28th July 1813. The British Government was striving to have from the Court of Palermo a public denunciation of the Sicilian pretensions to the suzerainty of Malta, which for a time had been dormant. Earl Bathurst instructed Maitland that in case of any demur, he would embrace every opportunity of remarking unequivocally that Malta is to be considered as a possession of His Majesty, totally independent in all its relations of the Crown of Sicily (7).

And to the same effect, under the title *Ecclesiastical Affairs*, the Earl instructed that the nomination to the bishopric — whenever it may become vacant — was to rest with the King, subject to the final approbation of the Pope. He also laid down the method to be followed in the election: "Upon the demise of the Bishop, the Governor will make provision for the due administration of the episcopal functions during the interval, and will immediately report the event for H.M.'s information. The Governor will, at the same time, submit the name of such ecclesiastic (being a native of Malta) as he may consider most fitting to fill this high situation" (8).

Lord Bentinck, the British Envoy Extraordinary in Naples, was also instructed to take the first favourable opportunity of calling on the Court of Palermo to renounce by a public declaration all the ancient pretensions to the suzerainty of Malta, which had been dormant in the Crown of the Two Sicilies. No records were kept in Malta of the instructions; it is certain, however, that no public declaration was made known to the Government in Malta (9).

In 1823, a proposal was made by Sir Thomas Maitland to the King of Sicily, through the British Envoy Extraordinary, for the exchange of the Bishop's property near Catania with some lands in this Island belonging to the Benedictine Convent of Catania, in order to do away with the only remaining ground for the Sicilian King's pretensions over the Diocese of Malta. This proposition was, however, rejected (10).

By this time, in consequence of Art. 7 of the Treaty of Paris (1814), which was fully confirmed at the Congress of Vienna (1815), the Island of Malta and its dependencies were given in full right and sovereignty to His Britannic Majesty. The sovereign rights of the Sicilian Court over the Island thus came to an end, and this at the will of the greatest European nations. This transfer of rights encouraged the British Government to hold firm against any pretension which the Sicilian Crown might put forward with reference to the appointment of the Bishop of Malta.

(6) *Ibidem*, pp. 131-133.

(7) HARDMAN, W., *Malta under the French and British Occupation (1798-1815)*, p. 529.

(8) *Ibidem*.

(9) R.M.L. DESP. 1829: Ponsonby to Murray; 9 ix. 1829, p. 238 r.

(10) *Ibid.*, p. 239 v.

The question was left in abeyance till the See became again vacant with the death of Bishop Mattei on the 14th of July 1829. The controversy was then revived and it was not until the 1st of May 1831 that the Apostolic Bull for his successor was issued.

On the death of Mgr. Mattei, which happened after a short illness, the Lieutenant Governor Ponsonby informed all the parties concerned, on the very same day, of the sad news. He communicated Bishop Mattei's death to Sir George Murray, the Secretary of State, and he remarked that in obedience to Lord Bathurst's instructions to Sir Thomas Maitland of July 28, 1813, he was giving him an early information of the death, and at the same time submitting the name of a Maltese Ecclesiastic whom he considered "most fitting to fill the high situation rendered vacant, in the person of Archdeacon Francesco Saverio Caruana, most acceptable to the Maltese and firmly attached to the English Government, known for his respectability and integrity" (11).

A second letter, of a private nature, was addressed to Mr. Hill, His Majesty's Envoy Extraordinary at the Court of Naples, informing him of the vacancy and giving him instructions how to act in case any question was put to him by the Neapolitan Ministers, which could perhaps embarrass him (12).

The Governor did not fail to inform the Holy Father, Pope Pius VII, through Cardinal Albani, the Papal Secretary of State, stressing that the presentation to the Bishopric of Malta belonged to the King, his Master, subject to the approbation of the Holy See, and adding that he would not lose a moment in submitting for that approbation the name of the individual whom His Majesty might think proper to select as successor to the deceased Bishop (13).

The Cardinal thanked the Governor on behalf of the Holy Father for the courteous communication, which, though painful, did not cease to be necessary. He added that His Holiness would have taken into consideration a subject of such a great importance on account of the spiritual welfare of the Catholic population of Malta, if at the same time he had not received through the Neapolitan Minister at Rome, precise protests on the right, which the King of the Two Sicilies still declared he had not lost, to the nomination of the Bishop of Malta, notwithstanding the changes which had taken place in the Government of the Island and its Dependencies. The King of Sicily, continued the Cardinal, believed in this right, first, because he had exercised such right in 1807, when the Island had been already garrisoned by the British troops, and secondly, because a great portion of the property of the See of Malta existed in his Kingdom. The Pope, however, ardently desired that, by means of some suitable arrangement between the two High Parties at variance on the subject, he might be placed in a situation, quietly and regularly to provide for the vacancy of a See so conspicuous. The Cardinal finally expressed his hope in the effective concurrence of the Governor in the ac-

(11) *Ibid.*, Ponsonby to Murray: 14. vii. 1829, pp. 157-159. At the time the Governor of Malta, for financial reasons, had the rank of Lieutenant-Governor.

(12) *Ibid.*, p. 156.

(13) *Ibid.*, Ponsonby to Albani: 14. vii. 1829, pp. 153.

(14) *Ibid.*, Report: Hankey to Ponsonby: 24. xi. 1829, p. 290 r.
Albani to Hankey: 25. xi. 1829, p. 296 r.

complishment of the Holy Father's wish (15). A similar despatch was forwarded to Lord Burghursk, the British Minister at Florence (16).

Ponsonby communicated the contents of this despatch to Murray, on the day following its receipt, giving him information as to the foundation of the Sicilian King's pretensions since 1154; and he confirmed that in 1807 the latter exercised his right; and, although the King's Civil Commissioner in Malta hesitated in acknowledging this right, no discussion had taken place, as His Majesty's Government at home approved of the person nominated by the King of Naples. However, he reminded the Secretary of State of Lord Bathurst's instructions to Maitland and to Bentinck and of Maitland's proposal for the exchange of the Bishop's property in Sicily with the Benedictine Convent's property in Malta (17).

At the end of September, the King of Naples was in Rome, and was interviewed by the Pope on this matter. The Holy Father confirmed his former promises, that he would not acknowledge the person who might be selected by the British Government, until the King of England and the King of Naples were agreed on the right of presentation (18).

In the meantime Count Ludolf, the Neapolitan Minister at London opened a discussion on this subject, in which the pretensions of the Sicilian King were declared inadmissible by the British Government, and the copies of the notes presented by Count Ludolf were sent to Hankey, the Chief Secretary to the Governor in Malta (19).

In the following month (i.e. October), Sir Frederick Hankey left for Rome in order to discuss this point with the Papal Court of Rome. While in Naples he received instructions from the Secretary of State for his perusal and guidance. He arrived at Rome on the night of the 24th, and the next day, he waited on Cardinal Albani and expressed the Governor's earnest hope that no further delay would be made to acknowledge the Archdeacon Caruana as Prelate selected to preside over the See of Malta.

The Cardinal confirmed again the right of the Governor, as Representative of His Britannic Majesty, to nominate the person, and recalled the official Note by the Neapolitan Minister in the Capital. He mentioned the promises made by His Holiness to the King of Sicily, which, according to Hankey's report, the Cardinal seemed much to regret having been made. Hankey pressed extremely hard on the injustice of the course which had been pursued in withholding the acknowledgement of the rights of the English King in deference to the pretensions of the King of Naples, which the Cardinal himself confessed were unfounded.

The Cardinal on his part assured Hankey that the person recommended by H.B.M.'s Government should be constituted Bishop of Malta, as soon as possible, but some delay was inevitable in order to enable the Pope to free himself from the promises he had made to Naples. The Papal Nuncio at Naples had already set the ball rolling, but the matter could not be concluded owing to the King's

(15) *Ibid.*, Albani to Ponsonby: 6. viii. 1820, pp. 227-229.

(16) *Ibid.*, Albani to Hankey: 25. xi. 1820, p. 296.

(17) *Ibid.*, Ponsonby to Murray: 9 ix. 1820, pp. 235-230.

(18) *Ibid.*, Report: Hankey to Ponsonby: 24. xi. 1820 (p. 290 r.

(19) *Ibid.*, Hankey to Albani: 26. xi. 1820, p. 296 v.

absence from his dominions, as well as to some voluntary delay on the latter's part (20).

Very shrewdly Hankey asked the Cardinal Secretary of State to confirm this in writing. The correspondence thus started between them on the same day, alternated by other interviews which ended on the 7th of November. The most important point of this correspondence was contained in Cardinal Albani's letter of the 2nd November, in which he stated that the Holy Father would make it a point to give without delay the Catholic population of Malta a Pastor as soon as He should be officially certain that he could do so peacefully..... Then would He nominate a person possessing the fitting canonical qualifications to that regard justly due to the recommendation and to the wish of the Prince who reigns over those faithful Catholics, for His Holiness was anxious to contribute to the smooth working of the local Government, convinced that "happiest results follow where the two Authorities are in perfect concord" (21).

Before leaving, Hankey made three requests to the Pope, through the Cardinal Secretary, namely: the speedy nomination of Mgr. F.S. Caruana as Pastor of the See of Malta; the nomination of Mgr. Salvatore Lanzon to succeed Mgr. Caruana as Canon Archdeacon of the Cathedral Church; and, thirdly, that the Apostolic Bull in favour of Mgr. Caruana be graciously accompanied by the dispensation authorising the latter to be consecrated by the Most Rev. Publio M. Sant, Titular Bishop of Larada, assisted by two Canons of the Cathedral Church, and this in order to avoid longer delays in the completion of the measures then in progress, which would be highly prejudicial to the interests of the Maltese Roman Catholic Church (22). Pope Pius declared himself ready to accede to the wishes of the British Government in all cases where the violation of some particular point of his duty did not form an impediment (23).

Mutual personal appreciations were also exchanged by the two Representatives in their Correspondence.

Sir F. Hankey returned to Malta on the 22nd of November. Two days later he drew a report to the Governor on his mission, in which he insisted that it was necessary that the British Minister at Naples should be instructed by the Secretary of State for Foreign Affairs to render his assistance by urging that the interference of the Government of Naples in the question of right should be withdrawn, without, however, touching on the question of the Temporalia of the Bishporic of Malta in Sicily. He also expressed his fear lest the Neapolitan Court should endeavour by intrigue in Rome to suspend the nomination, with the hope of teasing the British Government into a consent to the spoliation of the Maltese Church of her Sicilian properties. But this sequestration, he added, could not be done without the concurrence of the British Government, and, moreover, standing to the Cardinal's words, it would be null so long as a Church continued to exist and to be maintained (24).

(20) *Ibid.*, Report: Hankey to Ponsonby: 24. xi. 1829, pp. 288-291.

(21) *Ibid.*, Albani to Hankey: 2. xi. 1829, p. 302 r.

(22) *Ibid.*, Hankey to Albani: 6. xi. 1829, p. 304 r.

(23) *Ibid.*, Albani to Hankey: 7. xi. 1829, pp. 305-306.

(24) *Ibid.*, Report: Hankey to Ponsonby: 24. xi. 1829, pp. 292-293.

The report was on the same day transmitted to the Secretary of State, who approved the line of conduct pursued by Hankey in his communications with the Authorities at Rome. Lord Murray, however, expressed some doubts as to the interpretation of a passage in Hankey's letter to Cardinal Albani: "*Il Governo di Malta unicamente si rivolge a Sua Santità per il bene spirituale della popolazione di Malta, chiedendole che venga essa provvista del suo Pastore, e per il bene del Governo locale*" (25). This passage was interpreted by Ponsonby in the sense that the British Government had nothing to do with any other Government except the Pope, in settling the business of the nomination, who would constitute the new Pastor, leaving of course the selection to the sovereign of the Island; and that the affairs of local Government would naturally proceed better with a Head in the Church, than without any (26).

Further correspondence between the British Government and the Neapolitan Minister went on, copies of which were transmitted to the Governor. And the Under-Secretary of State for the Colonies sent a despatch to the Under-Secretary of State of the Foreign Department, urging that instructions be given to the British Minister in Naples to let the Neapolitan Government settle at Rome the questions of the alienation of the Possessions of the Maltese Bishopric in Sicily (27).

Ponsonby added that such instructions should be positive and peremptory with regard to the pretensions of the Neapolitan Court to the nomination, and that the latter be obliged to ratify any eventual renunciation officially to the Papal Government direct. He repeated that the motive of the Neapolitan delay was the hope of the spoliation of the Episcopal revenues in Sicily, which, *sede vacante*, continued to be appropriated by that Crown, and which had much decreased, owing to the constant heavy demand which the King was in the habit of making in the property of the Church (28).

In course of time, the Cardinal Secretary of State informed the Malta Government that there was nothing whatever to prevent Mgr. Caruana's recognition at the first Consistory with the right of taking possession of the episcopal property in Malta, not however of that in Sicily for the time being (29).

On the 17th of February 1831, Ponsonby had to insist for the last time on the Cardinal Secretary of State for the prompt recognition of the Archdeacon (30).

Eight days later the Pope's Auditor, Mr. G. Bentidoro, informed Mgr. Caruana that His Holiness had been pleased to appoint him Bishop of Malta, and that He would execute his proposal in the next Consistory to be held before the end of that same month (31).

(25) COLONIAL OFFICE, DESP., 1830 p. 93: 4. ii. 1830.

(26) R.M.L. DESP., 1829: Ponsonby to Murray: 4. iii. 1830, pp. 294-299.

(27) *Ibid.*

(28) *Ibid.*

(29) R.M.L. DESP., 1832: Ponsonby to Goderich: 16. iv. 1831, erroneously quoted 1832, pp. 81-83.

(30) ARCHIVIO ARCIVESC. CORR., 1833: Ponsonby to Card. S. of S.: 17. ii. 1831, p. 275.

(31) *Ibid.*, CORR., 1833-35, p. 490.

On the 1st of March, the Apostolic Bull was issued by Pope Gregory XVI, at the first Consistory after his exaltation to the Pontificate (32). Mgr. Caruana was consecrated Bishop on Sunday, the 15th of May, and installed as Bishop of the Diocese on the following Thursday with the usual solemnity (33). His Holiness was pleased to confer on the new Bishop the title of Domestic Prelate and Assistant at the Papal Throne (34).

The newly-elected Bishop requested the Governor to forward a humble address to be presented to His Holiness by the Secretary of State (35).

These are all the facts we could glean from the documents at hand regarding the nomination of the Bishop immediately succeeding Mgr. Mattei in the See of Malta. The complete silence about other persons that could be proposed to the Bishopric by any of the parties concerned, that were the British Government, the King of Sicily and the Court of Rome, as well as the absence of any phrase from any of these parties disqualifying Mgr. Caruana as a suitable person to govern the See of Malta, together with the frequent mention of his only name as the proposed Bishop in the two-year long correspondence between the Holy See and the British Government, lead us to conclude that the delay in the appointment of Mgr. F.S. Caruana as Bishop of Malta was only and wholly due to reasons of a merely diplomatic nature.

(32) R.M.L. DESP., 1831: Ponsonby to Goderich: 9. iv. 1831, p. 89.

(33) *Ibid.*, Ponsonby to Goderich: 28. v. 1831, pp. 105-107.

(34) *Ibid.*, Thornton to Goderich: 25. vii. 1831, p. 226 r.

(35) *Ibid.*, Ponsonby to Goderich: 9. iv. 1831.