

MALTA'S RELATIONS WITH THE HOLY SEE IN POSTCOLONIAL TIMES (SINCE 1964)¹

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SUMMARY

This study will treat the political relations between Malta, a very Roman Catholic country, and its religious supervisor, the Holy See. One would expect these relations to be very smooth. And yet, this has not been the case in many instances, as we will see.

When Malta became independent in 1964, Church-State relations were under strain by the pending quarrel between the local hierarchy and the Labour Opposition. The issue was finally settled in 1969 because of intervention of the Holy See. In 1974 Dom Mintoff's Labour Government sought support of the Holy See to curtail the privileges of the local Church. During 1982-1985 a struggle arose between the same anticlerical Government and the Maltese Church, backed by the Vatican, about the control of the Church-owned private schools.

These and other issues will show the delicate changes in the power-balances between State and Church in Malta and the Holy See.

INTRODUCTION

Malta, an Island Republic in the Central Mediterranean, became independent in 1964. Malta's Independence was not a result of a prolonged freedom fight, such as happened in other white British colonies as Ireland and Cyprus, but of cuts in expenditure by the Metropolitan Government as a consequence of the decreasing strategic importance of Malta.²

And yet, Independence, at the local level very much the baby of the Nationalist Prime Minister Dr. Giorgio Borg Olivier, was not achieved with consensus. Because

¹ The present paper is a partial report of my research into political and religious leadership in Malta, carried out since 1973 with support from the former Netherlands organization for the advancement of pure research (Z.W.O.) and my Department of Social Anthropology of the Free University, Amsterdam. Research was based on field work and the study of written sources. I am grateful to Dr. Mario Buhagiar, B.A., M.Phil., Ph.D. (Lond.) for his constructive criticism.

² Cf. Koster, 1984b, pp. 185-193.

of a stiff conflict between the Maltese Roman Catholic hierarchy and the Malta Labour Party (MLP) the hierarchy had used the Interdict as a spiritual sanction against the MLP and its supporters during the 1962 general elections. Because of this conflict the Church allied itself with the Nationalist Party (PN), which was all out for Independence. Therefore the Archbishop tried to obtain a Constitution in which the Church's position would be safeguarded. The Nationalists were prepared to go along since it owed its power, to some extent, to its pro-clerical attitude and the ecclesiastical interference with the 1962 general elections. The Church still had a splendid position in the Independence Constitution but this position could easily be changed. Furthermore the Church had lost its greatest protector, the Colonial Administration.³

The parish priests were still highly influential in their parishes, among other things because of the absence of local government at that level.⁴

Private schools continued to be fully controlled by the numerous male and female Religious Orders, as were private hospitals and clinics. Charity too was almost completely left to the Church, which wielded great influence on the population as it was tied to it in many ways.

RECONCILIATION BETWEEN CHURCH AND MLP

The MLP was not in a position to exert much influence at the time of Independence because it had lost the 1962 elections. And yet 34% of the electorate had voted for the party despite this being a 'mortal sin'. The MLP now proclaimed itself a martyr of the interdict, and a policy was pursued which was aimed at convincing the Church (especially the Vatican) that the Interdict should be abolished. Until that moment there were no chances for the MLP to take over the Government.

The MLP kept insisting that the Interdict did not accord with the spirit of Vatican II. Rome too must have started to think along these lines as the Holy See's representative at the Independence ceremonies was ordered to organize secret negotiations between party leader Mintoff and the Archbishop. Although these negotiations were conducted in a cordial atmosphere, the Archbishop was apparently not prepared to grant any concession.⁵ The Nationalists had nothing to gain from a successful outcome of the negotiations and insisted that the Vatican replace its mediator (the Apostolic Delegate to Great Britain) by an Apostolic Nuncio, who was said to be more in keeping with the country's newly gained independent status.

³ Cf. Koster, 1984b, pp. 192-199. See also Harrison Smith and Koster, 1984/86.

⁴ Cf. Koster, 1984a.

⁵ Cf. Koster, 1984b, pp. 201-206.

This move produced considerable delay, so that the general election of 1966 was held once more under the Interdict, which meant that the PN was again returned to the Government without problem.

During the electoral campaign it was painfully made clear, however, that the clerical camp was less united than before. A few prominent clergymen openly fought the interdict, while many priests found the situation untenable from a pastoral point of view. In the meantime quite a few priests were dissatisfied with the *laissez-faire* policy of the Nationalist Government.

The Vatican was now under pressure not only by the MLP, but also from the British Episcopate and many prominent Maltese clergymen and members of the laity. Gradually the Holy See changed its mind about the use of the Interdict, since it ran counter to the spirit of the Second Vatican Council.

It was decided to intervene and two Auxilliary Bishops were dispatched to the Maltese ecclesiastical province.⁶ One of the new appointees, an experienced Vatican diplomat, soon started negotiations with Mintoff and as a result in 1969 a 'peace-treaty' was signed between the Episcopate and the leaders of the MLP, which stated:

"The very nature of the Church demands she does not interfere in politics".⁷

The Church also made the concession of dropping the reference to "mortal sin" with respect to political actions. This agreement paved the way for the Socialists to assume power in 1971, though Labour played safe in its electoral manifesto by not making references to the Church. Keeping its part of the bargain, the Church did not put anything in the way of the MLP during the 1971 election. The PN for its part was suffering from accusations of corruption and gave the impression of being tired after two terms of office. The result, then, was a narrow victory for the MLP, which managed to take over the Government.

LABOUR AT THE HELM

The Early Years

The new Government's preoccupation with foreign and economic affairs kept it from dealing immediately with the Church.

⁶ The Prime Minister was notified in advance about the forthcoming appointment of Mgr. Gerada as Auxiliary Bishop of Malta. According to some as matter of courtesy, according to others as a logical consequence of the Simmons-Rampolla Agreement, the Nationalist Government of Malta being the legitimate heir of the British Colonial Administration (Cf. Koster, 1984b, p. 64.) This matter still needs clarification.

⁷ *Malta News*, April 7, 1969.

Gradually, the Government began to implement the proposals which the socialists had cherished so long. Education was the first item on the list, but the authorities were careful enough not to overstep the mark.

The 'nationalization' of the teacher's training, which until then had been shaped completely along British lines and run by a male and a female religious order, fitted the policy of severing neo-colonial ties with the former colonial overlords. All British religious involved in education left the Islands. English was gradually replaced with Maltese as the language of instruction in State schools.

In 1974 the State tightened its control over the University in which many priests held teaching posts, also outside the Faculty of Theology. At the same time Religion was discontinued as a compulsory subject for the entrance into University.

The proclamation of the Republic in December 1974 was the next logical step. A majority of the Nationalist Opposition joined the Government in voting for a revision of the Constitution, in which *en passant* the privileged position of the Church was finally abolished and a "Corrupt Practices Act" was introduced with respect to elections. According to its definition, "any temporal or spiritual injury" constitutes a corrupt practice. This means that an election result can be annulled if priests have, for example, refused absolution to the voters of a particular party. Thus further interference with elections from the pulpit or from the confessional was made illegal.

The Vatican had been consulted by the Malta Government before, but it had not expressed an opinion and the Nuncio had passed the relevant documents on to the local Bishops, as it was up to them, and not the Holy See, to handle the constitutional question. However, the local Episcopate did not comment either. Its behaviour was in no way surprising on account of a serious rift between the Archbishop and his Coadjutor about the administration of the diocese. Most members of the clergy took sides in this conflict, which did not end until the Coadjutor was transferred from Malta after having been accused of careless handling and squandering Church funds. Only a few years earlier the Archbishop himself had entrusted a substantial amount of money to a Candian businessman, who proved to be a swindler. These affairs not only severely harmed the financial position of the Church, but it had also divided the priests and negatively affected the image of the hierarchy and clergy.⁸

Towards Different Relationships

The amended Constitution paved the way for the implementation of Mintoff's 'old'

⁸ For details, cf. Koster, 1984b, pp. 223-229.

proposals for Church-State relations in Malta. Now it was only a matter of months before the Labour Government enacted legislation affecting the Church. First, the *Privilegium fori* was abolished, so that Bishops could be taken to court, which until then had been impossible. Next the Burials Ordinance was amended so that every Maltese citizen became entitled to burial in the state owned Addolorata cemetery (the main cemetery in Malta) and interment there could no longer be denied to persons who, according to Canon Law, had placed themselves outside the pale of the Church. This amendment was clearly meant to undo the power of the parish priests in this respect.⁹ A Marriage Bill was passed which provided for the introduction of civil marriage. Now ecclesiastical marriages are valid only if all provisions of the Act are observed; this means that Canon Law ceased to have effect as part of Maltese marriage law. Finally, the exemption of Bishops, Religious Orders, parishes and any other kind of Religious Association from income tax was abolished.

As far as the Church itself was concerned, only the introduction of the Marriage Bill gave much commotion, but in the end the new law prevailed.¹⁰ The Episcopate, weakened as it was, could hardly oppose the other measures. In the new Republic *Privilegium fori* was not even granted to the President, so it would not be prudent to claim it for the Bishops. Neither would it be prudent to insist on continuing to have tax exemption. Finally, that the refusal of burial at the Addolorata Cemetery had been used as a weapon against the supporters of anti-clerical politicians in the past, made it a touchy subject which would better not be raised. The Holy See did not react. This was perfectly in line with the policy of Mgr. Casaroli under Pope Paul VI at the Vatican Secretariat of State. He advocated a more modest role for the Church and after all, Mintoff's reforms, though revolutionary for Catholic Malta, were not spectacular from a more world-wide point of view. As a token of appreciation, Mgr. Casaroli was among the first to be awarded the *Gieh ir-Repubblika*, a new decoration introduced in 1975.¹¹

Towards Complete Independence and Neutrality

During the electoral campaign of 1975 the Maltese episcopate was so careful to avoid "corrupt practices" and consequently have an eventual Nationalist victory annulled, that the Government could even use the "good relations" between Church and State and between the Maltese Government and the Pope in its campaign.

⁹ The refusal of a proper Catholic burial and the interment of the body in non-consecrated ground outside the walls of the cemetery had been a powerful weapon in the hands of the Church during the "politico-religious conflict" of the sixties. Cf. Koster, 1984b, p. 174 and Borg, 1984.

¹⁰ Cf. Koster, 1984b, pp. 232-233.

¹¹ Mgr. (now Cardinal) Casaroli, however, never came to Malta to receive his decoration.

The MLP gained a somewhat bigger victory than in 1971 and used the election result as a legitimization to continue its course. Malta should be all out to be economically independent in 1979, when the British troops would definitely leave. Therefore productivity had to be raised and could no longer be hampered for instance by the great number of public holidays. In 1977 the Government announced that the Vatican had cancelled most religious feast days as days of obligation. In order to increase national productivity, the Government abolished these days as public holidays. Many people, the clergy included, grumbled, but the Government by its move at the Vatican had outwitted the hierarchy. So the feasts were transferred to the nearest Sundays, but the faithful were advised by the Episcopate to hear Mass on the traditional days of obligation. However, church going on these days is no longer as frequent as the clergy would want it to be. Because of the transfer of these feasts to Sundays, eight Sundays could no longer be used for the celebration of the *festas* of the parish saints, which means a restriction of these popular religious occasions.¹² This was an accidental advantage for the Government as these *festas* are an important competitor of the MLP in tying the loyalty of the masses. The position of the parish priests, who derive much prestige from these feasts, was touched.

Anti-establishment

The anti-establishment policy led to a 'reform' of the venerable University of Malta which in 1978 was stripped of its arts, theology and medical faculties. The Prime Minister had often indicated that the University in general and the first two faculties mentioned in particular did not contribute to the Maltese economy and therefore should not constitute a burden any longer on the national treasury. The *intelligentsia*, amongst them pro-clericalist and Nationalists, protested furiously against this policy, but were powerless to do anything.

Most of the clerical professors and staff members were forced to leave the University, and as a result many effective networks, of which the clergy also formed a part, disintegrated. The Church, with the approval of the Holy See, then founded its own Faculty of Theology at the Seminary. From now on the intensive contact between future diocesan priests and other students, which had shaped the close ties between the secular clergy and the other members of the Maltese elite for more than a century, had been terminated.

The same policy led to a conflict with the medical doctors and specialists and finally to the nationalization of the health service. As a consequence all private

¹² Cf. Koster, 1988. After the change of Government in May 1987 not only some of these feasts, but quite a few others now tend to be celebrated on their traditional dates (e.g. St. Lawrence, Vittoriosa, 10th August, St. Dominic, Valletta, 4th August).

hospitals and clinics, run by (partly British) female religious orders were forced to close.¹³

The hierarchy issued no comments, to the displeasure of an increasing number of vociferous faithful. When in 1980 a British religious nurse had been expelled from Malta, all the Archbishop did was to see her off at the airport.

The Vatican never openly showed irritation. This fitted in with the attitude of the Holy See during the Papacy of Paul VI towards State intervention in Catholic countries.

In Parliament the Nationalist Opposition tried in vain to fight these measures. The University and the Catholic hospitals were definitely issues in the 1981 election, which gave the Nationalists an opportunity to act as the unrequested champions of the Church.

The Challenge

The opening stages the third "politico-religious" crisis of the century were set in 1980, when the Government nationalized the Church-owned hospitals and threatened to do the same with the private schools, the other bulwark of the Church in social life. The Government demanded that private education should be free. In principle this had been agreed upon at a meeting with representatives of the religious orders. The Archbishop, however, indicated that the religious did not act upon his authority and refused to recognize the agreement, in which he received the backing of the Vatican. Now the religious who attended the meeting were forced to deny that an agreement had actually been reached and Government propaganda loudly proclaimed the "double-dealing" of the Church.

The Archbishop must have feared that private schools in Malta would not have survived when he discarded the agreement between the religious and the Government,¹⁴ but clearly this could never have happened without support from the Holy See, which under Pope Paul VI had considerably changed its attitude towards Church-State relations in Malta.

The situation must have been judged serious by the Vatican as in February 1981 I received an urgent letter from the late Archbishop Cardinale, then Apostolic

¹³ Malta has been without "sleep-in" private clinics ever since.

¹⁴ Whatever may be the truth about the meeting and its minutes, the Government had easily scored a point against the Church, which gave the impression of being utterly divided and confused. I would not be surprised if latent tensions between the regular and secular clergy, as brought to our attention by Mart Bax (1983, 1987) in the Netherlands, played some role here.

Nunico with the Common Market in Brussels, who privately informed me that he might

“have to go to Malta to look into the Church-State situation there”.¹⁵

In order to be adequately informed Mgr. Cardinale asked me to send him a photocopy of a chapter of my dissertation, then still in draft form.

In early March the Maltese Bishops issued a Lenten Pastoral, in which they reaffirmed the right of the Church

“to teach, to have and direct, in full freedom, social institutions and to pass moral judgements even in matters relating to politics when fundamental rights of man or the salvation of souls require it”.¹⁶

This prompted Mrg. Cardinale to add to his note of thanks for the information supplied:

“I was hoping to give you some definite news about my Malta mission, but nothing has happened until now allowing me to carry it out. On the contrary, the publication by the Archbishop and Bishops of a Pastoral Letter dealing with the problems at stake appears to have delayed my visit there. I do not have much information from the inside, but I have the impression that the whole issue is now a burning one, in view of the forthcoming electoral campaign.”¹⁷

A month later the mission was shelved:

“For the moment, all is quiet on the Malta front as far as I am concerned, but not with regard to the front itself, I’m afraid! My impression is that the Archbishop would rather not have somebody coming from the outside to deal with the outstanding matters. We are now running into an impossible season for me, so even if it was desired that I should go, I would have trouble in finding the way of doing so just now. In a way I am sorry, as I feel I could have helped solve the problems at stake. But all I can do is wait.”¹⁸

Alas, in June mediation was definitely off:

“I have had no further indication from the Vatican about my Maltese mission. I suppose this depends very much on the position taken by the Hierarchy in their latest Pastoral Letter...”¹⁹

¹⁵ Mgr. Cardinale, personal communication.

¹⁶ The Year Book, 1982, p. 32.

¹⁷ Mgr. Cardinale, personal communication.

¹⁸ Mgr. Cardinale, personal communication.

¹⁹ Mgr. Cardinale, personal communication.

It is my absolute conviction that by declining the mediation offer the Archbishop missed a golden opportunity to get the two sides closer together. Mgr. Cardinale²⁰ had already proved his usefulness on earlier occasions²¹ and he would, in all probability, would have been acceptable to the other side.²²

The 1981 Elections

Mintoff’s visit to the Pope, meant to be the opening of the 1981 electoral campaign, overshot its mark when the Holy Father explicitly expressed his support for the Maltese episcopate.²³

The election took place in December 1981. The hectic electoral campaign produced a peculiar result. The MLP was returned to the Government with a three-seat majority but a minority of votes.²⁴ The PN accused the MLP of gerrymandering and, while it refused to accept defeat, a political crisis began which lasted more than a year. During this crisis the Archbishop was proclaimed *persona non grata* by the Prime Minister for allegedly supporting the PN. In the spring of 1983 the Nationalists finally returned to the Opposition benches in Parliament.

THE SCHOOL WAR

The Socialists could use some success and therefore it was decided to take hold of the Church Schools. At first the Government tried to deal directly with the Vatican, but the latter referred the matter to the Maltese Episcopate.

In 1983 Government proclaimed a “Devolution of Certain Church Property” Act, which was challenged before the Constitutional Court by the Archbishop.

In the course of 1984 a fierce battle erupted in Malta between the Socialist Government and the Roman Catholic Hierarchy. At stake was the control of private education, which until then had remained almost completely in the hands of Catholic Religious Orders. Emotions ran high and at some time serious civil unrest was highly probable. The events were covered by newspapers and television stations in many countries; even the European Parliament became involved.

²⁰ Mgr. Cardinale, a great friend of Malta, died in March 1983, after a sad disease.

²¹ Cf. Koster, 1984b, pp. 188-191, 201-202.

²² Less than two years before the Prime Minister wrote to the Nuncio:

“Please come to see us when you find the time. You have once helped to turn the Maltese into a young and tiny nation. You still have the chance to help Maltese Catholics to become good Christians” (Mintoff to Cardinale, 22 June 1979).

²³ Allied Newspapers, 1981.

²⁴ Cf. Koster, 1982 for an analysis of the election.

Once more the Nationalists and the Church were fighting the same enemy. An important rule in this conflict was reluctantly played by Archbishop Mercieca who did not seem to be an inspiring leader, but who was assured of the support of the Vatican and the local clergy "because he could not be dropped since Mintoff had asked for his removal."²⁵ His main opponent was no longer Prime Minister Mintoff, who considered going into retirement but the deputy leader of the MLP, Dr. Karmenu Mifsud Bonnici, who had been especially appointed Minister of Education and now directly responsible for its outcome.²⁶ This indicates the issue's extreme importance to the MLP as it was going to be Dr. Mifsud Bonnici's supreme test before succeeding Mintoff as Premier and Party leader. Opposition leader Dr. Eddie Fenech Adami was in the meantime shrewdly nurturing the pro-clerical sentiments.

A license system was passed through Parliament, and subsequently eight Church secondary schools, which did not meet the requirements (free education and no restrictions for admission) were withheld a license for the scholastic year. The Government tried to apply the *divide et impera* principle by granting licenses to eleven secondary and all primary schools controlled by the Church. A wave of protests was heard, and mass meetings were organized against the Government, not by the clerical authorities, but by their ally, the Federation of Parent Teacher Associations (FPTA), which was supported in many ways by the PN. The Archbishop, who had assumed personal responsibility for the running of Church schools, was conspicuously absent at these meetings. He repeatedly stated that it was his intention to open all Church schools, license or not. However, he had to change that decision after the ransacking of his Curia by furious Drydock workers, who were staunch Government supporters. The same evening the Archbishop was told by the Prime Minister and the Minister of Education that the law should be obeyed and that bloodshed might not be evaded if the eight schools were opened, bloodshed for which he would be held personally responsible. Now all Church schools remained closed including those that had been granted a license as "all are one."

This move was explained to me as a way to maintain solidarity amongst the schools and the parents. And generally it seems to have worked.

The atmosphere grew more and more tense, since most State schools remained closed too as many teachers were on strike. This strike was interpreted by the

²⁵ Local prelate, private conversation with the author.

²⁶ Dr. Mifsud Bonnici started a weekly series of highly inflammatory talks in various towns and villages, nicknamed by his opponents "the Sunday sermons", but cheered by his supporters in which he frequently attacked the Church and its leaders. Gradually, a propaganda war had started, which can be easily measured by the amount of books and pamphlets dealing with the subject; cf. Department of Information, 1983. 1983, Klabb Qari Nisrani, 1983, Archbishop's Curia, 1984ab, Malta Labour Party, 1984.

Government as a sign of support for the Church on part of the teacher's union, the MUT. Although this has been officially denied, the MUT's strike was certainly convenient for the Church.

In the meantime education went 'underground' and teachers volunteered to give classes in private homes; consequently children attended many more 'birthday parties' than usual. Demonstrations and counter demonstrations by Government supporters, followed upon each other.

Once agreement had been reached between the Government and the MUT, the position of the Church received a fresh blow as state schools became the only possible alternative for those parents that were fed up with the situation.

However, secret negotiations had started between the Government and the hierarchy. In November 1984 the Archbishop decided to suspend all fees for Church schools (both primary and secondary) for the scholastic year 1984-85 at the same time declaring that he was prepared to continue negotiations. Subsequently the Government issued licenses to all 74 Church schools. The FPTA was not involved in the deal and felt deserted by the Archbishop.

When on 19th November all Church schools operated again there was an atmosphere of genuine relief all over the islands.

The Aftermath

The Government insisted that further negotiations be held with the Vatican. The Holy See added the Maltese Episcopate to its own delegation. In April 1985 agreement was reached on "the gradual introduction of free education in Church schools in Malta". A mixed commission by the Vatican and the Maltese Government was set up to study the financial means of the Church in Malta and admission to secondary schools. The Government was prepared to assist the Church schools financially if the commission's report indicated that the financial situation of the Church gave rise to such action.

As a sign of goodwill the Holy See, after a vacancy of many years, appointed a resident Papal Nuncio to Malta.

In September 1985 during a brief meeting with Pope John Paul II, the latter told me he prayed every day for Malta. I suggested that His Holiness should visit the Maltese Islands. The Pontiff's reply: "I will come, but not now" was for me a clear indication that still not everything was well between the Holy See and the Malta Government.

The 1987 Elections

The smoke of the school war had hardly cleared when another hectic electoral campaign started. There was hardly any difference in the percentage of votes obtained by both parties in May 1987, compared to December 1981. However, a recent change in the Constitution new paved the way towards the Government for the party with the majority of votes, the PN. Although the PN in its electoral manifesto promised to remove discriminatory measures against the Church, including legislation relating to Church schools and Church property and repeal the law which empowers the Government to close down private schools (*The Times*, 9 April 1987), the private schools issue and the position of the Church did not play a major role in the electoral campaign. The main issues were the style of leadership, corruption, violence and foreign policy.

THE NEW GOVERNMENT

The PN kept her electoral promise and immediately repealed the law against Church property. As a consequence the Church dropped the constitutional case.

With regard to education it took more than two years before parties reached an agreement regarding the future of Church schools.²⁷

A clear indication of the present improvement in Church-State relations was the announcement of a "Pastoral Visit" to Malta of Pope John Paul II in November 1989. Although both parties agreed to a "holiday from politics" during the fortnight preceding the visit in May 1990, the MLP's later complaint about the 'partisan' covering of the visit clearly indicates that the PN President, Prime Minister and Ministers stole the show. At the moment it seems that nothing is "rotten in the State of Malta" as far as the Holy See is concerned.²⁸

CONCLUSION

When Malta became independent the *aggiornamento* of Vatican II led towards peace between the MLP and the local episcopate, much to the chagrin of the PN Government, which led to uneasy relations with the Holy See. After 1971 the Vatican, under Paul VI, refused to intervene when Church-State relations in Malta came more in line with the present times. However, under John Paul II the

²⁷ Why did it take so long? I don't know the details. Nor do I know what was agreed.

²⁸ The local clergy, however, are not altogether happy with the present situation. There was much grumbling about the organisation of the papal visit and especially about the dominant role played by the present nuncio, who seems to be much resented, in local ecclesiastical affairs. The Archbishop is blamed for giving too much leeway to this rather dominant Italian prelate.

Archbishop was fully supported when Government overstepped the mark in the School War. It was obvious that relations could only improve with a change in Government. This occurred in 1987.

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