PRISON LIFE IN MALTA IN THE 18TH CENTURY
VALLETTA'S GRAN PRIGIONE

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Malta's *ancien régime* slaves' prison - *la Prigione dei Schiavi* - which was located in the city of Valletta, has been the victim of historiographical neglect. To date no monograph has ever been published on the subject and a detailed study has yet to be made of prison life in *ancien régime* Malta.[1] The wholesale demolition of this building has contributed in no small part to the fact that its exact location in Valletta is, for many, a matter of conjecture. That no trace of this building remains has reinforced the mystery which shrouds the *Prigione* and which prevents us from understanding its exact role within the structures of power built up in early modern Malta by the Order of St John. Were it not for its obliteration the *Prigione dei Schiavi*, or *bagno*, as it was popularly referred to, would surely rank prominently among Valletta's oldest buildings, having been attributed to the sixteenth-century architect Gerolamo Cassar.[2] The prison was

> a lofty quadrangular building, standing on the brow of a hill fronting the grand harbour. It is isolated, being bound by *Strada* St Ursula in front, the ramparts behind, *Strade* St Christophoro and Pozzi on either side. It consists of three stories, and occupies a nearby equilateral space about 400 paces in circumference.[3]

Its size was such that it could easily house over 900 inmates.

In the 1780s, John Howard, who was at the forefront of a prison reform movement then gathering momentum in England, visited Malta and left a brief description of the internal organisation of the *Prigione dei Schiavi*.[4] Howard restricted himself to stating that the inmates 'have many rooms and each sect their chapels or mosques and the sick rooms apart'.[5] He saw no

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apparent reason to criticise the conditions within the prison. The interesting element in his description is the observation of different religious denominations within the same building. In fact, the *Prigione dei Schiavi* was not just a compound into which slaves were herded at night for the safety of Maltese citizens, but was actually the government's principal jail. Official documents refer to it as *la Gran Prigione*. Its principal function was the punishment of all malefactors, whether Christian or Muslim. Despite Howard's observations there are indications that conditions within the prison were rather execrable. In November 1778, Father Peter Carolus, describing himself as *Catecumenorum in Ergostolo Vall(etta) Civitis*, appeared before the Tribunal of the Holy Inquisition to report a case of heretical behaviour by the Christian inmates.[6] Carolus stated:

> As the Missionary of the Slave Prison I sleep close to the Christian Chapel that is to be found in that prison, and each morning the caretaker in charge of the prisoners' sleeping quarters comes to me and relates to me the disorders that would have happened the previous night. This morning the aforementioned caretaker ... came to me at an early hour, bringing with him these [damaged] holy artefacts of the *Beata Vergine del Consiglio* and this gesso Crucifix which both hung on the wall of the loft in the big room where the old prisoners sleep.[7]

Carolus described the big room as a dormitory which housed eighteen soldiers from the Magistral Regiment, incarcerated there for various misdemeanours. However, the prisoner charged with damaging the holy images put the number of men sleeping and living in the dormitory at thirty-four.[8] Each inmate had his own little patch for personal items and rough bedding, either in the lower part or in the upper part of the dormitory - a loft - which was reserved for the older inmates. Sacred images were provided for the edification of the prisoners.[9] The *Gran Prigione* also had single-prisoner cells which were used as lock-ups for recalcitrant prisoners, without segregating these totally from the other inmates. In *Discipline and Punish* Michel Foucault emphasised the development of the concept of isolation as an integral element of the nineteenth-century penitentiary.[10] But in fact punishment by physical isolation was not at all unknown to the *ancien régime*, although it did not then carry the same meaning that it was later to assume - when isolation was used as a means of inducing introspective self-examination.[11]

The *ancien régime* prison was not a penitentiary. It did not aim at rehabilitat-

ing the criminal nor did it aspire to be a 'total institution' which, through disciplinary measures, would seize control of the soul, the seat of human emotions.[12] The concept that detention was in itself enough to expiate the offence caused to society by a crime was only just beginning to gain currency in the late eighteenth century. The rationale behind *ancien régime* punishment operated entirely on the basis of inflicting a degree of suffering on the miscreant. Terror would serve to announce the fact that sovereign power was thereby extracting its due amount of justice from the criminal. *Ancien régime* punishment, more often than not, had a physical dimension to it; branding, whipping and the infliction of blows with a cudgel are just a few of the methods employed. Sovereign power, in gaining control of the criminal, could also put the malefactor at the service of the state by inflicting harsh labour punishments, which often included a measure of physical suffering. Hard labour on the Order's galleys for a period of three years - even a lifetime sentence - was a frequently-employed punishment in *ancien régime* Malta.[13] The *Gran Prigione* therefore served to house all the prisoners at the government's disposal, whether slaves or freemen. In effect the prison was a massive workhouse. The majority of its inmates comprised the muscle power used to drive the galleys. But there were also other types of labour punishments. In the *Bilancio Settennale* Bosredon de Ransijat points out that the slaves within the prison were employed in making cotton canvas for the sails of the Order's galleys.[14] Other slaves housed in the *Gran Prigione* made up the 'gangs of the galleys ... [or are] employed on the lands of the [Hospitaller] Religion'.[15] Unfortunately Ransijat says nothing about the employment of the Christian prisoners, but the government tended not to differentiate between its slaves and Christian prisoners and often put these to work side by side. In this manner the *Gran Prigione* inmates provided the government with a considerable workforce with which to operate its extensive war industries. The prison was also accessible to the public and it became notorious for a range of ancillary services: the slaves' love potions and spells were greatly demanded by any person suffering the pangs of unrequited love. The building also housed a men's hairdressing and shaving establishment. Priests 'gave rise to scandal when they went to be shaved by a Muslim barber in order to save some money. They even went to the slaves' prison to have their hair cut'.[16] The prisoners were also frequently allowed to gather at the main gate to beg for alms.[17] Even though labour was a form of punishment the government took pains to ensure that this sizeable amount of muscle power was not decimated

by disease. To this end an infirmary was established within the *Gran Prigione*. This provided medical services for both public- and privately-owned slaves. The owners of private slaves had to pay four *tari* per day.[18] The state did not provide for female slaves, presumably because these could only be employed as domestics and therefore were of no value to the government. To a certain extent the medical services lavished on the government's prisoners were in keeping with the rationale behind the *ancien régime* mercantilist scheme of things, by which, labour power augmented the wealth of the state. It must be pointed out that since the galleys were also employed in incursions against the Ottoman Infidel such expeditions often reaped booty for the Order's coffers.

The easy accessibility to the public of the *Gran Prigione* should not be taken as an indication that justice was mild. Punishment was exacting and rigorous and prisoners who had sought sanctuary went to extraordinary lengths to prevent being denied ecclesiastical immunity. Archival evidence corroborates this view and indicates that a prisoner under Episcopal authority was materially better off than a prisoner in the *Gran Prigione*. Joannis di Giorgio appeared before the Tribunal of the Holy Inquisition, in April 1778, denouncing a person for blasphemy. He stated that:

> In the Episcopal prisons here in the City of Valletta ... there is imprisoned Franciscus ... of Zabbar ... who has been in these prisons for eighteen months ... but as from three months ago he has become desperate, and continuously blasphemes ... I must add that the cause of this person is so criminal that the Government demands [the power] to proceed with the case in the Lay Court, and this has made [Franciscus] even more desperate.[19]

Unlike the communal sleeping quarters of the *Gran Prigione* the Episcopal prison had separate cells for its inmates; yet prisoners were also allowed a gregarious lifestyle. In 1771, Ignatius of Casal Zebbug went to the Episcopal prisons to visit his son, who had been imprisoned there together with four of his friends. These had all been 'put each one in his own lockup'. When Ignatius arrived at the prison:

> having taken with me some comestibles for my son I found all of that gang of five prisoners had brought their own meal, and therefore I re-

> mained there to lunch with them ....Out in the street there was a certain person called Benigno, I don't known from which *Casal* he hails, who lunched with us from outside the window ... while all six of us were inside eating next to the window to enjoy the company of this Benigno.[20]

These are isolated cases and practically nothing else is known about the operation of punishment within the Episcopal prisons. In contrast, it might be worth stating that the atmosphere among the *Gran Prigione* prisoners was described in no uncertain terms as one in which 'nobody could claim to have a friend, on the contrary, all are enemies of each other, and traitors each and every one'.[21]

The ability to control the fractious inmates of the *Gran Prigione* did of course depend very much on the operation of an internal structure of disciplinary measures. In the Christian quarters the prisoners themselves were roped into this disciplinary structure, thereby resulting in a loosely-organised hierarchy among the inmates. The sixty-six-year-old Antonius Sacco was *servus pene in ergastulo Civ. Valletta* yet also described himself as a guard [un guardiano].[22] It was his duty to discipline recalcitrant prisoners by clapping these in the stocks. The older inmates of the prison took on the task of tending the holy images in the dormitories. These were frequently the butt of obscene jokes by the younger prisoners resulting in rancour between the older and younger prisoners.[23] Voluntary damage to the religious artefacts constituted an act of protest - heretical behaviour - for which all the prisoners could be held liable. When, in the case mentioned above, the religious artefacts were discovered to be damaged, the older prisoners closed ranks. The *guardiano* stated that 'they came to me, and they unanimously told me to put in the stocks the prisoner whose surname is Caiazzo' as the one most likely to have inflicted the damage.[24] When the *guardiano* tried to arrest this Caiazzo and found resistance, all the other prisoners raised their voices together and accused Caiazzo of being a 'Godless soul'. 'And together they all took him to the stocks, and put him in them and continued to hurl insults at him'.[25] This indicates that among the prison inmates there operated a considerable amount of peer pressure tending towards internal discipline, obviously to prevent the dread hand of official punishment falling upon all the inmates.

The official structure of discipline within the *Gran Prigione* rested on the *Prodomo*, the *Agozzini* and the *carcerieri*. The *Prodomo* assumed the role of governor of the prison and would have been a Knight of the Order of St John. Ranking below him, were the *Agozzini* and *carcerieri*. The former were responsible for distributing the prisoners as work gangs among the Order's galleys and, having direct control of the prisoners, could grant these limited permission to leave the prison, pocketing a payment of six *tari* per month for this privilege.[26] The *carcerieri* maintained a register of prisoners and possibly also acted as guards.

Within the *Gran Prigione* the *Prodomo* was allowed sweeping powers over the inmates, enabling him to arbitrarily decide upon the punishment to be meted out to recalcitrant prisoners. Display was an integral element of *ancien régime* punishment, which had to have its spectators to ensure that the power to punish and control was being observed.[27] In public punishment the spectacle of display occupied a prominent role. Even in segregated communities, such as the *Gran Prigione*, an example had to be made of a fractious inmate by engaging in a ceremony of display which inflicted both humiliation and physical suffering on the prisoner. In this ceremony the prisoner was:

> taken round the prison with a paper mitre covering his head, a tongue brace in his mouth, held by his arms by two Turkish Slaves, who guided him on his way, and the Executioner, who dealt blows [on his back]. After this punishment he was handcuffed in irons, and locked up in a cell, and in the evening was sent to the Holy Inquisition.[28]

A worse fate was in store for those whose misdeed involved a great degree of violence. On 31 July 1779, a Turkish slave was executed for the murder of another slave and his severed head was displayed in the courtyard of the *Gran Prigione*.[29] This type of display served as a grisly reminder that even in the prison the power to punish was a sovereign prerogative not to be taken lightly. In the event that the perpetrator of a criminal misdeed could not be discovered all the prisoners suffered. At one point the *Gran Prigione* inmates stated that:

> injustice, is being inflicted on us, whereas previously we carried a small chain attached to our feet, ever since the French Soldier escaped

> they have put the big chain on our feet, making us pay unjustly for someone else's crime.[30]

The subject of *ancien régime* punishment in Malta would not be complete without mention of the *corda* and the *cavaletto*. In the *corda* the criminal's hands were tied behind the back, attached to a rope which was thrown over a beam in the ceiling and hauled into the air, hanging there for a period of time, then let down, then raised again. The *cavaletto* was a wooden horse with a sharp back on which the prisoner was seated, with weights tied to the legs.[31] It would be worth clarifying the use to which the *corda* and *cavaletto* were put. These did not constitute modes of punishment but were employed as instruments of torture in the inquisitorial process, to extract a confession - a statement which contained details that none but the criminal could possibly know. By its very nature the inquisitorial process was secretive and the *corda* and *cavaletto* could not therefore constitute public display. *Ancien régime* jurists, in the implicit belief that the inquisitorial process was the most equitable form of criminal investigation, had raised the *corda* to the status of *regina probationum*, the queen of proofs.[32] But throughout the eighteenth century this almost total reliance on the inquisitorial process and on physical punishment began to draw vociferous attacks from philosophes and prison reformers. In *De l'Esprit des Lois* Montesquieu stated that the infliction of terror by physical punishment implied despotic government. Following the publication of Cesare Beccaria's *Dei Delitti e Delle Pene* (Livorno 1764) the European debate on the mitigation of physical punishment reached a crescendo. Calls for reform attained a strident note and, even though counter-arguments favouring the retention of torture were still put forward, a degree of humanitarianism did infiltrate the judiciary via the legal codes which were then being commissioned by the Enlightened absolutist rulers of Europe.[33] In many cases these late eighteenth century codes were a compromise between the old and the new. The Habsburg Nemesis Theresianus is a case in point.[34] In Malta, a degree of humanitarianism in the treatment of prisoners can be observed in the legal code - *Del Dritto Municipale di Malta* - commissioned by the Prince Grand Master Emanuel de Rohan Polduc, published in 1784. Before torture was to be applied, for example, the criminal's robustness and general ability to endure torture had to be ascertained.[35] The *corda* could not be applied for more than one hour at a stretch. If the situation was such that a prisoner would immediately succumb to the strain of the *corda*, the 'milder' torture on

the *cavaletto* was to be employed and this the criminal would have to suffer for a length of time not exceeding twelve hours.[36] The officials of the courts and prisons were also enjoined to treat the inmates in a more humane manner. The *Avvocato Fiscale* was given the responsibility of maintaining a list of prisoners held by the government, ensuring that this official was aware of the amount of time it took for the Courts to settle a criminal's case. As with the lists kept by the *carcerieri* this had an important function since the *ancien régime* prison was quite frequently a place in which people were left to rot, forgotten by society and authority. This official was also instructed to 'ensure in a most diligent manner that these cases should be hastened and terminated'.[37] The prisoners had their own official in-house protector, the *Protettore de'Carcerati*, a position which, having a charitable dimension to it was to be assumed only by a Knight of the Order of St John. The *Protettore de Carcerati* was to ensure that:

> the welfare, and protection of the prisoners [would be seen to], such that these should lack nothing within the extent that falls within the required amount composing human laws, and justice.[38]

To maintain this principle the *Protettore de Carcerati* was to visit the prisons, see to the prisoners' needs, and even follow up the proceedings of the *Avvocato de'Poveri*. The latter official catered for the legal requirements of the more needy prisoners at the government's expense. *Del Dritto Municipale* also instructed the *carcerieri* not to be inhumane towards their prisoners:

> The *carcerieri* are obliged to practise every possible act of humanity with the prisoners, and for every single one of their [the prisoners'] needs must inform the *Protettore de Carcerati* ... of these same [prisoners].[39]

Some of the legal preoccupations with torture and the treatment meted out to prisoners, mentioned above, had already put in an appearance in the 1720s legal code, *Leggi e Costituzioni Prammaticali*, issued during the reign of Grand Master Manuel de Vilhena.[40] Nonetheless, the 1780s' changes to the legal code do exhibit a greater humanitarian concern for the prisoners. Humanitarianism should not be confused with leniency. Until the end of Hospitaller rule in Malta the *Gran Prigione* remained an important factor in the government's structures of power, playing its part in ensuring greater social

control and discipline. This was achieved by placing the prison population at the service of the state, primarily on its galleys but even in other industries. The ability to control this enclosed community was itself dependent on a regime of internal discipline. All in all, the *Gran Prigione* played an integral role in the control of the various social groups making up the population within the walls of the city of Valletta and the Grand Harbour area.

Notes

[1] See J.F Gnma. 77ir *Galley-Squadron of the Order of Si John,* its *Organisation between 1596ami1645.* unpublished M A Thesis. University of Malta 1975 and J.F. Grima. 'Gente di Capo tat the Galleys of the Order in the First Half of the Seventeenth Century'. *Hyphen.* II. 2, 1979. See alsq J Muscat and J Cassar. The Gozo Prisons Graffiti". *Mriita Historita.* XI. 3. 1994.

[!] L Mahoney. *5000 Years of Architecture in Malta* (Malta I996).p.3l3.

'Appendix V to the Second Report on Quarantine Report of Dr. W. H. Burred on the Plague of Malta in IBIS. London. 1854. p 45.

[4] P. Cassar. *A Medical Service for Slaves during the Rule of the Order of Si John of Jerusalem'. *Medical History.* XIII, 3. 1968. p 276 John Howard was touring Europe, collecting material far his forthcoming publication: *An Account of the Prinripal Lazarettos in Europe* See also M. Ignaiieff. *A Just Measure of Pain the Penitiientiary in the Industrial Revolution 1750 1850.* London 1978 En 1773 John Howard, fired by the belief that prisons should not merely be institutions of abusive administration but rather battle-grounds in which [he stale was involved in a fight between good and evil, set out on a prolonged tour of England examining every prison that existed. He published his conclusions on prison reform in 1777 in the bcsl-selling T7ir *Stale <>/the Prisons.*

[I] *Ibid,* p 276

"AIM Criminal Proceedings Vol. 133 C. Case 380.24 November 1778. f 978

' *Ibid. I* 979

' *Ibid. I* 997 E

' *Ibid,* f 978 r.

[1Q]M Foucaull. *Discipline and Punish: The Birth ofthe Prison.* London 1977. pp.236-239.

" H. Gross. *Rome in the Age of Enliglitenmenl • the Post-Tridentlne Syndrome and the Ancien Rfgime.* Cambridge 1990. pp 224-225.

'• Fducault. pp.236-239.

"Sec D Borg-Muscat. *Absolutism end the Power of Social Control in Malta: 1775-1825.* unpublished M A dissertation. University of Malta 1999, passim.

" Bilanrio Settennale del Venerando Common Tesoro, Dalprinui Maggio 1778a tutl'Aprile 1785. Malta 1786, p.67.

"Ibid

'" A. Bonnici. 'Maltese Society under the Hospitallers in the Light of Inquisition Documents', in *Hospitaller Malta 1330-1798, Studies on Early Modem Malta and the Order of St John if Jerusalem,* ed. V. Mallia-Milanes, Malta 1993. p 319.

[11] Ubr 431 Bandi della Gran Cone del La Valletta, Vol I: 1800-1803. 15 Apnl 1801. f. 61.

"Casnr, p.272

" AIM Criminal Proceedings. Vol. I32A, Case49.24 Apnl 1778, f 233r-235r.

[K]*lbtd.* Vol. 130, Case 32. 28 November 1771, f. 171.

[!1] *Ibid,* Vol 133C,Case 380. 8 December 1779. f 998 v

" *Ibid.* 25 November 1779. f 979v.

Ibid. 2 December 1779. f 993 r.

[:]* *Ibid.* 25 November 1779. f. 979 v.

[21] rtrirf. Vol. 130. Case 25, 18 September 1772. f 133v.

" Foucault. pp.32-69.

" AIM Cnminal Proceedings Volume l33C.Case 380. 24 November 1778. f 978

[n] NAM Ubrodi Carcerati 1773-1781, 29 June 1779, f. 169.

" AIM Criminal Proceedings Volume 133C Case 380.24 November 1778 f 98lr.

" P. Cassar. *The Castellania Palace From Law Courts to Guardian oftlu Nation's Health* Malta 1988 pp. 31-32.

" E Peters, *Torture.* London 1985. p 48.

" *Ibid,* pp.89-98

[M]H.M. Scon. 'Reform in the Habsburg Monarchy: I74O-90". in *Enlightened Absolutism: Reform and Reformers in Later Eighteenth-Century Europe, ed.* H.M. Scott (Macmillan 1990). p 159.

Del Dritto Municipale di Malta. Nuova Compitaveme ton diverse attre Costituzioni Malta 1784 Libra Secondo: De Giudizj, Article XXXI. p.84.

**tbid.* Articles XXXVII and XL, p.85.

"*Ibid,* Libra Primo, Capo Quarto. Article X, p. 12.

[M]/i>id, Capo Quinto, Article I, p. 14.

* *Ibid.* Capo Sesto. Article XIX. p. 18.

*[o] See Cassar, *The Castellania Palace,* passim.