

**THE ST. JOHN'S CO-CATHEDRAL AFFAIR –
A STUDY OF A DISPUTE BETWEEN
CHURCH AND STATE IN MALTA
OVER PROPERTY RIGHTS***

Mario Buhagiar

INTRODUCTION

The Cathedral Church of St John the Baptist in La Valletta, the capital city of the minuscule Mediterranean Island Republic of Malta has on several occasions in modern history been the cause of friction between the Maltese Church and State over property rights. A study of the dispute can as a result cast interesting light on how works of art or architecture can sometimes upset the balance of power in an eminently Catholic community in which the Church has until 1964 - when the Island achieved political independence from Great Britain - enjoyed a medieval triumphalism that enabled it to play a decisive role in shaping the political destiny of the Island.¹

THE KNIGHTS' PERIOD: 1578-1798

Built between 1573 and 1577 and consecrated on 20 February, 1578, the church is the masterpiece of the Maltese architect Gieronimo Cassar (1530-1593)² and it is adorned with splendid works of art that include two paintings by Caravaggio (1583-1610) which in 1957 were the cause of a politico-religious crisis which will be discussed at length in this paper. The founder, Grand Master Jean l'Eveque de la Cassiere (1572-1581), had it built purposely as the Conventual Church of the Hospitaller Military Order of St John of Jerusalem - more commonly known as the Knights of St John - who since 1530 had enjoyed feudal rights over the Maltese Islands.³ The Knights were a monastic order with professed members who were bound by the triple vow of Chastity, Poverty and Obedience. They enjoyed major ecclesiastical privileges and owed allegiance to the Pope alone. They were therefore

* Text of a paper read at the XIIth World Congress of Sociology (Research Committee 22: Sociology of Religion), Madrid, Spain, 9-13 July 1990.

¹ For an account of the power struggle between Church and State in Malta see Adrianus Koster, *Prelates and Politicians in Malta*, Assen 1984.

² For an appreciation of the architecture of the church see Leonard Mahoney, *A History of Maltese Architecture from Ancient Times up to 1800*, Malta 1988, 2-32.

³ For a brief but good account of the Knights of St John see Lionel Butler, "The Order of St John in Malta: An Historical Sketch", *Thirteenth Council of Europe Art Exhibition: The Order of St John in Malta*, Malta 1970, 23-46.

exempted from episcopal jurisdiction and cherished the right to have their own priests, called conventual chaplains, and to own churches and cemeteries over which the Diocesan Bishop had no control. The duty of administering such property fell on the Grand Prior whose dignity, as far as the Knights and their household were concerned, was considered *de facto* to be on a par with that of the Bishop. Between 1530 and 1798, Malta was consequently governed by an Ecclesiastical Oligarchy distinct from the diocesan clergy which it unsuccessfully tried to dominate by exercising its right to nominate candidates from its own ranks for the bishopric.⁴ No sooner had the Bishop been consecrated than he forgot his former allegiance and championed the cause of the Maltese Church. The result was that Church and State frequently clashed over jurisdiction rights and as both of them were Roman Catholic ecclesiastical establishments, they generally appealed to the Holy See to mediate between them.

To strike a balance between the two authorities and keep their jurisdiction ambitions in check, an Apostolic Legation, or Holy Office, was established on the Island in 1574. The Legate, who also performed the duties of an Inquisitor, soon established himself as a third ecclesiastical authority and was as a result eyed with suspicion by both the Knights and the Diocesan Clergy. Instead of being solved, jurisdiction problems became more complicated because the Legate had its own ecclesiastical tribunal and a household whose rights had to be protected.

The Church of St John was exclusively Knights' territory. The Bishop could not function in it except on the invitation of the Grand Master and the Grand Prior. His own cathedral church was isolated from the centre of power being situated in the old fortress city of Mdina, about eight miles distant from La Valletta. Attempts by successive Bishops to have a new cathedral and a residence in the new city were foiled by the Knights who, in no uncertain terms, made it clear that as the Bishop had no jurisdiction in the new city he could not be allowed to have either an episcopal seat or an official residence there in. In an attempt to circumvent the Knights' intransigence, the Collegiate Chapter of Mdina Cathedral handsomely subsidized, in 1577, the building of a church dedicated to the Shipwreck of St Paul from which the Bishop could officiate on important liturgical feasts. This church, however, was never elevated to a higher dignity than that of a parish church and the Bishop's presence there was tolerated only because La Valletta was not inhabited exclusively by Knights and their dependants. There was also a large Maltese population on whose spiritual welfare the Bishop could claim jurisdiction.

⁴ This right was entrenched in the charter dated Castelfranco, 23 March 1530, by which Emperor Charles V invested the Order with perpetual rights over the Maltese Islands (National Library Valletta, AOM 70).

The question of the Bishop's residence provided an occasion for a trial of strength. Bishop Baldassare Cagliares (1614-1635), a previous conventual chaplain and one time trusted auditor of Grand Master Alofius de Wignacourt (1601-1622), acting in haughty disregard of the attitude of the Knights, bought a building site within the city and without seeking permission started building a palace. As was to be expected there was an angry reaction, but when the Grand Master, Luis Mendes Vasconcellos (1622-1623) gave official intimation to the Bishop to stop work, the latter appealed to Rome with the result that the Grand Master was compelled to withdraw the inhibition. The palace was built but it was used only as a residence. The Knights were adamant in refusing the Bishop permission to transfer thereto either the curia or the prisons.

The embellishment of the Conventual Church meanwhile became one of the chief concerns of successive Grand Masters. By the time the Order was expelled from Malta by Napoleon Bonaparte on 12 June 1798 it had become one of the most richly ornate churches in the Catholic World.

THE FRENCH PERIOD: 1798-1800

The Bishops of Malta, had, presumably, long set covetous eyes on the Conventual Church. It comes as no surprise that the bishop of the time, Mgr Vincenzo Labini, who had only a few years previously been honoured by the Holy See with the title of Archbishop,⁵ lost no time in demanding from Napoleon the cession of the prestigious church. The original request of the Bishop has unfortunately not yet been located among the papers in the Maltese Archiepiscopal Archives,⁶ but Napoleon's reply survives⁷ and its interpretation has been the subject of controversy ever since. The letter written at the *Quartier General* of Malta is dated 13 June 1798, that is to say the very next day after the capitulation of the Knights. It is brief and to the point. Napoleon orders that the "Church of St John be placed at the disposal of the Bishop of Malta to be used as ...". The final word is undecipherable. It seems to read *concalped' are* but this word does not make sense. This is very annoying because the vexed question of the present ownership of the church is very much tied up with it. Church and State authorities have as a result, on several occasions sought help from French lexicographers but with no positive results.⁸ My colleague at the University

⁵ Adrianus Koster, *op.cit.*, 28, is quite right in viewing the conferment of this title on the Bishop of Malta as a move by the Holy See to enhance the prestige and position of the Bishopric *vis-a-vis* the Order of Malta.

⁶ Joseph M. Brincat, *scipra*, 293-298.

⁷ Archiepiscopal Archives, Malta, Tom.xxiv (1796-1801) ser.iii, vol.v, 5, f.639.

⁸ Joseph M. Brincat, *op.cit.*

of Malta, Professor Joseph M. Brincat has pointed out that Napoleon was probably copying a word with which he was not familiar, from Mgr Labini's lost request and he suggests *concathedrale*. This hypothesis had earlier been proposed by the ecclesiastical historian Mgr. Arturo Bonnici in 1978.¹⁰ Assuming that the interpretation of the two Maltese scholars is correct the resultant interpretation would be of significance. It would mean that Bishop Labini was requesting that the church be handed to him to use as a cathedral on a par with Mdina Cathedral. Hence the strange word *concathedrale* with which Napoleon was understandably unfamiliar. Professor Brincat proposes that "in the few feverish days that Napoleon spent in Malta he may either not have noticed the scribe's mis-spelling or else that he did not consider it all that important."¹¹ Whatever the answer the essential thing is the apparent eagerness on the part of Napoleon to oblige the Bishop. The General was certainly not remarkable for his overt love of the clergy. Can it possibly be interpreted as a gesture of gratitude to the prelate for his collaboration in securing the easy conquest of Malta? Three days later, on 16 June, Napoleon issued another decree ordering fifteen out of the twenty capitular canons of Mdina Cathedral to officiate at St John's¹² thereby giving weight to the hypothesis that the church had really been elevated to a co-cathedral. None the less the fact that it was Napoleon and not the Bishop who gave the directive to the canons is certainly not without significance. Were the canons reluctant to obey their Bishop? Or was Napoleon simply emphasizing an important point that, after all, it was ultimately the Government that decided on matters relating to the church? These are questions that still require an answer.

There is some evidence that the rights of the Church to St John's were recognized by the French Government. For example on 17 June 1798, the Head of Troops, General Vaubois, asked the Bishop to allow government officials to draw up an inventory of the precious objects inside the church.¹³ Such an acknowledgement did not, however act as deterrent to the pillaging of the church of all its gold and silver plate by French soldiers who left in it, on Napoleon's instructions only such items as were deemed necessary for religious worship.¹⁴ Furthermore, Napoleon made it clear that in granting the use of the church to the Bishop he was not divesting the French Government of the lucrative benefices and other incomes that it enjoyed.

⁹ *Ibid.*

¹⁰ Arturo Bonnici, *St John's Co-Cathedral - History and Consecration*. Paper read at St John's Cathedral on the occasion of the fourth centenary of its consecration (1978). Typescript.

¹¹ Joseph M. Brincat, *op.cit.*

¹² William Hardman, *A History of Malta ... 1798-1815*, London 1909, 84.

¹³ Joseph M. Brincat, *op.cit.*

¹⁴ William Hardman, *op.cit.*, 75

These were to remain the prerogative of the legitimate Government of the Island.¹⁵ In spite of everything, however, the Bishop took his property claims very seriously. He must have been acutely aware of the fact that in the foundation deed of the church, registered in the Acts of Notary Matteo Briffa, on 23 November 1577, Grand Master La Cassiere had stipulated that should the Order leave Malta, St John's was to be officiated by the native clergy.¹⁶ Without losing time the Bishop, therefore, petitioned Rome to sanction Napoleon's grant of the church. The Pope, Pius VI, was at the time the prisoner of the French and the Holy See was administered by the distinguished prelate, Mgr Michele di Pietro, who foreseeing the possibility that the Order of St John might at some future time be reinstated in Malta, acceded to the Bishop's demands only in part. The church was to be raised to the status of a co-cathedral dedicated to St John and St Paul, for the period of one year during which time the Maltese bishop was to act as Apostolic Delegate¹⁷ for all the churches of the Knights and to exercise ecclesiastical jurisdiction over them.¹⁸ Napoleon's grant seems to have been regarded in Rome with suspicion as being uncanonical.

THE EARLY BRITISH PERIOD: 1800-1921

With the surrender of the French to the British on 5 September 1800, the church, now co-Cathedral of St John and St Paul, became from the start a cause for souring the otherwise good relations between the Maltese Catholic Church and the English Protestant Establishment. Sir Alexander Ball, the British Commissioner, was adamant in upholding the Napoleonic principle that the rich endowments enjoyed by St John's had by legal right been inherited by the Malta Government as the legitimate heir of the Order.¹⁸ The Bishop's protestations that the church belonged to the Order as a religious organization and not as a Sovereign Power were to no avail.¹⁹ A Royal Commission in 1812 found his claims unfounded and maintained, without apparent justification, that the French Republican Government had granted the Maltese Church only temporary use of St John's. "The endowments and revenues of St John's", it maintained, "were considerable and the British Crown could not waive its rights over them."²⁰ The Bishop and his clergy continued, notwithstanding, to officiate in the church and an uncomfortable compromise was worked out on 12 May 1808 when the new Bishop, Mgr Ferdinando Mattei, agreed

¹⁵ National Library, Valletta, *Collezione di Bandi e Proclami 1796-1813*, ff.603-4.

¹⁶ "Nel case che l'Ordine partisse da Malta, la detta chiesa (di San Giovanni) dovesse essere officiata dal clero nativo di Malta."; Paul Buttigieg, "Il-Ġrajja tal-Knisja ta' San Gwann", *Lehen is-Sewwa*, 11 June 1951.

¹⁷ The Apostolic Delegate had meanwhile been expelled from Malta by order of Napoleon.

¹⁸ Royal Commission 1812, *Report*, f.126.

¹⁹ Archbishop's Archives, Malta, *Corr* vol.xxix (1811-1814), f.20.

²⁰ Royal Commission 1812, *Report*, f.126.

to a royal throne being erected in both St John's Church and Mdina Cathedral.²¹ Not unexpectedly this led to friction because both Bishop and Civil Commissioner claimed a right to the throne with the privilege of sitting on it. As a protest against what was considered to be the high handed attitude of the Bishop, the Civil Commissioner boycotted all state functions in St John's.²² A solution was only reached in 1813 when the newly appointed Governor of Malta, Sir Thomas Maitland, attended a thanksgiving service in the church. With diplomatic false humility, Maitland insisted that he had no right to sit on the throne which was to be kept "vacant in deference to His Britannic Majesty, The Sovereign Lord of Malta." Maitland and Bishop Mattei as a result negotiated an agreement whereby the Governor was to have a dais outside the altar railings, on the Gospel side, while the Bishop was to have his own throne on the Epistle side, opposite the Royal throne.²³ This was the place in which, during the time of the Knights, the Grand Prior used to sit. The Bishop was therefore asserting his claims to be the heir of the Grand Prior and consequently the lawful administrator of St John's.²⁴

Disagreements, however, had certainly not been eliminated. Both sides remained stubbornly entrenched in their respective claims. The Secretary of State in a dispatch to Maitland emphasized that no compromise was possible. St John's was to be considered exclusive Government property. The British Authorities could therefore legitimately utilize it as they best thought fit. Protestant zealots tried to lobby support to have it transformed into an Anglican Cathedral but better judgement prevailed. Both Maitland and the Secretary of State foresaw that such a step would irrevocably alienate the support of the Maltese clergy who - as was well known - could wield great political power. The project was therefore dropped and the Anglican community had instead to satisfy itself with a small private chapel inside the Governor's Palace.²⁵ This was a victory for the Catholic hierarchy who had, none the less, to make sure that the danger would not loom again. The protection of the Holy See was once more invoked and on 27 January 1816, Pius VII acquiesced to the Bishop's request and formally gave papal recognition to the cathedral status of

²¹ National Library, Valletta, *Papers Relating to the Roman Catholic Religion in Malta*, iv, Ball to Castlereagh: 27.1.1808.

²² National Library, Valletta, *Desp. 1803-1816*, Maitland to Castlereagh: 17.i.1814.

²³ Arturo Bonnici, *History of the Church in Malta*, iii, Malta 1975.

²⁴ This statement continued to bind until 1964 when, on the attainment of Independence, the Maltese coat-of-arms replaced the British Royal Cipher; but the final chapter was written after Malta became a Republic on 13 December 1974 whereupon the Royal throne was dismantled and the Bishop's seat placed in its stead.

²⁵ Details in Albert V. Laferla, *British Malta*, i, Malta 1938, 113.

St John's which dignity it was to continue enjoying *ad beneplacitum S. Sedis*.²⁶ Obviously the Holy See had not yet shelved the possibility that the Order might at some future time make a comeback in Malta, in which case the church had to be restored to the Knights. The definitive conferment of a cathedral status was, in fact, only sanctioned by Pope Pius XI on 30 September 1925.²⁷ The British Government reacted to Pius VII's decree by reaffirming its property rights.²⁸ So long as these were not infringed upon, the title of the church was really of little consequence. When therefore on 8 November 1822, Bishop Mattei requested Maitland to authorise the use of St John's as a co-cathedral, the latter obliged but took pains to insist that "in granting this favour the Government did not in the smallest degree give up the full and complete Right and Title which it possessed to the property of this church".²⁹

In spite of the fact that neither Church nor State ever formally renounced their property claims, disputes over St John's were normally amicably settled during most of the long British Period. The two monolithic power blocks of the nineteenth and early twentieth centuries, in spite of basic ideological differences nurtured a mutual respect for each other and a *modus vivendi* whereby the Government shouldered expenses for the maintenance of the co-cathedral while the Bishop and his Chapter provided the liturgical services therein, was eventually arrived at, and is still in vigour today. It must be admitted that such an agreement suited the Church much more than it did the Government. On the other hand, it can also be maintained that by billing all outstanding expenses to the Government's exchequer the Church was tacitly admitting that St John's is Government property after all!

Only on one occasion, in the course of the second half of the nineteenth century were relations strained because of the co-cathedral. In 1861, in the course of structural works on some underground rooms belonging to tenements abutting the church in St John's Square, one of the crypts of the co-cathedral was broken into and some tombslabs removed, apparently with the permission of the priest in charge. The Vicar General, Canon Filippo Amato, whom the Governor, Sir Willaim Reid, described as "a violent man, very ill-affected towards our government", immediately sought legal redress and obtained from the courts a warrant of inhibition enjoying the Collector of Land Revenue to desist from carrying out further work inside the

²⁶ National Library, Valletta, *Dispatches 1903-16*, ff.185-6; Archiepiscopal Archives, Malta, Corr. xxxi (1816-17), 193; *Malta Government Gazette*, 19 June 1816.

²⁷ Arturo Bonnici, *St John's Co-Cathedral*, *op.cit.*

²⁸ *Ibid.*

²⁹ Albert V. Laferla, *op.cit.*, 114.

co-cathedral. This was obviously very embarrassing to the Government which must have felt that its property claims were under threat. The Governor gave his assurance that it was not his intention to carry out works within the precincts of St John's but, this notwithstanding, Canon Amato obtained a writ of summons against the Government which was not withdrawn before the work stopped. The bad blood that the incident caused between Church and State was one of the topics raised by Odo Russell, the British unofficial representative at the Vatican, in one of his periodic meetings with the Papal Secretary of State, Cardinal Antonelli.³⁰

THE CARAVAGGIO AFFAIR: 1957-1958

A much more serious crisis was the Caravaggio incident. In order to be properly understood the affair must be viewed in the context of the general policies of the 1955-1958 Labour Government of Dom Mintoff. Mintoff had won the elections on the platform of political integration with Great Britain. This was seen as a solution to Malta's perennial economic problems and as a means of raising the poor standard of living of the average Maltese workman to a par with that of his British counterpart. This programme opposed by the Nationalist Party and the Progressive Constitutional Party of Mabel Strickland, was naturally attractive to the low income bracket of the population from whom Mintoff derived his grass-roots support. The attitude of the Church with the indomitable Archbishop Sir Michael Gonzi at its helm, was at first ambivalent. Had Mintoff's approach been more diplomatic it is possible that he might have eventually arrived at an agreement that would have removed that fears of the Archbishop. His intransigence and anticlerical diatribes alienated, however, any support that he might have had in clerical circles and soured the attitude of the Church into one of outright hostility. The Archbishop voiced the fear that the political integration of a small, staunchly Catholic island-community with a large and industrially prosperous Protestant country would have perverse effects on his Church and he therefore sought the necessary religious guarantees from the Secretary of State Mr Lennox-Boyd. A referendum on the issue produced an indecisive result and though Integration was not immediately shelved it became obvious that it was doomed.³¹

Mintoff who had staked his political future on Integration must have felt humiliated. He appears to have been genuinely convinced that the main blame rested on the Church which, according to his way of thinking had to be punished. The Caravaggio affair provided him with an excellent opportunity of hitting back on the Archbishop.

In 1956 Caravaggio's two paintings of the *Beheading of St John* and *St Jerome* were sent to Rome at the invitation of the Italian Government to be restored at the Istituto Centrale di Restauro under the direction of Professor Cesare Brandi. Upon completion of the work, the paintings were put on display in Council of Europe Exhibition on Seventeenth Century Art, at the Palazzo dell'Esposizione, in Rome's Via Nazionale, where they were the centre of attraction, *The Beheading*, in particular, being hailed as a masterpiece of Western Art.³² They arrived back in Malta on 26 February 1957 on board *H.M.S. Striker* that had been put at the disposal of the Maltese Government by the Royal Navy, and, against all expectations, they were taken to the National Museum instead of to St John's. The *Times of Malta* reporter who had been sent to cover the unloading at Parlatorio Wharf was snubbed by the Minister of Education, Miss Agatha Barbara, who tried to prevent the photographer from taking pictures. She angrily told the reporter: "You have people in your office who are not journalists. They have wronged my Ministry ... I would like to know who allowed you to come here. That is what I want to know ...!"³³

There was no immediate public reaction from the Church Authorities at the Government's act of provocation. A politico-religious crisis had been in the offing since the Integration referendum and the political climate was extremely tense. Grass root Catholic militancy against the anticlerical behaviour of the Prime Minister was becoming increasingly pronounced and made newspaper headlines. A case in point is the *Times of Malta* report of the story of Caterina Farrugia, a 55-year old spinster from Dingli and a member of the Society of Christian Doctrine (*Tal-Mużew*) who, on 28 February 1957, was fined 10s for slandering the Prime Minister in the parish church of Dingli when, during Holy Mass, she told a girl under her charge:

You are Communist like Mintoff ... Be quiet!
You don't believe in anything, Mintoff is
a Communist and a Freemason!³⁴

The Caravaggio Affair was raised in the Legislative Assembly by Dom Mintoff on 4 March. Rising to speak on the motion for the Adjournment, the Prime Minister protested that his government was being unjustly accused of secularism because the painting of the *Beheading of St John* was to be put on display in the Museum instead of being returned to the co-cathedral. This action, he claimed, was justified on three counts: (1) there was damp in the oratory of the co-cathedral where the painting had been kept prior to restoration; (2) the oratory was not properly illuminated and the

³² *Times of Malta*, 2 January 1957; 26 January 1957; *Sunday Times of Malta*, 13 January 1957.

³³ *Times of Malta*, 26 February 1957.

³⁴ *Times of Malta*, 1 March 1957.

³⁰ Albert V. Laferla, *op.cit.*, 245-246.

³¹ On the Integration issue see Dennis Austin, *Malta and the End of Empire*, Dublin 1971.

painting could not therefore be properly appreciated; (3) the painting deserved greater publicity than it was getting in the oratory. The Government had nothing to be ashamed of! With characteristic demagoguery Mintoff then made reference to the "personal attacks" that were being made against him and he said that he would not reply to them. He was not prepared to say how often he went to confession or communion! Mabel Strickland had defamed him. He knew Mabel Strickland well and had certain doubts about her but he had never thought of her as his confessor!

Dr Frenzo Azzopardi, the Acting Leader of the Nationalist Opposition, pointed out that the Caravaggio paintings were an integral part of the co-cathedral which was a treasure-house of works of art comparable to any abroad. The Ecclesiastical Authorities had not been consulted. Rising on a point of order Mr Mintoff asked Dr Frenzo Azzopardi if he was aware of the fact that the maintenance of the co-cathedral was in the hands of the Government? The co-cathedral belonged to the Government! Dr Frenzo Azzopardi replied that he was well aware of the maintenance arrangement but he refused to be dragged into a debate on the question of ownership. Independently of who owned the church, the Ecclesiastical Authorities should have been consulted. He was told that a point of Canon Law was involved.³⁵

The issue was raised again in the sitting of 8 February. The Nationalist member Dr G.M. Camilleri referred to the great public interest in the affair which had become the main topic of conversation in the streets. If a solution was not found there might be grave consequences. The Catholic newspaper *L-Ħen is-Sewwa* had denied that there was damp in the oratory. This paper reflected the views of the Archbishop. "Don't tell me that he is infallible about Art!", interrupted Mr Mintoff. "I can assure you that he will always tell the truth!", Dr Camilleri replied.

Speaking on the motion for the adjournment in the same sitting, Mr Mintoff again referred to the question of the ownership of St John's. Each successive administration, he maintained, had held that the co-cathedral was Government property and its maintenance had, in fact, always been a charge to Government. Maintenance went hand with ownership. Government had no intention of pillaging the church. It only wanted to ensure the better protection of the paintings and make them more accessible to the public.³⁶

Dr Paris, the Opposition's spokesman on Education and Culture, replied to the Prime Minister's speech during the sitting of the following day, Saturday. Amidst continuous interruptions he referred to the deplorable feud between Church and

³⁵ *Times of Malta*, 6 March 1957.

³⁶ *Times of Malta*, 11 March 1957.

State and he spoke of the responsibility of everybody to eradicate the friction that existed. If the Government's campaign of pin-pricks against the Church was intended to please the people, they would not support it. If it was meant to please the Bevanites than it was another matter. The reference was to the British Labour Member of Parliament, Aunerin Bevan, a personal friend of Dom Mintoff, who had caused a sensation during a visit to Malta on account of his irreverent remarks about the Church and its hierarchy. Following an interruption by the Deputy Prime Minister, Mr Guze Ellul Mercer, that St John's "belonged to the people", Dr Paris replied that the position was dubious. The question of ownership was not so simple. It was not a question of "theirs" and "ours". To the Labour Government everything it seems was "ours"! But what did this mean? St John's was to Malta what St Peter's was to Rome. Dr Paris solemnly declared that when the Opposition was returned to office their first step would be to return the paintings to their rightful place.³⁷

The Controversy was meanwhile reflected in the correspondence columns of the local press. In the Mabel Strickland owned *Times* and *Sunday Times of Malta* most letters were, as was to be expected, overtly hostile to Mr Mintoff. Government, none the less, received the unexpected support of the retired Chief Justice Sir Arturo Mercieca who enjoyed great esteem in Nationalist and clerical circles. Writing under his universally known pseudonym of "Cato", Sir Arturo suggested that the dispute could be solved "in full agreement with the Ecclesiastical Authorities, by the Government undertaking to have an exact replica ... worked out in mosaic". He pointed out that all the altarpieces of St Peter's in Rome were mosaic copies of precious originals that were exhibited in the Vatican Museums.³⁸ Sir Arturo's unwarranted intrusion into the dispute was naturally not to the liking of the Catholic hierarchy. Subsequent contributions to the press explained that the Caravaggio paintings, particularly *The Beheading*, had cultic as well as artistic significance and that anyhow Sir Arturo was wrong because the mosaic altarpieces of St Peter's were practically all copies of paintings non-existing in Rome or found in other churches.³⁹ The Prime Minister, one correspondent maintained, had committed serious blunders in etiquette in his dealings with the ecclesiastical authorities and should as a result make amends by returning the paintings to their original places in the co-cathedral.⁴⁰

Dr Edward Sammut, the Art Correspondent of *The Times* wrote to prove that Mr Mintoff's vaunted concern about the damage that the paintings would suffer because of damp in the oratory was not really valid. The place had been recently tested with the most modern scientific instruments and no damp at all was recorded.

³⁷ *Ibid.*

³⁸ *Times of Malta*, 14 March 1957.

³⁹ *Times of Malta*, 15 March 1957.

⁴⁰ *Ibid.*

Furthermore it was preposterous to say that the paintings would receive more publicity at the Museum than at the co-cathedral. St John's was visited every year by more people than any other historical monument in the island. The whole affair savoured of an act of piracy. "It is doubtful" he wrote:

whether such a past master of intrigue and unruliness as Michelangelo Merisi da Caravaggio il *Pittore Maledetto* could ever have imagined that one of his paintings, so controversial during his life time, was to produce a first class sensation, bordering on a minor national crisis, three and a half centuries after his death.⁴¹

As regards the question of damp, Miss Mabel Strickland wrote to point out that the new National Museum was housed in the premises of the Union Club, a building with which she was very familiar, and that the area on the ground floor, formerly known as the Ladies' Room, where the two paintings had been put on display by Government, were notorious for their dampness; this was a universally known fact.⁴² There does not seem to have been a denial by Government.

Between the 15 and 16 March there was an exchange of press releases between the press office of the Archbishop's Curia and the Office of the Prime Minister. In his release, the Archbishop noted that in his reply to a question put to him in the Legislative Assembly, the Prime Minister had stated that if in the future a place, which could be proved to be free of damp, was found in St John's, then, perhaps, the paintings might be returned to the co-cathedral. Taking this statement into consideration

the Archbishop who, under Canon Law cannot permit the paintings ... to remain permanently out of St John's, declares that the place in St John's is accessible to everybody and that His Grace is assured by experts that no damp exists in the place, in the Oratory, where the painting of the *Beheading* was hung ... If it resulted - according to what the Government maintains it had been informed by its experts - that there was damp in the Oratory ... to the detriment of the painting, the Archbishop is prepared to suggest another place in the same church. There is no question of damp with regard to the painting of *St Jerome*.

⁴¹ *Times of Malta*, 16 March 1957.

⁴² *Times of Malta*, 15 March 1957.

The Prime Minister's release was not so conciliatory. It reasserted the property rights of the Government and listed three conditions that it demanded from the Curia if a new exhibition place in the co-cathedral was to be found, namely that (1) it had to be free of damp, (2) be permanently open to the public, and (3) be properly lit and unencumbered by furniture or any items that would interfere with the proper appreciation of the paintings. The Curia, the release complained, had not replied to these conditions. For this reason, Government had decided to submit the matter to the Holy See.⁴³

On the same day that the two releases appeared in the press, Miss Mabel Strickland, speaking at a meeting of the Progressive Constitutional Party at Zabbug, again accused the Government of secularist activities and she launched an appeal for national unity against secularism. Laborites, Nationalists and Constitutionals should unite to fight the evil!⁴⁴

A motion of censure against the Government for removing the paintings from St John's without the consent of the Ecclesiastical Authorities and for Government's defiance of the same, was moved by the Acting Leader of Opposition, Dr Frenzo Azzopardi, in the sitting of the Legislative Assembly of Monday 18 March.⁴⁵ The motion was negatived by 22 votes to 16.⁴⁶ After the end of the sitting, an incident took place in the course of which Mr Mintoff and the Nationalist member of Parliament, Dr Carmelo Caruana, editor of the Nationalist Party paper *Malta Tagħna* and spokesman for the opposition on agricultural issues, came to blows. In the scuffle the Prime Minister was reported to have suffered superficial facial injuries. Mr Mintoff had taken exception to a leading article and a poster in *Malta Tagħna* - that had accused him of being "a thief of churches".⁴⁷ According to the sworn statements of Dr Carmelo Caruana and Dr Frenzo Azzopardi and other eyewitness accounts the incident can be reconstructed as follows. Mr Mintoff sent a message to Dr Caruana informing him that he wanted to discuss with him agricultural topics. Dr Caruana called at the Prime Minister's Private Room accompanied by Dr Frenzo Azzopardi. Mr Ellul Mercer was with Mr Mintoff. As soon as the two Nationalist members were inside the office someone unknown locked the door from the outside. The Prime Minister spoke vaguely about the exportation of potatoes so that Dr Frenzo Azzopardi said he could not understand what the Prime Minister was aiming at, and he asked if that was what the Prime Minister wished to talk about. Whereupon

⁴³ *Sunday Times of Malta*, 17 March 1957.

⁴⁴ *Times of Malta*, 18 March 1957.

⁴⁵ *Times of Malta*, 19 March 1957.

⁴⁶ *Times of Malta*, 20 March 1957.

⁴⁷ *Ibid.*

the Prime Minister took out a copy of the *Malta Tagħna* of 16 March and asked Dr Caruana if he (the Prime Minister) was a thief. Dr Caruana mentioned the two Caravaggio paintings while Dr Frendo Azzopardi remarked that he had not gone there to discuss the *Malta Tagħna*. If the Prime Minister had taken exception of the article he could sue Dr Caruana for liable. Mintoff replied that he would do no such thing because Dr Caruana might merely be fined £5. He then took off his glasses, thrust the papers he was holding into Dr Caruana's face and hit him with his fist. The two men grappled with each other. The Hon Members and others who were still in the precincts of the House heard noises and shouts inside the Prime Minister's office but the door could not be immediately opened because it was locked. Dr Caruana left the House with police escort. Mr. Mintoff left for London that same evening.⁴⁸

As a consequence of the unfortunate incident, riots were expected in Valletta during the next sitting of the Legislative Assembly. There were rumours that Labour Party supporters were preparing a demonstration in support of Mr Mintoff. Police officers and men patrolled the city and the Mounted Police were brought in as an added precaution. The unruly crowd uttered threats and shouted abuse at Dr Caruana and applauded the Acting Prime Minister, Mr Ellul Mercer but serious incidents did not fortunately occur.⁴⁹

At the sitting of the Legislative Assembly of Friday 22 March, Mr Ellul Mercer justified Government's action in referring the Caravaggio dispute to the Holy See by quoting previous precedents such as the 1889 instance when the then Governor Sir Lintorn Simmons was instructed by the Foreign Secretary, Lord Salisbury, to approach Cardinal Rampolla on several outstanding issues including mixed marriages and St John's church.⁵⁰ In spite of all attempts at justification, the Government's action was, however, in many ways an admission of defeat. This was not missed in *Lehen is-Sewwa* which commented editorially that in raising the matter at the Vatican, the Prime Minister had accepted an important principle namely that in matters relating to St John's he needed the permission of the *magistirium* of the Church.⁵¹

The Prime Minister returned from London on 3 April. The Archbishop who was due to arrive from Rome by the same plane postponed his return to the following

⁴⁸ *Times of Malta*, 21 March 1957.

⁴⁹ *Ibid.*

⁵⁰ *Times of Malta*, 22 March 1957.

⁵¹ *Lehen is-Sewwa*, 22 March 1957.

day.⁵² It was obvious that he wanted to avoid meeting Dom Mintoff. Renewed interest in the importance of the two paintings was in the meantime excited by the eminent art historian, Professor Valerio Mariani of the University of Naples who gave two illustrated lectures at the Aula Magna of the Royal University of Malta, in the course of which he described the *Beheading of St John* as "a major masterpiece of art of all times."⁵³

No solution to the problem appeared in sight and the Labour Party May Day Parade, which degenerated into an anticlerical demonstration, further aggravated matters. In his address for the occasion, Mr Mintoff had lashed out vitriolically at the Archbishop. There was a new exchange of angry press releases between the Curia and the Office of the Prime Minister, with the Archbishop insisting that "the Prime Minister should have already realised his mistake in the matter of these paintings". The Curia release received greater publicity than the Prime Minister's. It was read by archpriests and parish priests during Sunday Mass and posted up at the doors of the island's numerous churches; and it was also read on Rediffusion's Maltese language programme "Religious News".⁵⁴ News of the Government-Church rift also started receiving headline treatment on foreign Catholic media. The influential British paper *The Catholic Herald* published, for example, a leading article under the heading "Mr Mintoff is going to far".⁵⁵

It was all the time becoming painfully obvious to Mr Mintoff and his circle that they were doomed to beat a retreat. Once again Mintoff started looking round for scapegoats. In his address to the Labour Party Annual General Meeting for 1958, he stated that it was Mabel Strickland who was to blame for starting the Caravaggio incident which was in turn taken up by other political parties, and when the controversy was at its peak, the Church spoke on the matter. There was tumultuous ovation from the floor and repeated shouts of "Mintoff, Mintoff"; and the Prime Minister thanked the conference-delegates for their vote of confidence.⁵⁶

The crisis dragged on until April 1958. It was rumoured that the Holy See had found against the Malta Government and asked the Prime Minister to return the paintings to St John's which, however, he refused to do. What made Mr Mintoff have second thoughts has never been satisfactorily clarified. It might have been the fear of religious sanctions with the resultant negative political implications; or else

⁵² *Times of Malta*, 4 April 1957.

⁵³ *Times of Malta*, 6 April 1957.

⁵⁴ *Times of Malta*, 8 May 1957, 10 May 1957.

⁵⁵ *Catholic Herald*, 17 May 1957.

⁵⁶ *Times of Malta*, 27 May 1957.

the realisation that with the failure of the Integration Programme and the break with Britain that now seemed inevitable, he would need the support of the Church. Mediation attempts were made by the Capuchin friar Felician Bilocca, Professor Guzè Aquilina and even by the Governor Sir Robert Laycock,⁵⁷ and they finally yielded the desired result. The two paintings were returned to St John's at dead of night on 17 April 1958. Conciliatory statements were issued by the Curia Press Office and the Office of the Prime Minister, in which both parties pledged their mutual respect for each other and augured that the good relations that had once more been established would not again be impaired.⁵⁸ This pious hope was alas very short-lived.

CONCLUSION

The dispute over the ownership of the co-cathedral remains unsettled. During the seventeen years of renewed Labour Administration, between 1970-1987, St John's was several times in the news again but Mgr Gonzi had faded out of the picture and been succeeded by the more conciliatory Mgr Giuseppe Mercieca. Vatican Council II had furthermore changed the Maltese Catholic Church from a church militant to a church pastoral. The church is no longer interested in property rights. What it wants and insists on is the continued use of the co-cathedral for liturgical purposes.

⁵⁷ Adrianus Koster, *op.cit.*, 172.

⁵⁸ Herbert Ganado, *Rajt Malta Tinbidel*, v, Malta 1977, 183-4.