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# Coleridge as Public Secretary in Malta: the Surviving Archives

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A FULL UNDERSTANDING of Coleridge's achievement as acting Public Secretary in Malta 1805 has been constrained by a belief in a greater destruction of relevant materials than may actually have been the case.<sup>2</sup> The purpose of this article is to describe and briefly contextualise a range of pertinent materials available in Malta that may be of interest to scholars interested in Coleridge's Malta period.

## *Preliminary Remarks*

The role of the British officials in the early years of the British occupation was at least to keep open the possibility of securing Malta for the British Empire. The broad strategy was a principle of continuity by which the constitution, laws, governmental institutions and administrative practices of the last legitimate government were continued by the new rulers.<sup>3</sup> The system continued by the British was that in force under the Knights Hospitaller of the Order of St John of Jerusalem who had had possession of the Islands from 1530 until the French invasion of 1798. At its head was the Grandmaster who exercised autocratic authority, including the power to enact new laws. Under the Maltese constitution, the Grandmaster's powers were almost completely unfettered: and the British Civil Commissioners, for the purposes of Maltese law, effectively stepped into the shoes of the Grandmaster. Naturally, however, they were subject to instructions from time to time issued by the British Secretary of State for war and the Colonies as to the conduct of their Administrations, albeit that these instructions did not create legally binding limitations on their powers.

How these powers would be exercised would reveal British conceptions of the colonial project and their understanding of their relationship with the Maltese. Of particular interest is the extent to which the British were willing to exercise self-restraint so as to operate Maltese government in a manner consistent with constitutional principles and practices familiar in the

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<sup>2</sup> The major destruction of records took place in the 1870's: Despatch to Secretary of State 412 19th December 1936 (see Caruana, below n. 12). See also Coburn, K. *In Pursuit of Coleridge*, London: Bodley Head, 1977 and Coburn, K, *The Notebooks of Samuel Taylor Coleridge 1957-1974*, London: Routledge & Kegan Paul, 1962, Appendix B, vol 2, (Notes) 1804-1808 (CNB).

<sup>3</sup> Such a policy was becoming an important characteristic of the wartime approach to conquered and ceded colonies: see generally Manning, H. T. *British Colonial Government after the American Revolution 1782-1820* New Haven: Yale University Press, 1933. The principle of continuity was expressed forcefully in the Royal Instructions given to the first civil commissioner, Charles Cameron 14<sup>th</sup> May 1801, see Hardman, W. (ed) *A History of Malta During the French and British Occupations, 1798-1815*, London: Longmans, Green & Co, 1909, at pp 350-359. These were not replaced until 1813 and provided the constitutional basis of successor British civil administrations including Sir Alexander Ball's second administration (1802-1809).

Metropolitan polity. This went to the question of Maltese identity and the nature of their new (but publicly undisclosed) status as British subjects.<sup>4</sup> In his political journalism, Coleridge had interested himself in constitutional debates and had advocated the importance, not just in Britain, of adherence to such principles as the Rule of Law and the Separation of Powers.<sup>5</sup> Coleridge had, for example, repeatedly argued that the British Constitution is founded upon certain fundamental moral principles, including principles designed to protect the individual from the unlawful predations of Government.<sup>6</sup> Measures inimical to the idea of Rule of Law were a fundamental erosion of the nation's constitutional morality, weakening the very foundations of a stable society.<sup>7</sup> Most significantly, he regarded these as universal entitlements.<sup>8</sup> His involvement with the Maltese system in which these values were formally absent is thus of great interest to scholars, not least because of his subsequent engagement with the subject of principled politics in *The Friend*.<sup>9</sup>

Coleridge, who had arrived in Valletta in May 1804 in pursuit of improved health and a cure for his addiction, was appointed in January 1805 as acting Public Secretary pending the installation of Edmond Chapman, the official already nominated to fill the role. Chapman had been sent to the Black Sea region for purposes connected with the government's plan to speculate on the international grain market which is described below. Coleridge would act as Public Secretary until the latter's return, which was delayed for longer than either Coleridge or Ball anticipated. On first appointment Coleridge thought he could stand down in March 1805,<sup>10</sup> in the event he somewhat reluctantly remained in office until September 21<sup>st</sup> 1805.<sup>11</sup>

<sup>4</sup> The British did not publicly reveal that the Maltese were British subjects, although this was acknowledged in international relations: see e.g. Treaty with the Dey of Algiers 19<sup>th</sup> March 1801, Hardman loc cit p. 349.

<sup>5</sup> See e.g. "Essays on his Times in 'The Morning Post' and 'The Courier'" vol 1 pp 282-4, 3<sup>rd</sup> December 1801, Erdman, D. (ed) vol 3 *The Collected Works of Samuel Taylor Coleridge* (General editor, Coburn, K.) London: Routledge and Kegan Paul, Bollingen Series, 1978.

<sup>6</sup> EOT, above n.5, vol 1, p. 272, 27<sup>th</sup> November 1801; id. pp. 282-28, 3<sup>rd</sup> December 1801; id p. 287, 11<sup>th</sup> December 1801.

<sup>7</sup> See EOT, above n.5, 11<sup>th</sup> December 1801 p. 295. In Coleridge's thought a formal adherence to the Rule of Law by compliance with positive law was insufficient if positive law undermined some conception of political morality.

<sup>8</sup> E.g. his analysis of the French Constitution which established the Consulate and placed military and political power in the hands of Napoleon Bonaparte. The Constitution was formally adopted on December 24<sup>th</sup> 1799. Coleridge's articles appeared on 7<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup> and 31<sup>st</sup> December, 1799: EOT, , above n.5, vol 1, pp. 31-57.

<sup>9</sup> Coleridge's essays on the life of Sir Alexander Ball and Malta would appear in issues 19, 21, 22, 26 and 27 of *The Friend. The Friend*, II 1809-10, Rooke, B.E. (ed), vol 4 *The Collected Works of Samuel Taylor Coleridge*, (General Editor, Coburn K.) London: Routledge & Kegan Paul, Bollingen Series, 1969.

<sup>10</sup>To Robert Southey, 2nd February 1805, Griggs, E.L. *Collected Letters of Samuel Taylor Coleridge* vol II 1801-1806, Oxford: Clarendon Press , 1956, 1163.

<sup>11</sup>*Amviso* (Public Notice) dated 21<sup>st</sup> Sept. 1805, National Library of Malta (NLM) LIBR/MS 430 2 Bandi (Proclamation) 1805 AL 1814 f 23.

### *The National Archives of Malta*<sup>12</sup>

The archives indicate that Coleridge was never formally appointed to the Public Secretary's role; nor was he announced to the officials of central government, and the Luogotenente (Mayors of local government) as the new appointee occupying the pro tempore role.<sup>13</sup> Thus there was not only a *de jure* interregnum between the death of the superannuated Macaulay and the appointment of Chapman, but also a low-profile commencement to Coleridge's new role. The former is easily explained,<sup>14</sup> but the latter is important because it may indicate Ball's intention for Coleridge's role — most significantly that Coleridge would only have a limited engagement with the officials of both central and local government following his appointment.<sup>15</sup> But this remains speculation.

For the sake of convenience we can describe Coleridge's activities as including legal and the administrative functions. The former involved him in drafting laws to implement Ball's policies. If Coleridge's own account is to be believed, he would have played a significant role in the formulation as well as the implementation of these policies by presenting argument to Ball about whether these policies were coherent, well-reasoned and effective.<sup>16</sup>

### *Laws and Public Notices*

The laws and public notices he issued included six *Bandi* and fifteen *Avvisi*. *Bandi* were law making instruments, whilst the *Avvisi* ostensibly notified the public of important announcements, such as the conviction of notorious defendants or the distribution of bounty. In practice, the boundary between these two kinds of instrument is obscure because Coleridge appears to have used some *Avvisi* to impose new forms of criminal liability—thus they could take on a law making role as well as a role in government communication.<sup>17</sup> There is also one instance where Ball's confuses the two, which may imply that

<sup>12</sup> Since 1989 the main repository has been located at Santo Spirito, Rabat. This comprises *inter alia*, the former Palace Archives, Valletta, which incorporated the records of the office of the Chief Secretary (formerly the Public Secretary). In so far as it relates to material directly involving the Public Secretary, there is a useful catalogue prepared by, Caruana, J A., *Catalogue of Records of the Public Secretary and Treasure 1800-1813* National Archives Malta (NAM), not dated, to which we are indebted.

<sup>13</sup> *Lettere 26<sup>th</sup> July 1802 al 29<sup>th</sup> October*, 1805 NAM LIBR PS 02/1 (Brogliardi Lettere).

<sup>14</sup> Only the British Secretary of State could appoint a public secretary, and the circumstances of Macaulay's sudden death precluded the formal appointment of a temporary secretary (Chapman had been formally appointed to succeed Macaulay in 1804 but was not present on the island to take over the post).

<sup>15</sup> News of the appointment or demise of a public secretary was announced to government officials by a "circolare". The death and funeral arrangements of Alexander Macaulay (who Coleridge replaced) were announced in two "circolare alle diverse officine" of 19<sup>th</sup> January 1805; one to officials signed by the Maltese Secretary Giusseppe Zammit; the other was to the Luogotenente and was signed by an official named Casolani. The "circolare" announcing the appointment of Chapman, dated 21<sup>st</sup> September 1805, is particularly interesting because it speaks of the new appointment as replacing Macaulay; there no reference to Coleridge:— *Lettere 26<sup>th</sup> July 1802 al 29<sup>th</sup> October 1805*, NAM PS 02/1 Brogliardi Lettere..

<sup>16</sup> See *The Friend*, above n. 9, I p. 552

<sup>17</sup> E.g. *Avvisi* 22<sup>nd</sup> May 1805, NLM LIBR/MS 430 2/2 *Bandi* 1805 AL 1814, f 8, and 22<sup>nd</sup> March 1805 NLM LIBR/MS 430 2/2 *Bandi* 1805 AL 1814 f.6

appropriate formal distinctions were not drawn.<sup>18</sup> This laxity is itself controversial and hints at a system in which Rule of Law values, familiar in England, were not being applied in Malta.

The subject matter of the various instruments is diverse. Coleridge had to draft measures affecting, amongst other matters, the manufacture and retail of spirits,<sup>19</sup> new taxation,<sup>20</sup> as well as measures for consumer protection,<sup>21</sup> the registration of foreigners<sup>22</sup> the recapture of deserters<sup>23</sup> and the reconstruction of the island's infrastructure.<sup>24</sup>

A characteristic of these instruments is that they often contain what was, from the Administration's point of view, the case or argument for the particular measure or policy. They include, sometimes quite extensively, a range of explanatory and justificatory material that represents a political and persuasive engagement with the Maltese inhabitants. These instruments are therefore particularly interesting because they include information which goes beyond the simple expression of Ball's commands. In Coleridge's texts explanation and justification is characteristically integrated with the burden of the law or policy involved. Indeed, Ball believed that Coleridge's most effective and beneficial role was helping him to achieve his (Ball's) goals by means of political rhetoric and the manipulation of government information.<sup>25</sup> But questions arise about the fairness, truthfulness, accuracy, objectivity and comprehensiveness of the information they communicated; and this may provide some background context to Coleridge's subsequently expressed opinions condemning unethical behaviour of the colonial administration and its senior administrators.<sup>26</sup>

Coleridge is revealed in the instruments as performing (from the British point of view) an effective albeit controversial propagandist role for British interests. However, the instruments also disclose the technical limitations of a poet and philosopher in poor health trying to adjust his political imagination to the demands of legal drafting. A number of the *Bandi* and *Avvisi* disclose attitudes and intentions inconsistent with the rule of law as understood in those days. Just one controversy concerns the introduction of new criminal offences. In some of Coleridge's public notices, he announced the Civil Commissioner's intention to punish certain behaviour when no change in the law had been effected.<sup>27</sup> In eighteenth century England the English courts had ruled that this was unlawful behaviour; in other words the British government could not simply declare conduct to be unlawful simply because it wished to

<sup>18</sup> Ball to Cooke 21<sup>st</sup> July 1805 U.K. National Archives, Kew, (Kew) CO 158/10/187.

<sup>19</sup> Bando 22<sup>nd</sup> March 1805, NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f.4

<sup>20</sup> Bando 8<sup>th</sup> March 1805, NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f.2.

<sup>21</sup> Bando 5<sup>th</sup> August 1805 NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f.19.

<sup>22</sup> Bando 21<sup>st</sup> June 1805, NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f. 14.

<sup>23</sup> Bando 2<sup>nd</sup> September 1805, NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f.21

<sup>24</sup> Bando 29<sup>th</sup> January 1805, NLM LIBR/MS 430 1/2 Bandi 1790 AL 1805 f356; 431 II/3 f 50

<sup>25</sup> Ball to Penn 18<sup>th</sup> September 1805, The Wordsworth Trust, Grasmere, WLMS A/ Ball, Alexander, Sir/2.

<sup>26</sup> To Daniel Stuart, 22<sup>nd</sup> August 1806, *Letters*, above n. 10. ii 1178 and see also CNB 2271 f 21.470.

<sup>27</sup> E.g. *Avviso* 22<sup>nd</sup> May 1805 NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f.8.

see it punished.<sup>28</sup> Punishment could only be inflicted in accordance with existing positive law. In this way Coleridge's laws and public notices illuminate in interesting ways the extent to which Coleridge, when in government, was unable to implement some of the ideas that he had expressed in his earlier political writing.<sup>29</sup> They perhaps throw new light on his disillusioned complaints that practical politics could be immoral and exploitative.

### *The Segnatura*

Another of the Public Secretary's public functions was to sit, *ex officio*, on the *Segnatura* — a body that in effect performed both quasi-judicial and administrative functions. This 'council', continued from the time of the Knights, was the institution through which the Civil Commissioner heard petitions<sup>30</sup> from individuals who objected to official decisions affecting them.<sup>31</sup> It enjoyed an existence that was, in a constitutional sense, merely informal. It exercised no legal powers, since these remained vested in the Civil Commissioner and were to be exercised in his name. Its primary role was a body through which the Civil Commissioner exercised the prerogative power of dispensing justice. Thus petitioners could invite the Civil Commissioner to overturn or vary administrative decisions. There was a miscellany of petitions to Ball dealing with a wide range of matter including health, urban planning, criminal process, relief and enforcement of debts as well as licensing decisions.

But this was not all because the *Segnatura* also provided a form of appeal against judicial decisions of either a criminal or a civil nature. The constitutionally unlimited jurisdiction of the *Segnatura* created the possibility that the Maltese were not necessarily required to accept legal or administrative outcomes that were derived from the application of legal norms or settled administrative practice. The opportunity to petition meant other outcomes than those prescribed by law or administrative policy were possible provided that the Civil Commissioner was persuaded to impose them. This had two consequences. First, it signified that the Civil Commissioner was the highest court of appeal. It also meant that legal and administrative problems were not necessarily resolved according to published, impersonal legal norms. If this system was not to result in uncertainty or even arbitrary rule, informal principles would have been developed to ensure consistency. Thus the business of the *Segnatura* raises profound questions about how justice was understood and administered within the early British administrations.

The *Segnatura* petitions have, hitherto, been obscurely located in the Maltese National Archives. They have been associated with the judicial function of the state and are accordingly located in un-catalogued records of

<sup>28</sup> *Entick v Carrington* (1765) 19 St. Tr. 1030.

<sup>29</sup> E.g. in EOT, above n. 5.

<sup>30</sup> The petitions for 1805 can be examined in NAM 92/04 1805 box 05. These petitions were handwritten and various relevant parts underlined, presumably by the responsible uditor (official) for emphasis.

<sup>31</sup> Eton, W. *Authentic Materials for a History of the People of Malta* 1807, London: 1802-7, vol. iv pp. 145 *et seq.*

the *Corte Capitanale* (the criminal and civil court of Mdina)<sup>32</sup> For that reason perhaps, they seem to have escaped the attention of English scholars.

The records of the decisions taken in relation to each petition are separately recorded in the *Memoriale*.<sup>33</sup> Thus the two sets of records must be read together; and it is likely that the relationship between these two archives has not previously been understood.

Petitioners sometimes sought to appeal against criminal sentences such as the mother seeking to overturn the banishment of her 12 year old son. He had been convicted in the courts of offences linked to anti-Semitic agitation and sentenced, through the intervention of Sir Alexander Ball, to life-long exile on Gozo.<sup>34</sup> The evidence of Ball's intervention, to demand a higher sentence than the Criminal Code (Code de Rohan) permitted, revealed that the British administration was not prepared to tolerate an independent judiciary. The sentences in these cases were the subject of direct political intervention and imposed to restore stability in the face of mass agitation against the newly established Jewish presence on the island.<sup>35</sup>

There is no surviving evidence that Coleridge was directly involved in the sentencing of the offenders: but his insistence in *The Friend* that Ball consulted him on all important decisions leads almost inexorably to the conclusion that his advice must be sought; after all, this was one of the most dangerous crises of Ball's administration. Besides, Coleridge was involved in drafting the Public Notices announcing the sentences and later expressed the view that the conduct of the Administration during the emergency had been "wise".<sup>36</sup> It is highly unlikely that he was not closely involved in the various governmental responses to the agitation. This probability is interesting because it suggests that Coleridge accepted that, when compared with England, different legal standards could and should apply within Malta notwithstanding that the Maltese were, in law, British subjects.

When Ball had returned to the island in 1802 he was unquestionably popular.<sup>37</sup> There is evidence that this support temporarily ebbed away despite rising living standards and the recovering economy. A number of issues were cited by his political opponents and transmitted to the Secretary of State in an unsuccessful attempt to undermine ministerial confidence. Amongst these was Ball's decision to summarily banish a petitioner before the *Segantura*. This individual appears to have advocated political reform and, in particular, the establishment of a representative assembly with legislative powers. No doubt

<sup>32</sup> See above n.12.

<sup>33</sup> *Registro dei Memoriale e Decreti da da Sua Eccellenza il sig Cavalier Alessandro Ball Regio Commissionario Civile di Sua Maestro Britannico*, NAM LIBR 43/11.

<sup>34</sup> The petition from Maria Bonello was dated 19<sup>th</sup> June 1805, NAM, 92/04 1805, box 05.

<sup>35</sup> Id.

<sup>36</sup> *The Friend*, above n.9, I p. 544.

<sup>37</sup> A letter to Ball dated 11<sup>th</sup> February 1801 containing expressions of gratitude to Ball for his "wise" government during his first administration (1799-1801) was signed by a number of eminent Maltese and sent to him on his departure from the island: Hardman, above n.3, p. 343. Coleridge's evidence tends to refute our claim that Ball's popularity waned in 1805-6, although the objectivity of Coleridge's account is contestable: see *The Friend*, above n. 9, I 566.

Ball intended to demonstrate by this punishment that agitation for reforms that would undermine his “continuity” strategy would not be tolerated. However, the British in general, and Ball in particular, seem to have taken insufficient account of the unpopularity of the autocratic and despotic powers of Grandmasters which, *ex hypothesi*, they continued to exercise. Thus in behaving as the Grandmaster might have done prior to 1798, Ball was exposing himself to the same criticisms and hostility that they had endured. The interference in the court’s decisions in the cases of the anti-Semitic prosecutions, and the summary banishment were featured prominently in a Petition of the Maltese people to the Crown which reached London in 1805.<sup>38</sup> In this petition Ball was condemned as a “frightful despot” whom the people feared and whose oppressive actions dissuaded them from exercising their traditional local rights of petition. The unambiguous inference was that Ball had to be bypassed, not only to ensure that their arguments would receive an objective consideration but also to ensure their own safety.

No evidence has so far been found of Coleridge’s role in the banishment case, but his *ex officio* presence on the *Segnatura* and his extensive accounts of Ball as a wise ‘governor’ in *The Friend* suggests that he may have supported Ball. A more thorough investigation of these petitions and their outcomes could yield interesting results.

The work of the *Segnatura* may be of interest to Coleridge scholars and those working in the field of colonial studies for at least one further reason: because they reveal indirectly how great a reliance the Civil Commissioner placed upon him as an administrator. It is abundantly clear that the workload of the *Segnatura* was considerable and, from the Civil Commissioner’s point of view, a significant burden on his time. Petitions are recorded in very significant numbers. For example, on 17<sup>th</sup> May 1805 the outcomes of seventy-five petitions were recorded for one day; and this was not untypical.<sup>39</sup>

Ball was to complain to London that the extent of all his duties, when taken together, left him unable properly to supervise the finances government departments.<sup>40</sup> In particular he reported that he was nor fully able to make senior officials properly accountable by means of audit.<sup>41</sup> As he emphasised, the Civil Commissioner necessarily placed a great reliance on the Public Secretary to perform this role. In 1816 it was discovered that systems of financial control and supervision within the Administration had been unfit for purpose; accounting practices had been lax; and money had been spent without authority.<sup>42</sup> Entries in some accounts had been deliberately fabricated and, in the case of the hospitals, no accounts had been prepared for at least four

<sup>38</sup> Memorial and Petition of the Maltese (unsigned and un-dated ) Kew CO 158/10/151 (1805).

<sup>39</sup> *Memoriale* etc Volume N- NAM LIBR 43/12.

<sup>40</sup> Kew CO 158/13/315.

<sup>41</sup> Kew CO 158/13/465.

<sup>42</sup> Maitland to Bathurst October 24<sup>th</sup> 1814 Kew CO 158/25/209-224, 218.

years.<sup>43</sup> It seems that Ball may first have become aware that there were difficulties in the Spring of 1805 (when Coleridge confirms he was engaged in audit).<sup>44</sup> But if Coleridge was on notice that the systems for ensuring accountability were ineffective, there is no evidence that he took any steps to reform them or, if he did, that he succeeded. What is revealed in the archives is a structural weakness in the Administration that created opportunities for corrupt or inept officials, which were not closed down until Maitland's administration after 1814. Thus the shortage of expert staff, and the volume of government business (not least in the *Segnatura*) contributed to a lack of effort in designing and operating appropriate mechanisms to ensure accountability. In turn this compromised the effectiveness of a government in which public funds were wasted.

### *The Università*<sup>45</sup>

One of the institutions of government that was later identified as being amongst the most corrupt and incompetent resulting in the waste of public money was the Università, a municipal corporation which operated a monopoly on the supply within Malta of basic foodstuffs.<sup>46</sup> The institution had acquired an additional strategic significance in Ball's administration because he needed to raise funds to finance expensive welfare policies that had been promised to the Maltese. Chapman's mission (Chapman rather than Coleridge should have succeeded Macaulay) to buy cheap wheat in the Black Sea region was intended to bring a year's supply to the Island which would be retailed at a significant profit to government. However, the storage facilities upon which the success of the venture depended were used as barracks for troops awaiting embarkation. When the wheat arrived on board ship it could not be unloaded and decayed as a result.<sup>47</sup> Although the Jurats were given day to day responsibility for operating the Università, Coleridge as Public Secretary would have had ultimate responsibility for overseeing their work.

Although the wheat was declared to be fit only for animal fodder,<sup>48</sup> it was nonetheless released at low prices. Not only did the poor quality bread result in public dismay and unpopularity of the government, but the scheme also failed in its primary purposes of raising revenue.<sup>49</sup> The surviving records of

<sup>43</sup> The Royal Commission of 1812 concluded that "extreme negligence" characterised the supervision of the hospitals: Kew CO 158/19.

<sup>44</sup> *The Friend*, above n. 9, I 565.

<sup>45</sup> The records of the Università are located in the National Library of Malta, Valletta.

<sup>46</sup> See Report of Thornton, W. 1816 *Report to His Excellency the Governor on the Accounts of the University of Valletta from 4<sup>th</sup> September 1800-31<sup>st</sup> July 1814*, dated 12<sup>th</sup> July 1816, Kew CO 163/33. The Royal Commission of 1812 also referred to Malta as a "country where negligence in accounts and inattention to Business so universally prevail." Kew CO 158/19.

<sup>47</sup> Although Ball maintained that, taken as a whole, the consignment produced a profit: Kew CO 158/13/58-59; Kew CO 158/13/80; Kew CO 158/13/206.

<sup>48</sup> Borg to Eton 23<sup>rd</sup> July 1806, 23<sup>rd</sup> July 1806 Kew, CO 158/12, no folio reference.

<sup>49</sup> Thornton, above n. 46 p. 16.

the Università are located in the National Library of Malta.<sup>50</sup> However instructions to the Jurats or directors of the Università can be seen in the “ordine” (orders) preserved in the National Archive of Malta at Rabat.<sup>51</sup> As stated above, the Public Secretary’s duties required him to supervise the Università, as Macaulay had done before him: but the *ordine* reveal that no instructions were issued under Coleridge’s signature; much supervisory responsibility was either quietly assumed by Zammit (the Maltese Secretary) or perhaps more formally delegated to him. Whatever the explanation may have been, Coleridge qua Public Secretary seems not to have been closely involved in the Università’s affairs; and the failure of supervision was to have serious detrimental consequences for the credibility of Ball’s regime, the financial stability of the island and, ultimately, the British taxpayer.

### ‘Ordine’ and ‘Lettere’

Interestingly, the Ordine do not contain *any* instructions written by Coleridge to the various departments of the government. Here there is a clear contrast with both Macaulay and Chapmen (the individuals who held office immediately before and after Coleridge) both of whose signatures are present on numerous departmental communications and instructions. When Chapman took over from Coleridge, the flow of Ordine from the pen of the Public Secretary resumed.<sup>52</sup>

Communication between the Commissioner and his Public Secretary with the various departments of the government were conducted by letters. The in-letters, from the departments to the Public Secretary were, as stated above, destroyed in the 1870s. Collections of out-letters (i.e. letters from the office of the Public Secretary) still exist.<sup>53</sup> However, in the period of Coleridge’s office there are no letters under his signature. All the letters were signed by other officials, principally Zammit and sometimes the Commissioner himself, Ball. As with the affairs of the Università, daily supervision of the other governmental departments does not seem to have been one of Coleridge’s major concerns. As said above, his appointment had not been officially notified and, so, this may less indicate Coleridgian slackness than the understanding of officials as to personalities and offices in their upward channels of communication. Likewise the lists of appointments made by Ball to the public service are signed by him and the Maltese Secretary (Zammit) rather than Coleridge. This applies even to the most senior appointments such that of the President of the Grand Court of Valletta, Dr Borg Olivier.<sup>54</sup>

<sup>50</sup> See for the Coleridge period, NLM LIBR 827 1/5 LibroSpese and Giornale dele spese dal vi 28 Giugno 1805 sin al vi 24 Giugno 1807 NLM LIBR 827 V/5.

<sup>51</sup> NAM, PS/01.

<sup>52</sup> NAM, PS01/2.

<sup>53</sup> NAM, PSO2, Brogliardo Lettere (Out Letters) 1802 July 25th - 1806 July 25th.

<sup>54</sup> Lists of appointments are in the *Nomina D’Impieghi 1802 Giugno 31 – 1811 Luglio 1 5*, NAM, PS03; Olivier’s appointment was recorded on 11<sup>th</sup> March 1805.

### *Passports*

One of Coleridge's functions was to issue passports. Passports were given to Maltese ships which would thereby enjoy the protection of the British Navy. This had been a controversial area of policy because in 1800 Ball had been forced, for practical reasons, to issue passports unlawfully. The French had destroyed Maltese shipping during their occupation. Consequently, at a critical period of impending famine in the last quarter of 1800, it was necessary to use foreign (non-British) shipping, such as Neapolitan vessels, in order to ensure food supplies to the island. Issuing passports to non-British Masters even for one journey only (as Macaulay had done) was contrary to international law (and, indeed, created an international incident involving the Dey of Algiers) but the Neapolitan ship owners refused to supply ships without the security of British protection that a passport provided. Ball had tried to recover the passports he had issued but these had been sold by the foreign owners and, despite the fact they were issued for one voyage only were being traded. In June 1805 Coleridge issued an *avviso* which cancelled all passports previously issued and required all Maltese vessel owners to apply for new Mediterranean passes the first of which were issued in July 1805 by Coleridge.<sup>55</sup> A list of the passports issued is available which gives an insight into the scope of Coleridge's work and aspects of the commercial life of Malta during Coleridge's period.<sup>56</sup>

### *Prize Money*

One of Coleridge's tasks was to organise the distribution of bounty. At the fall of Valletta in 1800 the British military had created an expectation amongst serving Maltese troops that they would be eligible for a bounty. On investigating the Maltese regimental structures, Major General Pigot had withdrawn the promise<sup>57</sup> and Ball, who thought a payment should be made, reported on the grave disaffection that Pigot's action caused.<sup>58</sup> Ball had prepared a list of every Maltese soldier serving at the time of the fall of Valetta. Politicians in London upheld Ball and sums were made available. Coleridge issued two *avvisi* governing the distribution of prize money and also dealing with disputes arising from the first distribution of 1803. A full list of every Maltese soldier entitled to bounty is available.<sup>59</sup>

<sup>55</sup> This *Avviso* is interesting because of the robust defence Coleridge mounts in defence of Ball's actions in issuing passports contrary to International law. In modern times this might be condemned as "spin": *Avviso* 25th June 1805, NLM LIBR/MS 430 2/2 Bandi 1805 AL 1814 f.15.

<sup>56</sup> Register of Mediterranean Passes, 1803 Sep 12 – 1817 Jul 16, NAM, PS07.

<sup>57</sup> Rank in Maltese forces depended on social status rather than the number of men commanded. E.g. the colonel of the Birchicarra (Birkirkara) battalion had 478 officers and men in contrast to his counterpart of the Crendi battalion who commanded 25 officers and men. Pigot objected to a system under which both colonels would receive the same bounty.

<sup>58</sup> Ball to Dundas 6<sup>th</sup> March 1801, See Hardman, above n. 3 p. 345.

<sup>59</sup> Maltese Corps Serving at the Surrender of Malta on 4<sup>th</sup> September 1800, NAM, PS09. The abstract listed 2506 troops of all ranks, listed by classes: colonel, adjutant, scrivano, sergeant, corporal and soldier.

### *Public Notices and Deterrence*

One of the purposes of the *Avvisi* was to publicise the actions of particular offenders whose activities concerned the stability of government or the economy and which the Civil Commissioner wished to deter. Extensive records of criminal trials survive unclassified in the national archive. These are predominantly from the *Corte Capitanale* which dealt with both criminal and civil cases from Mdina. The Maltese criminal process was largely conducted on the basis of judicial examination of witnesses and the records available consist largely of these depositions. These witness statements are an important source in such matters as the widespread anti-Semitic unrest which broke out in 1805. What is disclosed, as we have seen, is that in some cases Ball was ruthless in his use of the traditional power of the Grand Master to intervene in the judicial process.<sup>60</sup>

### *Court of Vice-Admiralty*

Coleridge's notorious remark to Southey, in which he describes appearing in the Vice-Admiralty Court dressed in wig and gown, cannot be established by reference to the surviving records of the National Archive of Malta.<sup>61</sup> There appear to be a few surviving records in the archive in Malta. These are witness statements relating to a small number of ships in the period 1805 to 1817. A complete court record applies to *La Madonna Vebiera*, of 29<sup>th</sup> July 1807,<sup>62</sup> although this case was decided long after Coleridge had left office and returned to England.

### *Conclusion*

On reaching England in 1806 Coleridge's private correspondence suggests that he recoiled from an uncongenial public office that caused him to participate in decisions that compromised his moral principles.<sup>63</sup> His conclusion that the machinery of colonial government was "wicked" is particularly noteworthy.<sup>64</sup> His public statements in *The Friend*, of course, offer a very different account of the British administration presided over by Sir Alexander Ball on whom Coleridge heaped almost unqualified approval.

The richness of the surviving British and Maltese National Archives is sufficient to justify a more balanced account than either of Coleridge's positions. In them we encounter the complex challenges that Coleridge and his fellow administrators encountered. These included the (sometimes flawed) strategies pursued by the British to maintain stability on Malta; the political and

<sup>60</sup> NAM 92/04 1805

<sup>61</sup> To Robert Southey, 2<sup>nd</sup> February 1805, *Letters*, above n. 10, II 1163

<sup>62</sup> NAM, Preliminary Investigations Volume 1 1802-1813.

<sup>63</sup> He wrote to Stuart: "no emolument could ever force me again to the business, intrigue form and pomp of a public situation." To Daniel Stuart, *Letters*, above n. 10, ii 117, 8 22<sup>nd</sup> August 1806, although he admitted that his experience of office had been valuable.

<sup>64</sup> *Id.*

economic strait-jacket in which Ball's administration found itself; turbulent community relations; disaffected or negligent officials and a dependent but highly litigious population.

We also discover something of Coleridge's achievement: he was (from the British point of view) successful in advocating British policies in the laws and government communications intended to influence or alter Maltese behaviour. But his absence of legal training is unsurprisingly evident in the manner in which laws are framed.

The surviving records also allow us to conclude that Coleridge seems to have had little lasting influence on Maltese administration. Inefficiencies, poor accounting standards, deficient and expensive health care and elusive financial information, can all be identified as problems that were coming to light during his tenure of office: but we find that they remained unresolved long after he had left the island. This suggests, of course, that even professional administrators, such as Edmond Chapman and Francis Laing, who succeeded him found the complexities of the office too onerous-so we must be careful not to be unduly critical of Coleridge.

Finally it should be stated the study of these materials is far from complete. Their significance includes but also lies beyond what they reveal about Coleridge, for they are concerned with British conceptions of colonial society and the administration of justice at a time when Britain had just embarked upon a new model of colonial government. How this model succeeded is an important topic deserving of further analysis.