

MALTA (EDUCATION BILL).

RETURN to an Address of the Honourable The House of Commons,  
dated 9 May 1872;—for,

“COPY or EXTRACTS of all CORRESPONDENCE relative to the Rejection by the  
COUNCIL of the GOVERNMENT of MALTA of an EDUCATION BILL on its First  
Reading.”

Colonial Office, }  
28 May 1872. }

E. H. KNATCHBULL-HUGESSEN.

(*Mr. Bowring.*)

*Ordered, by The House of Commons, to be Printed,*  
*30 May 1872.*

## SCHEDULE.

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COPY of EXTRACTS of all CORRESPONDENCE relative to the Rejection by the COUNCIL of the GOVERNMENT of MALTA of an EDUCATION BILL on its first Reading.

— No 1. —

COPY of a DESPATCH from Governor Sir *P. Grant*, G.C.B., G.C.M.G., to the Earl of *Kimberley*.

(No. 38.)

Palace, Valletta, 2 April 1872.

(Received, 10 April 1872.)

(Answered, No. 221, 19 April 1872, page 31.)

No. 1.  
Governor Sir P.  
Grant, G.C.B.,  
G.C.M.G., to the  
Earl of Kimberley.  
2 April 1872.

My Lord,

I HAVE the honour to transmit the accompanying letter, dated the 18th ultimo, and addressed to your Lordship, by five out of the present six elected Members of Council, complaining of the loss of a motion made by one of them, Mr. Cachia Zammit, for leave to introduce an Ordinance "for the organisation of public instruction," and stating that that event was due to my having made use, in Council, of the official majority.

Enclosure 1.

2. Though that representation refers only to the part supposed to have been taken by myself in the proceedings of the Council on that occasion, it cannot be satisfactory to your Lordship to receive a report confined to that narrow question; and without some preliminary information on the most important matter which the author of that motion proposed to deal with. I make, therefore, no apology for entering at some length on the nature of the existing arrangements for public instruction, and the course which some persons have, for several years, deemed it proper to pursue in connection with that subject.

3. The educational establishment in this island is divided into two branches; one under the management of an officer called Rector of the University, with its four faculties of theology, jurisprudence, medicine, and philosophy and arts, as well as two Lyceums, one in Valletta, and the other (created in 1867) at Cospicua, containing schools for secondary instruction; and the other, under the management of another officer, called Chief Director of Primary Schools, including all the schools for elementary instruction in both islands, as well as a school for secondary instruction at Gozo.

4. The rules for the guidance of both those institutions were, as recommended by the Commissioners of Inquiry, the late Mr. Austin and the Right Honourable Sir George C. Lewis, made by the Executive on principles laid down by those distinguished gentlemen, subject, of course, to any alteration that from time to time the Governor or the Legislature might deem expedient. The University and the two Lyceums are governed by a statute originally framed, as I am told, by the late President of the Court of Appeal, Sir Ignatius G. Bonavita, and since amended by Government on different occasions; and the Primary Schools, of which there is one in almost every city, suburb, or village in both islands, together with the Gozo secondary school, are regulated by a set of rules framed, with great care, in course of time by the present able and indefatigable Director, the Rev. Canon Pullicino, who for that purpose, at his own expense, visited the public schools in the United Kingdom and in several Continental countries. Until lately the last-mentioned rules were in different papers, made at different times, as the necessity for them occurred, but last year they were, by the same reverend gentlemen, embodied in a book, which I immediately caused to be communicated to the Council.

5. On neither the one nor the other of those institutions have I, during the five years that I have had the honour of administering this Government, heard any specific intelligible complaint respecting their organisation, or the particular rules by which they are governed. On the contrary, I have repeatedly heard English gentlemen perfectly competent to form an opinion express their satisfaction at the manner in which the schools are conducted, and the progress made by pupils in the Primary Schools, considering the difficulty under which they labour from the circumstance that they speak but the Maltese (Arabic) dialect, and that to obtain any substantial instruction they must learn a foreign language, the Italian or the English.

6. It appears, indeed, that in about 1842 the merits of the Statute above referred to were seriously and officially discussed. The Rev. Mr. O'Malley, an Irish ecclesiastic, then at the head of all the educational institutions, proposed in that year a scheme for a reform calculated to enlarge the scope of the University far beyond the real wants and the available means of the island, and to extend the use of the Maltese language, which, as above stated, is an Arabic dialect, mixed with some words of Italian origin; while, on the other hand, several persons at different times, looking upon the University as a school encouraging the long existing evil of overstocked learned professions, and considering that those who could afford to educate their children for those professions should send them abroad at their own expense, maintained that the University should be altogether abolished. Neither, however, of those schemes appears to have received any countenance from the Government, and there has been, as far as my information goes, no trace of any serious complaint on the organisation of those institutions, or on the principles on which they are founded, since the year above mentioned.

7. It appears, however, that since 1860 attacks upon the Lyceum in Valletta, the only one then existing, and on the Primary Schools, began to appear in a portion of the press. They were general vague articles on the necessity of a reform of those schools, without specification of any particular defect in the existing arrangements, and it was impossible to say whether the organisation of the establishment, the method of teaching, or the ability of the teachers, was really in question. Nevertheless, as one of the then elected Members of Council, Dr. Torreggiani, seemed to have, out of the Council, joined in those attacks, Sir Gaspard Le Marchant, without admitting that there was any ground for them, appointed him by letter, dated 25th June 1862, to make an inquiry, and gave him, for that purpose, every facility and every assistance he asked for. But that gentleman, who, with the powers received from Government, repeatedly visited the schools and examined the pupils, made no report whatever, and the steps taken on that occasion had, practically, no other effect than that of weakening the authority of the Rector and the Director on the teachers placed respectively under their control, and of raising in the minds of the latter an unfounded expectation of an increase of salaries.

8. The same vague attacks, however, continued, and Sir Henry Storks, shortly after his arrival, on Dr. Torreggiani's positively declining to report the result of his inquiry, appointed another commission, consisting of three gentlemen, who, on the 23rd June 1865, made a very unfavourable report on the management of the Lyceum and the Primary Schools, and on the method of teaching. In that report, besides the establishment of some new schools of primary instruction, the superannuation of some of the existing teachers, the employment in the model schools of a teacher to be obtained from a training school in England, the erection of buildings in some places better fitted for schools, and some other things, the Commissioners recommended a reform in the organisation of the Lyceum and the Primary Schools, to the following effect:—

1st. That the instruction to be given in the Primary Schools should be reduced to so much as was necessary to qualify a pupil for admission to the Lyceum.

2nd. That the lowest purely elementary school in the Lyceum should, after some time, be suppressed.

3rd. That the courses of study in the Lyceum should be made obligatory, so that a person anxious to enter the Lyceum for learning one particular

cular subject, should be obliged either to attend also all the other schools comprised in the course to which that subject belongs, or to pay, for the convenience afforded to them, 5 s., instead of the ordinary fee of 1 s. a month.

4th. That the schools of design, land surveying, and navigation, be reformed, as proposed in the same report, with a view to greater efficiency.

9. To that report, as far as it commented upon the management of the Primary Schools, a very able and persuasive reply was, on the 20th July of the same year, made by the Director of Primary Schools. It showed that the supposed deficiencies in those schools were unreal, and that all the suggestions respecting the method of teaching had, in fact, been long in actual practice. And Sir Henry Storks having then personally inspected the school of Valletta, was, as he subsequently authorised the Crown Advocate to state in Council, very favourably impressed with the system of instruction and the amount of information possessed by the children.

10. The acts of Sir Henry Storks were perfectly in harmony with that opinion, because, in January 1867, when he, with the concurrence of the Council, established the new Lyceum at Cospicua, he placed it under the direction of the same officer, the Rector of the University, as the Lyceum of Valetta, and, though on a smaller scale, on the same principles; and on the 15th April of the same year, three days before he left Malta, he published a Government notice, laying down some rules respecting the selection of teachers and their qualifications, and respecting also the nature of instruction to be given in the Primary Schools, which, though never before sanctioned by a formal act of Government, had, however, long been practically observed.

11. Up to that time, the Council took no part in the discussion which had for years been carried on chiefly by a portion of the press; and, as I am informed, they cheerfully voted the sum required for the new Lyceum at Cospicua, without any comment on the management of the old Lyceum, or of the Primary Schools. But, shortly after my assumption of the Government, the attacks on the system of primary and secondary instruction, re-appeared in the same portion of the press in which they had appeared before.

12. On investigation I found that very few persons, indeed, took any part, or any interest in the discussion. What a considerable number of respectable persons were really anxious to obtain, was some very cheap college or boarding school (*conoitto*, as they call it) for primary and secondary instruction, which it was impossible for the Government to provide. But the then elected Members of Council were now urged to take up the subject; and one of those gentlemen, Dr. Sciortino, undertook to bring it before the Council in the Session of 1868, which he actually did.

13. He gave notice of a resolution containing several points, of which, however, he proceeded, in February of that year, to move only the first three, proposing, in substance—

1st. That no attempt should be made in the Primary Schools to teach the Italian or the English language, before the pupils were able to read and *write* the Maltese dialect;

2nd. That the limits at which primary instruction should end, and secondary instruction begin, should be more clearly defined;

3rd. That, for the definition of those limits, a Commission should be appointed by the Government, consisting of the Rector of the University, the Director of Primary Schools, and one or more other persons.

In concluding the speech by which that gentleman introduced his motion, he expressed a desire that each point should be separately decided upon, after all of them should have been fully discussed.

14. The course taken by Dr. Sciortino on that occasion was a very proper one. His propositions were submitted in a manner to give to all those, in and out of the Council, who took any interest in the matter, an opportunity of considering, and forming an opinion upon, each of them, on its own merits. They coincided to a certain extent with the two first suggestions of the Commission of

1865, the substance of which has above been stated (sect. 8), though, instead of calling upon the Council to pronounce a final decision, he recommended the appointment of another Commission. And, in the full and exhaustive debate which took place on those three points, the fourth paragraph of the resolution, proposing to establish obligatory courses of studies, as suggested by the said Commission of 1865, was also incidentally discussed.

15. Dr. Sciortino's proposals, however, were supported by only one other elected Member (Dr. Torreggiani), and strongly opposed by Dr. Pullicino and Mr. Scicluna, elected Members, with whom agreed also the Chief Secretary, the Crown Advocate, and the then Comptroller of Charitable Institutions, now Collector of Customs. It was clearly shown by the opponents that, in point of fact, no Maltese child was, under the existing rules, put to learn reading or writing Italian or English, before he was able to read Maltese; that any further instruction in the Maltese dialect, instead of in English, or in Italian, which is the written language in Malta, would be fatal to any real, substantial, progress of the community at large; that the suppression of the lowest school in the two Lyceums, or of the highest in the Primary Schools, in order to make the former begin where the latter ends, for the sake of what was called harmonious connection between the two institutions, would be seriously injurious to a large proportion of the middle classes of the community, who cannot afford to pay for the elementary instruction of their children in private schools, and are at the same time naturally reluctant to send them to the Government primary schools where they would mix with children of the lowest classes; that there was no necessity of appointing another Commission to inquire into the matter; and that any proposal for the improvement of those institutions should now be distinctly made in Council, and openly discussed, for the information of the public. It was then proposed by the Crown Advocate that the Rector of the University and the Director of Primary Schools (in whom all, or nearly all members appeared to have great confidence) should be consulted on the suggestions made by the Commission of 1865, for the improvement of the Lyceums and the Primary Schools, and that proposition having been unanimously assented to, the debate was adjourned.

16. Pending the adjournment, the Rector of the University, and the Director of Primary Schools, forwarded to me, at my request, two separate reports, deprecating any alteration of the present system, which I caused immediately to be laid before the Council. The result was that Dr. Sciortino let his motion drop altogether, and I heard no more of it, either in that Session, or in the following Session of 1869, at the end of which the functions of all the then elected Members expired by the lapse of five years from the last general election.

17. Towards the conclusion of the first Session of the New Council, in June 1870, Mr. Cachia Zammit, one of the new Members, announced his intention of again, in the following Session, bringing forward the subject of public instruction, with a view, as he stated with considerable emphasis, to a radical reform; and on the 19th December of the same year he moved four resolutions, to the effect,

1st. That the Lyceum and the Primary Schools should be reformed on the basis of the report of 1865, namely, the report which Sir Henry Storks had refrained from acting upon, which none of the previous Members of Council had shown any disposition to adopt in its entirety, and the principal suggestions of which, when submitted to the Council by Dr. Sciortino in 1868, were almost unanimously opposed.

2nd. That the salaries of the teachers should be increased.

3rd. That the Faculty of Philosophy and Arts should be transferred from the University to the Lyceum, and the Chair of Political Economy re-established.

4th. That a new Statute should be formed for the University, the Lyceums, and the Primary Schools, by a Commission to be appointed by the head of the Government.

18. No exception, of course, was taken to the form in which Mr. Cachia Zammit

Zammit proposed to bring forward his views upon the subject, namely, by resolutions. The second resolution, relative to increase of salaries, contained indeed a motion which it was not competent for an Elected Member to make, and it was intended to cause it to be struck out, if he should insist to proceed with it. But the first resolution, the one actually moved in Council, was supported by only one Elected Member, Mr. Barbaro, and it was opposed by Dr. Rapinet and Mr. Zimelli, and to a certain extent also by Mr. De Cesare, all Elected Members. On the part of the Government it was also opposed by the Chief Secretary and the Crown Advocate, who objected to the complicated nature of the question involved in that resolution, inasmuch as the report of 1865, to which it referred, contained numerous suggestions upon which opinions widely differed. Mr. Cachia Zammit, therefore, taking the advice given to him by Dr. Rapinet, Mr. Zimelli, and Mr. Scicluna, Elected Members, and more clearly by the Crown Advocate, of submitting any proposals he had to make for a reform of any school, in separate resolutions, each embodying one particular subject, moved the adjournment of the debate, in order to prepare such separate resolutions. He was repeatedly and warmly assured, on the part of Government, and at private interviews by myself personally, that any such resolutions would be fairly and impartially considered.

19. It was expected that, in a week or a fortnight, he would submit to the Council those resolutions; but though the Council continued to meet till the end of May, that is to say, five months after the adjournment of the debate on his original motion, he took no further step in the matter in the course of that Session. It is, therefore, not too much to say, either that when he, with a very elaborate speech, introduced his original motion for a reform of the Lyceum and the Primary Schools, on the basis of the report of 1865, he was not prepared to discuss on its own merits any one of the suggestions contained in that report, or that on maturer consideration he discovered that none of those suggestions could, on its own merits, be successfully maintained.

20. Meanwhile, the debates of 1868 and 1870, and the difficulties which Mr. Cachia Zammit found himself in when he undertook to submit specific propositions, confirmed the opinion that I had formed, in common with my predecessors, that the educational establishment was, upon the whole, the best that, under the circumstances, could be had in Malta. It was, of course, open to improvement, and some improvement, indeed, would have been proposed on the part of the Government, had not those of the Elected Members who have lately taken an active part in the matter shown so much jealousy of any initiative on the part of Government on this subject, as to refuse, after the postponement of Mr. Cachia Zammit's motion of December 1870, to entertain a motion, given notice of by the Crown Advocate, under my instructions, for a vote of a small sum of money to send to England, for completing their education, a number of lads who should distinguish themselves on a competitive examination.

21. During that period, therefore, I confined myself to give effect to votes agreed to, or opinions expressed, by Elected Members, such as the establishment of 15 new Primary Schools, in different localities (the total number now being 81), and the reprinting, at the request of Mr. De Cesare, of the Statute of the University and the Lyceum, with the alterations made on it since its first publication. In the meantime, the Director of Primary Schools compiled, in one set of rules, the regulations of those schools, and I caused them to be printed, and, as above stated (Section 4), distributed to all Members of Council. That body of well-digested rules, by which the University, the two Lyceums, and the Primary Schools have long been governed, supplies the Statute for the formation of which Mr. Cachia Zammit had, in one of the resolutions moved in December 1870, proposed that a Commission should be appointed by myself.

22. I need hardly say that, with those books before him, Mr. Cachia Zammit's task of submitting specific resolutions was greatly facilitated. It enabled him to discover at once any existing defect, and to propose by those resolutions any amendments he deemed advisable; but, unfortunately, he now took a totally different course, and to my surprise, on the 13th January last, he gave notice of a motion for leave to introduce the Ordinance above referred to—"For the organisation of the public instruction"—including the whole of the educational

establishment, namely, the superior schools in the University, as well as those for secondary and primary instruction, just as if no organic rules for those institutions were in existence, and proposing, as he subsequently explained, to increase the salaries of the professors and teachers, and to make new rules for pensions.

23. Shortly after that notice I received from the Director of Primary Schools a memorandum strongly deprecating legislation by Ordinance. Before I said a word upon that paper, the Chief Secretary stated to me his entire concurrence in the Director's opinion, and having successively referred it to the Crown Advocate, the Collector of Customs, and the Collector of Land Revenue (the latter two gentlemen having, from their previous connection with the educational establishment, a particular experience in the matter), each of them expressed himself strongly against dealing with public instruction by way of Ordinances, instead of the usual course of regulations made on the responsibility of the Executive, subject of course to the control of the Council, and open to any modification that, from time to time, circumstances might render advisable.

24. In that opinion I also concurred. The public educational establishments in this island being entirely under the control of the Government, and managed by persons wholly dependent upon the Government, there is no necessity for an Ordinance to introduce or enforce any new arrangement; and any resolution of Council could at once be carried out. It was, indeed, much easier for the Council to secure, especially when the annual estimates are submitted to them, any reasonable alteration of the present arrangement, than it would be if the existing rules were embodied in an Ordinance. When, therefore, Mr. Cachia Zammit called privately urging me to support his motion, or, in other words, to use my influence with the official Members of Council in favour of his motion, I explained to him the inconvenience of the course he now proposed to take; and, on the other hand, I assured him again and again, that any suggestion, in a different form, for altering any part of the existing rules, would receive my most favourable consideration, and any resolution of Council in that respect would immediately be carried out.

25. The same observations were privately made to him by the Chief Secretary and the Crown Advocate, at private interviews. But he persisted in his determination to proceed with his motion; and at the meeting of the 26th of January he brought it forward with an elaborate speech describing the contents of his draft Ordinance (which, in substance, were those of the existing Statute and Regulations), without however the remotest attempt to show that it was necessary or desirable to abolish the present statute and regulations, on the general working of which no complaint had been made, or that there was any reason for converting them, with or without amendment, into an Ordinance.

26. At the two meetings at which that motion was discussed, there were, besides Mr. Cachia Zammit, only four Elected Members present, namely, Mr. Scicluna, Mr. Barbaro, Mr. Zimelli, and Mr. Muscat. Two seats were vacant by the resignation of their last occupants, and Mr. De Cesare did not attend. Of those four Members present, Mr. Barbaro and Mr. Zimelli stated that they would support the motion, in courtesy to their colleague, without a word on the question of expediency; and Mr. Muscat decidedly opposed it, requesting at the same time Mr. Cachia Zammit to consent to an adjournment of the debate until the two vacant seats should be filled up by the election, the proceedings for which had already commenced. The latter gentleman, however insisted on the continuation of the debate, and a division on his motion.

27. The Chief Secretary, the Crown Advocate, the Collector of Customs, and the Collector of Land Revenue spoke against the motion, clearly showing that the existing Statute and Regulations contained all that, according to Mr. Cachia Zammit's own words, he proposed to introduce by his Ordinance; that that gentleman had not shown, or even mentioned, any defect in the existing arrangements, and, at all events, if any defect existed, it might easily be amended without the necessity of an Ordinance; that a re-enactment of the existing rules, with or without alterations, by an Ordinance, would prevent or inconveniently retard their adaption to changing circumstances; that their objection being to dealing at all with the subject of public instruction by way of Ordinances, they could



could not consistently with that opinion give their vote for the present motion as a matter of courtesy to the mover, for if they voted for the first reading of the proposed Ordinance, they could not consistently with that vote oppose its second reading on a ground which, if good, must be stated and acted upon on the motion for first reading, and that it was not competent for an Elected Member to make a motion for augmenting salaries or pensions, as Mr. Cachia Zammit proposed to do with his Ordinance. It was also explained to him that in England the regulations for the management of schools were made by the Executive, and the provisions of Acts of Parliament in such matter were confined to points which the Executive had no power to enforce. And he was finally requested, over and over again, to revert to the course which, like Dr. Sciortino in 1868, he had in 1871 undertaken to pursue, of bringing forward any amendment he had to propose on the existing Statute and Regulations by way of resolutions, each dealing with a particular subject. But it was all useless; he insisted on a division, and his motion was lost, all the Official Members and Mr. Muscat having voted against it.

28. I have no reason to regret that result. My opinion that Mr. Cachia Zammit's motion was not the proper mode of proceeding to improve the existing educational arrangement continues unchanged; and as to the assertion in the letter now forwarded to your Lordship, that I have (as they call it) used the official majority against the motion, the foregoing statement is, I hope, a sufficient answer. It is true that I made no attempt to persuade the Official Members to vote for that motion; but I do not believe that any existing law or instruction makes it the duty of the Governor to press the Official Members, men of character and experience, to support any motion from an Elected Member, against their own opinions, and the Governor's own convictions.

29. That motion having now been disposed of, and ample time having been allowed to the Elected Members to propose any improvement they deemed advisable, with no practical effect, I instructed the Crown Advocate to submit again to the Council the motion above referred to (sect. 20) for a vote of a small sum, to enable the Government to send some youths to England for completing their education. That motion was now received with marks of great satisfaction by all Official and Elected Members, with the exception of Mr. Cachia Zammit, who protested that, in his opinion, it would produce no public benefit. Some amendments proposed by Elected Members, especially in regard to religious instruction, and the extension of the scheme to students of law, medicine and physical sciences or mathematics, were readily accepted; and the motion was agreed to, with only that protest from the above-mentioned gentleman.

30. I have also sanctioned a very good plan for the improvement of schools of land surveying, navigation, and commerce, which will shortly be submitted to the Council.

Enclosure 3.

I have, &c.  
(signed) *Pat. Grant*, General,  
Governor.

Enclosure 1, in No. 1.

My Lord,

Malta, 18 March 1872.

Encl. 1, in No. 1.

We have the honour to bring under the special notice of your Lordship a recent case, which occurred in the Council of Government, when his Excellency the Governor, in defiance of the instructions contained in a Despatch from the Secretary of State for the Colonies, dated Downing-street, 19th September 1864, showed no consideration whatever to the opinions of the Elected Members, in a matter of purely local and domestic interest, and made use of the official majority to reject a motion proposed by an Elected Member.

This took place in the sitting held on the 8th February last, when the Honourable Mr. Cachia Zammit proposed the first reading of an Ordinance on Education.

The details of an Ordinance of this nature cannot be such as to render it necessary to oppose the same at its first reading, before a knowledge of its contents could be obtained, there being every opportunity of rejecting it at its second reading; nor can such a matter be construed into an Imperial question; and consequently its rejection, notwithstanding the expressed wish, for its first reading, of all the Elected Members present, with one sole exception, created great displeasure in this community, not as regards the motion itself, but on principle.

The above-quoted Despatch was written by the Right Honourable Mr. Cardwell, on the occasion of a petition signed by a large number of the inhabitants of Malta, who remonstrated, at the time, on the abuse committed on the part of the local Government, in disregarding the opinions of the elected Members, when the Right Honourable the Secretary of State for the Colonies, as a remedy, was pleased to issue the following instructions, which were, by his order, communicated to the Elected Members.

"I will, however, take this opportunity of expressing the desire of Her Majesty's Government that this principle should never be lost sight of, by those who administer the Government of Malta, viz., that great consideration should be shown to the opinions of the Elected Members of Council, in matters of local and domestic interest, and that above all no vote of money should be passed against the majority of the elected Members, except under very special circumstances in which the public interests or credit were seriously at stake, and never without an immediate report to the Secretary of State."

We have also to state that on the 13th of July 1869, the Under Secretary of State for the Colonies made use of the following expressions in the House of Commons:—"The desire of the present Government is that in the local affairs of Malta the will of the Elected Members should be supreme."

In the face of such instructions and declarations, the rejection of a proposed Ordinance on Education, *at its first reading*, is unaccountable to us, and we earnestly bring under notice of your Lordship such occurrence, with a view that the above quoted clear and equitable decisions of Her Majesty's Government, formally published by the Secretary of State for the Colonies, be not allowed to be set aside as a dead letter.

We have, &c.  
(signed) *E. Scicluna.*  
*Salvadore Cachia Zammit.*  
*Ramiro Barbara.*  
*E. Zimelli.*

The Right Honourable the Earl of Kimberley,  
Secretary of State for the Colonies,  
&c. &c. &c.  
London.

I, the undersigned, fully adhere to the above complaints on principle, as far as they concern the systematical opposition (whereof I have been witness several times) on the part of the Government to any Ordinance proposed by any of the Elected Members, in spite of the eighth article of Her Majesty's Instructions of the 11th May 1849, which gives the right, indistinctly, to any Member of the Council (both Official and Elected) of proposing laws and resolutions.

(signed) *Frau San De Cesare.*

Enclosure 2, in No. 1.

Encl. 2, in No. 1. COPY of RESOLUTIONS passed by the Council of Government of Malta, at Sitting No. 33, 6th March 1872.

RESOLVED, first:

That a sum not exceeding 250 *l.* be annually assigned for the maintenance of as many persons, natives of these islands, who may be willing, for two years, to continue their literary education in a Roman Catholic school in the United Kingdom, or to enter, as apprentices, any establishment of a mechanical art (such school or establishment to be selected or approved by Government), as with such sum can there be maintained, as a reward for their proficiency in any school in these islands; that such further sum be granted as may be necessary to provide such persons with a moderate outfit before their departure from these islands, and for travelling expenses to the United Kingdom and back; and that a sum of 20 *l.* be annually assigned, to be granted to the teacher or teachers whose pupils shall have obtained the above-mentioned reward; such sum to be distributed among the different teachers in such proportions as shall be fixed by the Head of the Government.

Provided, however:

1st. That the above stated reward be not granted to any person not of good character, or not conversant with the Italian language, or not possessing a knowledge of the English language sufficient for admission to an English school, in the highest class of elementary instruction; and that, in case there should be two or more applicants, the selection be made through a competitive examination, by a commission appointed by the Head of the Government, and consisting of persons unconnected with the schools that any of the applicants may have attended during the year previous to the examination.

2nd. That to the said competition be also invited persons who may not have received their education in a Government school; and that, for such purpose, a notice appointing the day or days on which the examination is to take place, and fixing the period within which

which those who wish to compete for the said reward are to present their applications to Government, be, at least two months before, published in the "Government Gazette."

3rd. That whenever the number of applicants should exceed five, the above-mentioned commission, or another similarly composed, shall separately examine each of them in the Italian and the English languages, for admission to the competitive examination, excluding from the last-mentioned examination those who are not conversant with the former language, or who have not sufficient knowledge of the latter.

4th. That no person be admitted to the competitive examination who shall not produce a certificate of sufficient knowledge of Christian doctrine, signed by an examiner appointed by the Archbishop Bishop of Malta, or by the Bishop of Gozo, regard being had to the age of the candidate.

5th. That the subjects of the said competitive examination be those specified in the Government notice of the 20th January 1865, with the distinction of obligatory or voluntary subjects, and other rules established by the said notice.

6th. That, with the exception of the pupil teachers of the Government Primary Schools, no person above 18 years of age be admitted to the said competitive examination.

7th. That no condition be annexed to the said reward; so that none of those who shall have obtained it shall be bound to serve the Government in any capacity, or shall have a claim on Government for employment in any capacity.

8th. That the travelling expenses for return to Malta be not granted to any one before having passed two years in the school pointed out by Government, unless such return should become necessary on the ground of health, or other grounds approved by the Head of the Government.

Resolved, secondly :

That as a reward for proficiency made in Malta in any one of the schools of jurisprudence, medicine, or philosophy and arts (in that branch of the latter which refers to physical or mathematical sciences), or in the schools destined for those who are anxious to obtain the degree of architect and land surveyor, a sum of 72 *l.* be granted to the person who shall have, in the monthly examinations during the course, obtained the highest number of marks, and who, on the final examination at the end of the course of studies in any of the said schools, shall be approved unanimously and with praise, as a subsidy for continuing, for one year, out of these islands, the study of the subjects on which the said examination should have taken place; and that, whenever there should be two or more applicants for the said price, it be granted to the applicant who shall have most distinguished himself in another competitive examination.

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Enclosure 3, in No. 1.

LETTER from the Rector of the University to His Excellency the Governor, containing several proposals relative to Public Instruction. Encl. 3, in No. 1.

(Translation.)

Sir,

University, 4 March 1872.

I HAVE the honour to submit, for the consideration of his Excellency the Governor, several proposals respecting the instruction in the Lyceum, the adoption of which I am confident will prove very useful, as they open new ways to the activity and industry of youths who in large number frequent our schools, disheartened and doubtful of their future destination.

2. In framing these proposals I have taken care to keep within the limits of our means of execution, having regard to our real wants and necessities, inasmuch as, it is well to remark, amongst us more than elsewhere, a truly effective instruction cannot be obtained as long as its utility is not felt and its immediate application understood.

3. The first of these proposals is relative to land surveyors (*periti-agrimensori*).

In the enclosed scheme marked (A.) for the degree of land surveyor, which has hitherto been granted, that of "architect and land surveyor" is substituted; and the present programme of instruction, limited to mathematics and only land surveying, is extended so as to include the following important branches, namely, descriptive geometry, mechanics, building, topographical and architectural drawing, vegetal organography and physiology, agronomy, and valuation of property.

4. In the above-mentioned scheme those studies are regulated in a manner to form a triennial course, corresponding to the course of the faculty of philosophy and arts, and the conditions for admission to such course of studies, and the annual examinations required for the attainment of the degree of architect and land surveyor, are also therein established. With such course of studies those who obtain the degree will be much better qualified for

the exercise of their profession in Malta, and, besides, it will be easier for them to find a lucrative employment abroad by using the extensive knowledge they will have acquired.

5. The second of my proposals is to establish a school for mechanic engineers, of which besides candidates for the profession of an engineer, those also who attend the school of navigation may take advantage, now that navigation by sail is in a great measure superseded by steam navigation.

In the enclosed scheme, marked (B.), the studies and the conditions required for obtaining certificates of engineers of first class or mechanic engineers, and for engineers of second class or machinists, are regulated, and they are similar to those required in England for the attainment of the two corresponding degrees.

6. The position of our island, and the daily increasing number of steamers touching at this port, offer favourable and easy opportunities to well qualified youths to find employment in the capacity of first or second class engineers, especially on board steamers going to the East, where the knowledge of the three languages which they generally possess, will be of great advantage to them.

7. As amongst the conditions mentioned in the annexed scheme for the attainment of the corresponding certificate of competency, it is required that the candidates for these degrees should first undergo two years' practical training in a factory where steam engines are made or repaired, and then one year's apprenticeship as machinists at an establishment having an engine at work; I suggest that, in order to encourage youths to undertake this useful career, a subsidy of 12 *l.* per annum, payable in monthly rates, for the first two years of the said apprenticeship, be granted as a price to the three most meritorious apprentices.

8. My last proposal is the establishment of an evening technical school, in which lessons will be given three times a week, on commerce, viz., mercantile arithmetic, book-keeping, mercantile nomenclature, and mercantile correspondence; and twice a week, lessons of geometrical constructions applied to industrial drawing of the application of the elementary notions of geometry to arts, and of mensuration, pursuant to the programmes in Enclosures (C.) and (D.) a perusal of which is sufficient to show the special object, and the immediate utility of the two proposed branches of instruction.

9. I beg finally to submit to his Excellency that the expense required for the execution of these proposals will not exceed 41 *l.* per annum, exclusively of the subsidy proposed in paragraph 7 to be granted to mechanic engineers, which may amount to 36 *l.* more.

If his Excellency will be pleased to approve of these projects, it will be my duty to propose the manner in which this sum is to be distributed.

I have, &c.  
(signed) S. Schembri, Rector.

The Honourable Sir Victor Houlton, G.C.M.G.,  
Chief Secretary to Government, &c.

(A.)

COURSE of STUDIES for the Degree of ARCHITECT and LAND SURVEYOR.

First Year.

Trigonometry, Planimetry;  
Descriptive Geometry;  
Vegetal Organography and Physiology, Agronomy and chemical knowledge relating thereto;  
Lineal Drawing.

Second Year.

Stereometry, Land Surveying and Valuation;  
Mechanics, Caloric;  
Lineal Drawing.

Third Year.

Levelling, Practical use of the instruments for land surveying;  
Topographical Drawing, Architectural Drawing;  
Constructions.

*Admission to the Course of Studies of Architect and Land Surveyor.*

Students wishing to be admitted to the course of architect and land surveyor, shall undergo an examination in arithmetic, in elementary algebra, in plain and solid geometry, and in the theory and use of logarithms, before the teachers of land surveying and of descriptive geometry and mechanics.

*Examinations for the Degree of Architect and Land Surveyor.*

At the termination of each of the three scholastic years, the candidates for the degree of architect and land surveyor shall undergo an examination, partly in writing and partly *vivá voce*, on the subjects studied during that particular year, before the board appointed for that purpose.

Students who shall have been approved at the aforesaid examinations, shall exercise themselves in the practice of land surveying, of valuation and economy of property, and of constructions, under the direction of a duly licensed surveyor (*perito*) for a period of not less than 12 months. They shall besides take mensuration, make plans and the estimates of a country and a city tenement assigned by the board above mentioned for the final theoretico-practical examination, in which the candidates shall also give proof of being able of applying to practical uses the studies already made by them, and of appraising lands, gardens, buildings, &c., whether free of, or subject to, servitude or burdens perpetual or temporary.

(B.)

## SCHOOL for MECHANICAL ENGINEERS.

*Second Class Engineer or Machinist.*

Description of the different parts of a steam engine; their use; application of the engine to navigation.

Damages which may occur to any of its parts; accidental defects; causes of explosion.

Means of repairing, provisionally or permanently, such damages; means of correcting the defects and of preventing explosions.

A knowledge of the barometer, the thermometer, and the hydrometer.

A knowledge of arithmetic and practical geometry.

Candidates for the degree of second class engineers or machinists, shall undergo an examination on the said subjects, after having exhibited a certificate showing that they have been employed for two years in a factory where steam engines are made or repaired; and that they have served for one year as apprentices to a machinist of a steam vessel or other working engine.

*First Class Engineer or Mechanical Engineer.*

Besides the aforesaid subjects for the degree of machinist:

Use of the indicator.

A knowledge of arithmetic and practical geometry having reference to the calculation of the pressure of the safety-valve, of the strength of the boiler, and of the action of the different organs.

Proportions of the different parts of the engine, and the principal systems of the engines at present in use.

A knowledge of the properties of steam, of surface condensation, of superheating, and of expansion.

Different qualities of combustibles; their economy.

Candidates for the degree of first class mechanical engineer shall undergo an examination on the aforesaid subjects, after having exhibited a certificate showing that they have served for one year on a steam vessel, or other working engine, in the capacity of second class engineer.

(C.)

## PROGRAMME of the EVENING COMMERCIAL TECHNICAL SCHOOL.

*Mercantile Arithmetic.*

Local weights and measures, as compared with weights and measures of foreign markets, with which Malta has greatest commercial intercourse, reductions, practice, simple interest and discount, tare, freight, brokerage, commission, profit and loss, division into proportional parts applied to partnerships, to distributions of freight, to contracts, &c.; rule of alligation applied to the wants of every trader, alligation and refinement of precious metals.

*Book-keeping.*

What is mercantile book-keeping; advantages which the trader derives from an exact booking of his own transactions, provisions of the law with respect to mercantile books, book-keeping by simple entry; what is the journal, the cash-book, and the letter-book; manner of preparing and keeping such books, manner of entering items in the journal and in the cash-book, formation of the balance, exercises, entry of a series of commercial transactions.

*Correspondence.*

Practical instruction respecting the formation of accounts and invoices, bills of lading, receipts, acquittances, obligations, reports, certificates, petitions, inventories, bills of exchange and promissory notes, commercial letters.

Specimens of the above documents and writings to be prepared by pupils as an exercise of caligraphy.

*N.B.*—These lessons shall also comprise a mention of the object of the bill of exchange, of the persons therein concerned, of the rights and duties of each, of the day on which it falls due, of its payment, and of the protest, &c.

*Mercantile Nomenclature.*

Description of the principal articles of commerce, especially of those consumable and negotiable in Malta; their place of importation, production, and their several qualities; distinctive character of these qualities, their consumption in the several markets, especially in Malta, and their re-exportation.

## (D.)

## PROGRAMME of the EVENING TECHNICAL SCHOOL of PRACTICAL GEOMETRY.

*Graphic Industrial Drawing, and Applications of Geometrical Notice to the Exercise of Arts.*

Geometrical nomenclature, goniometers, and their use in arts; instruments used in graphic drawing, and manner of verifying their precision; construction of angles, and perpendicular or parallel right lines; division of straight lines and angles; composition of meanders.

Triangles, and their construction; construction of quadrilaterals; description and division of circles; construction of inscribed and circumscribed polygons; construction of regular polygons; construction of equal or similar polygons; application of these figures in the composition of drawings for ceilings, and to the art of marquetry, paving, and the like; transformation of polygons into equivalent ones, and their division into equal or proportional parts; description of the oval and of the ellipse, and determination of their elements; construction of rampant arcs under determined conditions.

Description of the parabola and hyperbola and determination of their elements; method for constructing in arts hyperbolic, parabolic, and elliptical surfaces, and its application to the formation of reflectors; description and use of the spherometer to determine the curvature of a surface, adjustment of lines and application to the composition of drawings for works of the stone carver, the ebonist, the blacksmith, &c.; copy and reduction of drawings, description and use of the reducing compass, of the proportion compass, and of the pantograph.

Polyedrons, their conditions of similarity, and the application of these conditions to the cutting of solids from blocks, and in the formation of joints; development of the surface of several solids, and its application to arts.

*Mensuration.*

Manner of measuring the area of any rectilinear figure; of the circle; of the sector and segment of a circle; of a circular lune; of the oval and of the ellipse; of a parabolic figure, and of a hyperbolic figure.

Manner of measuring the surface of the prism, of the pyramid, of the cylinder, of the cone, of the sphere, and of their frustums or portions.

Application of the above methods of mensuration to the arts of masonry, paving, upholstery, &c.; mensuration of the volumes of prisms, pyramids, their frustums, and of several other solids decomposable in these solids; application of these rules to the valuation of the under water portion of a ship, to the survey of her hold, and generally to the mensuration of other bodies, or spaces, met with in arts and commerce; different forms of casks; precautions in measuring their dimensions and against fraud; computation of the contents

contents of casks, by the application of geometrical rules, or by using also the diagonal rod; manner of determining the curvature of staves; formation of a diagonal rod for every particular form of casks; practical method for finding out the measure of the quantity of liquor contained in a cask lying horizontally without its being moved.

Conditions required for the precision of the common scales and of the steel-yard, and manner of their verification; manner of marking the notches on the yard, use of double weighing by scales and steel-yard, when great precision is required in case of experiments or verifications.

— No. 2. —

(No. 41.)

COPY of a DESPATCH from Governor Sir *P. Grant*, G.C.B., G.C.M.G., to the Earl of Kimberley.

Palace, Valletta, 5 April 1872.

(Received, 12 April 1872.)

(Answered, No. 221, 19 April 1872, page 31.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 212,\* of the 18th ultimo, covering a copy of a letter dated the 28th February, from Mr. Cachia Zammit to Mr. W. H. Gladstone, M.P., on the subject of a motion which the former gentleman made in the Malta Council of Government for leave to introduce an Ordinance "For the Organisation of Public Instruction."

2. After the detailed report which I had the honour to forward in my Despatch, No. 38,† of the 2nd instant, in connection with a representation to your Lordship by the same Mr. Cachia Zammit and four other Elected Members of Council on the same subject, I feel I need not now trouble your Lordship with but very few remarks.

3. I wish, in the first place, to supply an unaccountable omission in Mr. Cachia Zammit's correspondence with Mr. Gladstone. It appears that he enclosed in his letter to that gentleman a copy of his own speech in support of his motion without any reference to the speeches of other Members in opposition. I beg, therefore, to forward, herewith, a copy of the whole debate on that motion, as reported in several numbers of, I believe, the same newspaper in which Mr. Cachia Zammit's speech was printed.

4. It will be observed that the latter gentleman made no mention, in his speech, of the existing Statutes and Regulations, copies of which will be forwarded to your Lordship by the next Southampton mail; and that he moved for leave to introduce an Ordinance for organising public instruction, without the slightest attempt to show that the existing organic rules were defective in any respect. As a Member of the House of Commons, Mr. Gladstone will see at once that Mr. Cachia Zammit having failed to prove any necessity for his Ordinance, he has no right to complain of the loss of his motion.

5. On perusal of that debate, it will also be seen that the opposition on the part of the Official Members was not to any particular amendment of the existing Statute and Regulations, but merely to the form in which Mr. Cachia Zammit, who had in December 1870 solemnly undertaken to bring forward specific proposals for the amendment of the present rules, by way of one or more resolutions, had now determined to submit his views, namely, by an Ordinance.

6. Mr. Cachia Zammit's statement that what he called the odd proposal to substitute specific resolutions, each containing a clear and distinct proposition for the vague resolutions he had brought forward in December 1870, was made by the Government, is inaccurate. That suggestion was first made by his own colleagues, Dr. Rapinet, Mr. Zimelli, and Mr. Scicluna; though, on the motion which Mr. Cachia Zammit substituted in January last, the latter two gentlemen, out of courtesy (as they expressly declared) to the mover, thought it their duty to vote with him.

7. It may be true that the question of educating the people of Malta is purely, or, to a great extent, a local question; but it does not follow that the Official

No. 2.

Governor Sir  
P. Grant, G.C.B.,  
G.C.M.G., to the  
Earl of Kimberley.

5 April 1872.

\* Not printed.

† Page 3.

Members of Council are to have no opinion in the matter, or that they must necessarily submit to that of any one or more of the Elected Members, however the views of the latter may appear to them ill-founded, and, if carried out, injurious to the permanent interests of the community. The Official Members are mostly men of more experience than the Elected Members. They are under the Governor, much more seriously responsible for the good management of public affairs than the Elected Members. And no one having any knowledge of local circumstances will maintain that the Elected Members in Malta are better informed of the real wants and wishes of the Maltese community than the Official Members, though the former, with the Press in their hands, may occasionally make some persons believe that their views are, indeed, the views of the community.

8. I can assure your Lordship that every one of the Official Members is as anxious as any Elected Member to promote public instruction to the full extent of the means of the island. They have repeatedly declared that they would gladly see the proposal of any amendment of the present system, if brought forward in a clear and distinct form, by way of a resolution. But to a conversion into an Ordinance of the existing Code of Regulations, with or without alteration, as now proposed by Mr. Cachia Zammit, they, in common with the Rector of the University and the Chief Director of Primary Schools, have strong and conscientious objections; and with such objections they cannot be brought to assent even to the first reading of an Ordinance on the subject, without a pressure from the Governor, to which, I think, it is neither right nor expedient to resort.

I have, &c.  
(signed) Pat. Grant, General,  
Governor.

Encl. in No. 2.

Enclosure in No. 2.

EDUCATION ORDINANCE.

Mr. Cachia Zammit.

Mr. *Cachia Zammit* said: The notice I gave that I should this day ask leave to introduce the draft of an Ordinance for the reform of public instruction is certainly not a novelty either for the Council or the country; for as to the country, I am trying to satisfy a want that has been felt for several years, and to the Council I only fulfil the solemn promise I made at the sitting of the 15th December 1870, when, welcoming the proposal of the honourable Crown Advocate, I asked for an indefinite adjournment, adding that, by a series of resolutions, I understood the hon. gentleman to mean a new regulation of studies that I intended to present, after consulting my honourable colleagues from whom I had reason to expect a valid and sincere support. The task I then assumed was an onerous one, and I was more than once on the point of giving it up; but then I thought that the light which had been thrown on the subject by a discussion extending over 15 years, the reliable assistance of men experienced in scholastic affairs, who would not be wanting either to me or to my honourable colleagues, and above all that of public opinion, would supply any deficiency on my part, or would certainly suffice to justify an attempt which, if well received, will, I doubt not, be perfected by the co-operation of all the Council, and by a more ample discussion which must necessarily be carried on outside this Chamber.

I will not dwell on the necessity of an organic law of public instruction, for I should grievously offend the Council were I to doubt, even for an instant, that one single Member can think public instruction possible, without supposing or admitting the existence of some law on the subject; that is, without a law which, embracing all the certain maxims that regulate the various branches of instruction, harmonises them, and determines the duties and the rights of all those connected with public instruction, thus preventing frequent alterations from being made in the management of the public schools, to the great detriment of the same. I shall, therefore, confine myself to beg the Council to allow me, within the limits of a motion for the first reading, to endeavour to state the general principles on which the project of law is based, and such details as appear to me more deserving of attention.

The motto of an ancient sage—*Non scholæ sed vitæ discendum*—has become the ruling principle of every law on public instruction, for it is now generally admitted that, as in society, from the numerous tendencies and the numerous requirements originate the various professions, so it is necessary that the schools shall have various grades and orders, all of which, however, corresponding to the various ends, and the manifold destinies of the human family. In carrying out this idea, however, each country should take into consideration its particular wants and exigencies, in order that it may not abound in institutions which, if in large countries they may tend to irradiate the whole system of studies, might



in smaller ones, either because they are unnecessary, or from a want of able professors, create darkness and disorder instead of light. I, therefore, admire the great universities of the Continent, the Gymnasia and Royal Schools of Prussia, the special ones of France, the Lyceums and technical institutes of Italy, and the colleges of England, which is now vying with the other nations in reorganising public instruction on the principles enunciated above; but I admire them not to import among us any of those institutions, but only to introduce into ours as much of the good contained therein as the latter admit of.

In conformity with these principles, I limit in my project the superior instruction to be given in the university to the faculties of theology, jurisprudence, and medicine; I divide secondary instruction into classical and special: the former preparatory to the said faculties, the latter completing elementary instruction on the one hand, and, on the other, preparatory to the study of land surveying, navigation, and the careers of commerce, the civil service and the scholastic profession, which, I think, are adapted to our wants. Finally, for elementary instruction, which is, as it were, the basis upon which the whole scholastic edifice is raised, I establish two grades, an inferior and a higher one; the former complete in itself, the latter both complete and preparatory to secondary instruction.

The direction given to the several grades into which instruction is divided, requires the fixing of the subjects to be taught in each course of study, and an established order and method in carrying out the same. With reference to the subjects, the project of law provides by means of special and certain regulations; but with regard to the order, the method and the limits to be assigned, it enjoins the drawing up of regulations by the competent authorities, who are, for the University, the Faculties, and the Academical Council; for secondary instruction the Collegial Council, for elementary instruction the director and the teachers belonging to the Collegial Council. This arrangement is required by the very nature of the instruction itself, suggested by common sense, and, as to the higher and secondary instruction, established by the history of all nations, ever since the middle ages. The arrangement of courses, the distribution of subjects for each course, the consequent obligation imposed on the students to frequent the course of studies to which they attend, bring with them the necessity of examinations. This is one of the most elaborate sections of the law I propose. In fact it is they alone which, conducted with sincerity, can assure us of the level reached by the different schools, which keep them graduated, improve the methods adopted, promote diligence among the pupils, excite emulation among the best, and guarantee the exclusion of the incapable from the studies that lead either to academical degrees, or to the other professions contemplated in the project; an exclusion which, whilst raising in public estimation the discipline of the schools, and the excellence of the studies pursued therein, proves most beneficial to those who are excluded, and who otherwise, launched into society without possessing the knowledge required for exercising the profession to which they may have been called, would only find themselves disappointed and despised, without being able to apply a remedy. Moved by these considerations, I have inserted in my project examinations for every branch and degree of instruction. If I obtain leave for the first reading, you will find that I propose but little alteration in the superior instruction; in secondary instruction, a partial return to the old system, the departure from which has been sadly lamented; the only innovation of elementary instruction will be found to consist in such regulations and formalities as I have thought most likely to render the examinations severe and efficacious.

Of all educational matters, the one that has at all times, but especially in our days, engaged the attention of legislators, is how to supply the various schools with efficient instructors. And justly so; for it is an old saying that in a university a good professor is sometimes worth more than any other scholastic arrangement; in secondary instruction it is the professors and teachers who infuse thought and life into the organisation established by law; and elementary schools are such as the masters make them. Now, I think the new project provides for such instructors in our educational institutions: as to the university, by the institution of College Professors; for schools of secondary instruction, owing to the want of normal schools that are impossible among us, by introducing in the project such measures as I have thought most adapted to supply that want; and for the elementary schools, by the institution of the magisterial course in the Lyceum of Valletta, and a practical apprenticeship to be undergone in the same schools.

But in order to supply good teachers, suitable studies are not sufficient. Every provident Government should at the same time endeavour to raise the dignity and lustre of the scholastic profession, to render their material condition easier and better assured, if it be wished that this career should offer a recompense sufficient for the sacrifices made in studying, instead of excluding from the tranquil and most glorious existence to which it is possible to aspire, the most promising youths, that are now-a-days drawn away by rapid gain, and by the higher salaries paid to almost every other public officer. Hence the law contains guarantees that secure their position, an increase to the present stipends of some of them, a progressive increase for others, proportion when practicable, the regulation of their pensions, and an honourable repose for all. As to the actual instructors, they may be reassured: the law respects their position, and secures to them a share of its benefits.

The mainstay of a strong and regular organisation is a supreme authority that should provide for all emergencies assisted by the authorities placed at the head of each branch of instruction, whose duty it is to keep within the bounds assigned by law all those who are called upon to exercise rights, and to fulfil certain duties. This supreme authority is the Head of the Government, assisted in the University by the rector and the academical council, in the institutions for secondary instruction by the rector, and in the elementary schools by

the director. The attributes of the rector concerning superior and secondary instruction are not only meant to maintain unshaken the discipline under his control, but also to inspire respect amongst the community towards his person, and to make him the centre of those friendly relations which ought to exist amongst the teachers themselves for the advancement of science and education. I need scarcely add that the draft of the Ordinance confirms in their offices the present rector of the university and the director of the elementary schools. Before I conclude my statement on the main principles which constitute the draft of my Ordinance, I must call the attention of the Council to the articles which concern school fees and compulsory education. As to school fees I have only increased those of the courses which are pursued in the university, and of the new courses which are established in the special courses. The studies which lead to the second grade of the special courses and to the superior classes of the first grade of teaching will be given with the same fee hitherto paid. Compulsory education to males and females of every condition is in my project limited to matters of the inferior grade, which include such knowledge as is deemed indispensable to citizens of all classes. Compulsory education is undoubtedly a novelty to the inhabitants of this country, but such as they will easily get accustomed to, and that very soon; for there is nothing in the world which is so much relished when tasted as knowledge.

These are the general principles on which the project of law is based. It only remains now for me to ask leave of the Council in my own behalf and that of my honourable colleagues who sit on this bench, that my Bill be read a first time. Not long ago the honourable and learned Crown Advocate, referring to the first reading of the Ordinance, said that such leave would not interfere in any way with the project being amended or rejected at its second reading. Let then my project be read a first time; amend it or give it a better shape at its second reading; for we have no other ambition than that of obtaining for this country a reform of studies corresponding to our exigencies and to the best and most practical precepts of scholastical doctrines.

The Chief Secretary.

*The Chief Secretary.*] I approach the subject of what is called the "education question" in Malta with great diffidence; because I feel that before speaking at all on a subject of such vital interest to the community as this question of education naturally is, there is something more needed than a mere theoretical knowledge of the subject, which is all that I can boast of, but which I am glad to say is not the case with some of my colleagues who are fortunate in possessing a practical knowledge as well. But as the question now stands before us, and without going deeper into it for the moment, there is a *preliminary point* to decide, which admits of a common sense view being taken on it, and that point is whether the mode proposed by the honourable Member of dealing with this subject *by legislation* is, or is not, the best suited to advance the real interests of education, and further its development; or whether some other mode of legislation would not be preferable to ensure that which the Government has, at least, equally at heart with the honourable Member, viz., the progress and development of education in Malta. Now this is a very important point to decide; because if we decide against the adoption of the principle of legislation this Ordinance, prepared with so much trouble and care by the honourable Member, cannot be proceeded with, and some other form of dealing with the question must be substituted in its stead, which will give equal opportunities of public discussion. Let us see then what are the principal objections to the mode proposed by the honourable Member of dealing with this question by means of legislation. First, with regard to elementary education, and the schools of primary instruction, let us see what the proposed Ordinance can be made to deal with. Will it deal with the system and method of education now in use locally, or with the attendance of the pupils?—If, with the system, we shall run the risk of criticising, and, perhaps, ultimately condemning a system of great perfection imported from abroad, and which, as far as I am aware, has never yet been proved to be working unsatisfactorily locally. Now what did Lord Derby say only a week or two ago at Liverpool, on this very point of altering a good working system needlessly. In speaking on the general question of education at home, he says:—"You have got a system of education which promises to work well, that under all the difficulties of the case is much to have accomplished. Don't be in a hurry to change it, let it work for some years, and then if there is a real grievance anywhere (which I don't admit there is) we shall see where the shoe pinches." So much for the system. Will the Ordinance deal, then, with the attendance of the pupils?—If so, enactments might be conceived which are quite uncalled for and inappropriate. Why, 20 years ago, the school population was only 2,000, now in 1872 it has risen to 7,000, a fact which constitutes the strongest apology for the soundness of the present system, a system be it remembered, which is, as it stands, unhampered with any legal enactments whatever. Another point to determine is, if any alteration is necessary in the management or system of the schools, whether such alterations should be made by laws or by *regulations*, which latter, framed on practical school results, and created and enforced when specially called for, and set aside when no longer requisite, would appear to be of much more practical efficiency for the purpose required, than if fixed by law. Again, if all matters of popular education are to be tied down by legal enactments, what is to become of those *discretionary powers* which all admit that educators of the people should be invested with. Further, we must bear in mind the practical obstacles attending the formation of a law. Laws once made cannot be modified except by amendments, sanctioned by other laws; and as amendments cannot readily and easily be obtained, when the circumstances of the case urgently call for them, laws on education will have the effect of checking progress, and you arrive on the horns of this dilemma, that they must either lose their force, which is bad in itself,

or

or the school itself becomes a stationary institution, which is worse. The honourable gentleman may say here, you are arguing against regulating public education by law, but it is so regulated in France and Italy, and in other European States, though not, as I am told, without continued discussions for the amendment or repeal of such laws, which would be disastrous here, where education is, as it were, in the dawn of its development. On the other hand, in the United Kingdom, to which we should naturally look for guidance and instruction in matters of education, we find that no laws similar to those existing in other countries exist. What, as I understand, the late Education Act deals with is, principally the application of State grants, &c., to the infinite number and variety of schools found deserving of State aid, leaving the system, management, instruction, discipline (in Mr. Gladstone's own words), to the school boards, to the local authorities, and to the self-governing powers of the people; and this has hitherto been the principle on which we have acted locally, and which has not only in the opinion of this Government, but of other high professional authorities who have from time to time visited our schools, produced very satisfactory results. With regard to the university there is already a statute, which can only be changed with the authority of the Government. Since 1839 there have been several changes in the statute made; and how have these changes been made? Why, only on the recommendation of the special council of theology, law, medicine, and the faculty of philosophy and arts, which, in addition to the professors in each case, have two unprofessional members selected from the most qualified persons in that faculty, whom we can find locally. If, then, there was a law, these changes could not be made without another law, which would take the usual time of discussion, publication, &c., in fact, the law's delays, a circumstance which does not demonstrate the advantage of the proposed change over the present system, when the recommendations come from special Councils composed of the most competent persons we can find locally. Lastly, I see that the honourable Member, in his printed speech, contemplates a scheme for increase of the salaries of the professors and teachers, and a scale of pensions which it is not in his power to propose. I think that we should be careful not to tie down with any laws a system which has given us such practical proofs of working well. On the other hand, I hope that the honourable Member will not for a moment suppose that, if we oppose the principle of legislation as being made applicable to the education system locally, we are anxious to burke discussion on the subject. This is by no means the case. On the contrary, we are fully prepared to discuss, both publicly and privately, any subject in connection with this question that the honourable Member will choose to submit, which can be done in many other ways than by legislation; but I think that we should hesitate twice, nay thrice, before we consent to take a leap in the dark on this matter, and hamper a system of education, which we believe to be working most satisfactorily as it stands, with unnecessary legislation, and uncalled-for legislative enactments.

The Collector of Customs, Mr. F. V. Inglott, then said:—I rise with no other object than to assure the honourable gentleman that by means of laws he will never attain the laudable object he has in view. Experience has shown that laws on matters of education invariably hamper, check, and prevent the progress of instruction. The reason of such a result is quite evident, as laws, conceived and discussed by persons having no practical knowledge of the subject, must necessarily be found most defective, and most difficult in their execution.

The Collector of Customs.

In almost every country where legislative measures have been resorted to, to improve education, the laws framed are, for the greater part, a mere dead letter. In fact, educators of name declare that laws have never benefited the progress of instruction.

In large countries, composed of several provinces situated at a considerable distance one from another, with immense centres of population, great variety of educational institutions, and too often, with difference of faith, a law may become necessary to reconcile municipal interests and enforce uniformity of observance in the operation of a code of regulations.

These circumstances, however, do not exist in Malta, as the country is not composed of provinces; has no immense centres of population; offers no variety of educational institutions; and, in matters of faith, we live, thanks be to Heaven, in perfect peace and harmony. Distance may be said not to exist, as the island can be travelled over, from one extremity to the other, in a day, and all the institutions we possess can be minutely and comfortably inspected in a very short space of time.

I therefore, think, that in studying the subject he appears to have so much at heart, and in imitating what exists in other countries, the honourable gentleman has lost sight of our *social organisation*, of our *peculiar circumstances*, and of the *very limited extent of our island*.

In matters which absolutely require "practical knowledge," I like always to consult "the men of the trade." I have therefore considered it my duty, since the subject of education has occupied the attention of the public and of the Council, to write to a gentleman who has a deep knowledge of the theory and practice of popular education, and I have received from him some observations which I prefer to communicate to the Council in his own words. The gentleman states:

"Non sono le *Leggi* che danno ad un paese qualunque, un buon sistema di pubblica educazione; ma sono gli *Uomini* che fanno particolare studio dei migliori mezzi di educare il Popolo; sono gli *Uomini* che hanno dalla natura un tatto particolare di mettere tali mezzi in opera."

"Questo studio, questo tatto, non sono cose che s'infondono nell' uomo colle *Leggi*: anzi le leggi sarebbero, e sono un fatale inceppamento alla azione di tali Educatori, siccome li

“mpediscono dal dare liberamente ai loro Istituti quello sviluppo che lo studio e l'esperienza continuamente suggeriscono.”

“Sotto il freno di leggi governative, Pestalozzi e de Fellenberg non avrebbero dato i risultati da loro ottenuti nelle Scuole della Svizzera, nè i Signori Kay Shuttleworth e Tuffnell fondato i varj ‘Training Colleges’ in Inghilterra.”\*

To these observations I shall add one of my own. *Aporti* would not have been able to give to Italy the “*Asili Infantili*,” had he been fettered by laws.

But I am at liberty to repeat what the learned gentleman at the head of the higher education of this island told me some time ago, when I had occasion to mention to him matters connected with his department. He said: “It is not “*the laws and regulations*” which form the universities, and the educational institutions of a country, but *the heads of the professors.*”

In this opinion, I believe, the honourable Mr. Barbaro entirely concurs.

The judicious observation of the learned rector is equally applicable to the institutions of the lower education of the island. It is not laws and regulations that will provide for us good schools, but the ability and sound sense of the teachers.

If these opinions, although formed after much deep study, and an experience of more than 23 years, do not find acceptance, because they are those of individuals natives of this island, let us hear what authorities of European reputation say on the same subject. I read from an official document (Reports to the Committee of Her Majesty's Privy Council on Education).

“It is obvious that the efficiency of the schoolmasters is the hinge on which everything turns in a good school. Without it, rules and books are of little avail; he is the centre and the soul of the whole system.”

“But on this point we would refer to a high authority, M. Guizot, with whose opinion on this subject, as well as in the following description of what a teacher ought to be, we beg to add our unqualified concurrence.

“A good schoolmaster ought to be a man who knows much more than he is called upon to teach, that he may teach with intelligence and with taste; who is to live in a humble sphere, and yet to have a noble and elevated mind, that he may preserve that dignity of sentiment and of deportment, without which he will never obtain the respect and confidence of families; who possesses a *rare mixture of gentleness and firmness*; for inferior though he be in station to many individuals in the parish, he ought to be *the obsequious servant of none: a man not ignorant of his rights, but thinking much more of his duties; shewing to all a good example, and serving to all as a counsellor; not given to change his condition, but satisfied with his situation*, because it gives him the power of doing good; and who has made up his mind to live and to die in the service of primary instruction, which to him is the service of God and his fellow creatures. *To rear masters approaching to such a model is a difficult task; and yet we must succeed in it, or else we have done nothing for Elementary Instruction.*”

The proficiency of the teachers, being thus shown to be the foundation stone of every reform in educational matters, I request the honourable gentleman to bring forward measures, not in the shape of laws, tending to elevate the *intellectual condition*, and the *social position* of such important agents, to the standard described by so great an authority, and we will find, in me at least, every favour and support, convinced as I am that no other means can possibly improve the education of the country.

The Collector of  
Land Revenue.

The Collector of Land Revenue, Dr. *Trapani*, said:—I fully concur with the honourable Members on this side, who have spoken before me against the first reading of the Bill concerning public instruction. And I feel the more inclined to vote against the motion which is now under the consideration of the Council, that I have for many years been of opinion that it is not expedient that the public educational institutions should be governed by laws which cannot be altered but with great difficulty; that such is the opinion of persons who are deeply acquainted with matters affecting public instruction, and who are besides informed of the special condition of our country; that, finally, experience has shown us that, without legislation, we have obtained very satisfactory results. The primary schools, in fact, founded in 1838 (I say founded, for before that period there were but three elementary schools, that is one in Valletta, one at Senglea, and another in Gozo) have been gradually improved, as we are assured by intelligent and impartial persons. Of the progress made in the schools of the Lyceum and of the University since 1838 (when they were reformed) evidence is given by those who have had an opportunity of noting the discipline maintained in the Lyceum, of being present at the annual examinations of the different classes of the same, and of judging of the ability of the young students of the University. Therefore, whilst declaring my conviction of the insufficiency of laws, as means leading to the progress

\* “It is not the laws that give to a country a good system of public education, but the men who devote their attention to the best means of educating the people; the men that are gifted by nature with the peculiar tact required to carry those means into effect.”

“This study, this tact cannot be instilled into man by means of laws, nay, laws would be, and are a fatal hinderance to the work of educators, as they prevent them from freely giving to their institutions that development which study and experience continually suggest.”

“Under the control of Government laws, Pestalozzi and de Fellenberg would not have given the results obtained by them in the schools of Switzerland, nor would Messrs. Kay, Shuttleworth, and Tuffnell have founded the various training colleges in England.”

of schools, I fully agree with my friend the honourable Collector of Customs, in believing that the most efficacious means of promoting public instruction are the ability, the zeal and the co-operation of the teachers, seconded and assisted by the watchful superintendence of those entrusted with the care and direction of the public educational institutions.

To these reasons and those alleged by my honourable colleagues, I shall add another. The Royal Commissioners of Inquiry of 1837 (to praise whom would be most presumptuous in me) who bestowed their attention on almost all branches of the administration of these islands, and whose attention was specially directed to public instruction, who with reference to many subjects examined by them not only recommended that laws should be enacted, but themselves compiled those laws; those gentlemen, I say, with regard to public instruction, did not deem it expedient to do more than to address a report to Her Majesty's Secretary of State for the Colonies, in which report, after having described the state of the educational institutions, after having pronounced sound and judicious the suggestions forwarded to them by the never to be sufficiently lamented Archdeacon Rossignaud, then Rector of the University, and after having declared that such suggestions would form the basis of the reforms which they were about to submit to the Secretary of State, went on to propose those reforms; among which the formation of a special Council for each of the four faculties, viz., of Theology, Jurisprudence, Medicine, and Philosophy, the formation of a General Council for the University and Lyceum, and the formation, under the authority of the Governor, of a fundamental statute for the guidance of the University and the Lyceum. And foreseeing that it would be necessary to alter that statute from time to time, they went on to suggest the way in which such alterations should be made; that is, should the alteration concern any of the four faculties, the alteration should be made by the Special Council of the respective faculty; whilst, should it concern the University or Lyceum in general, by the General Council; in both cases, however, they recommended that no alteration should be made, until after it had been submitted to the Governor and approved by the same. This, and not the enactment of any law did the Royal Commissioners of Inquiry propose, knowing as they did, but too well, that a legislative Act which could not be altered or modified without great difficulty, would tend to impede, rather than promote, the progress of the schools. These are the motives that induce me to vote against the first reading of the proposed Ordinance on public instruction.

After some observations from Messrs. Scicluna, Barbaro, and Zimelli to the effect that it was impossible to judge of the contents of Mr. Cachia Zammit's Ordinance without studying it, and that, out of courtesy at least, if for no other reason, they hoped leave would be given for the first reading of this Education Ordinance for which they intended to vote, the Crown Advocate, Sir *Adrian Dingli*, whom several elected Members had previously called upon to speak, rose now, and said:—That, as they were on terms of courtesy, he would state his views on the motion with as much brevity as the subject permitted, and satisfy the desire of the honourable gentleman opposite (Mr. Zimelli) who had not yet deemed it proper to express his own opinion. The honourable gentleman who had just spoken was excessively modest in protesting that he was not sufficiently versed in the matter under consideration to give confidently an opinion upon the question raised by the motion now before the Council; and he was hardly consistent in adding that he had heard nothing from the honourable gentleman who spoke against that motion, to induce him to vote against it. The honourable Member did not do justice to his own natural talents, because the question was so simple that any man possessed of the ordinary share of common sense could easily solve it. It was simply this: was there any necessity for legislation in order to organise the existing educational establishments? If so, was that legislation to be by way of regulations emanating from, and made on the responsibility of, the Head of the Government; subject, of course, like any other matter, to the general control of the Council, or by way of an Ordinance? That was simply the question involved in the present motion; and to solve that question, the honourable gentleman ought not to inquire whether there was any reason against legislation, but whether there was any reason for it. Granted, for a moment, that the honourable gentleman should not be guided by what he heard against the motion from his, the Crown Advocate's honourable friend near him, the Chief Secretary, or from his honourable friends, the Collector of Customs and the Collector of Land Revenue, though those were men of much practical experience in the matter, the former having particularly studied the subject of primary instruction, and the latter having for many years been officially connected with both branches of the educational establishment. Granted that the honourable Member should be guided by what fell from the honourable Member who introduced the motion. But surely the honourable gentleman, Mr. Zimelli, before assenting to a motion for legislation, should ascertain at least whether the mover or any other Member had said anything at all to show that there was, indeed, a case for any sort of legislation, or at all events for legislation by Ordinance, instead of, as the practice had hitherto been, by regulations, on the responsibility of the Executive. Now, the honourable mover, who very kindly, in his usual terse and elegant style, gave the Council full information of the contents of the draft Ordinance which he wished to introduce, did not vouchsafe to say one single word tending to show that there was occasion for legislation, or that, if there was anything wrong in the existing rules, the remedy should be effected by way of an Ordinance instead of the usual form of regulations. There being some rules in existence, subject to be revised on any motion in Council, it was for the honourable gentleman who made the present motion, to prove that those rules were defective, not for the Government to demonstrate that there was no occasion for fresh legislation. This was quite enough

Messrs. Scicluna,  
Barbaro, and  
Zimelli.

The Crown  
Advocate.

to justify any reasonable man, who, rightly or not, declared himself incapable of dealing with the subject of public instruction, in saying: Nothing had been stated to prove the necessity for an interference with the existing rules; the best course, therefore, was to let those rules alone. Again, supposing that there was anything to call for action on the part of the Government, and, indeed, the honourable gentleman opposite (Mr. Barbaro) was quite right in quoting what he (the Crown Advocate) had expressed on a previous occasion, namely, that no one could maintain that the existing system was perfect; supposing, he said, that some alteration of the existing rules was necessary or desirable, the mover had not said a single word to show that any such alteration should be made through an Ordinance, sweeping away all the existing regulations, and establishing a law unalterable except by another law made by the Legislature. This was, again, more than enough to justify even an uninitiated person to say: Granted, for a moment, that there may be some reform desirable, no reason, however, or semblance of a reason had been alleged, to justify an alteration of the mode of making rules for the guidance of the educational establishment; and the motion, therefore, for altering that mode should not be supported. The honourable gentleman who spoke last (Mr. Zimelli) was grievously mistaken in supposing that, to justify his opposition to the motion, strong reasons must be adduced by its opponents. No individual acted without a motive; and what was said of individuals, ought to apply also to a Legislature, namely, that no Legislature should move without some reason justifying its action. If, therefore, as now the case was, no reason had been given for a proposal to alter the existing rules, or for altering them by way of an Ordinance, there was no necessity to go deeper into the subject, and the proposal must be rejected for want of sufficient grounds for its adoption. But had, indeed, nothing been said against the motion? Why, his honourable friend near him (the Chief Secretary) and the two Members most versed in the matter, the Collector of Customs and the Collector of Land Revenue, had said quite enough, and more than enough, to show the inexpediency of the proposition now before the Council. They testified, as a matter of fact, to the great progress that had been made in all branches of the public instruction, and in support of their own opinion of the inexpediency of regulating public instruction by Ordinances, they quoted the dicta of men of the highest authority, among whom were the late Mr. Austen and Sir George Cornwall Lewis, who, having, in 1838, suggested the general principles for the guidance of the Government in reorganising the educational establishment, left it to the Executive to make a statute, subject to such modifications as time and circumstances might require. So much for the motion for leave to introduce an organic law concerning public instruction. But honourable gentlemen opposite (Mr. Zimelli and Mr. Barbaro) said that leave to introduce the proposed Ordinance was due, as a matter of courtesy. Why, no man was more than himself (the Crown Advocate) disposed to act with courtesy to the honourable Member who made that motion. But was it consistent with his (the Crown Advocate's) public duties to vote for the introduction of an Ordinance, on a matter which he firmly believed was not fit to be dealt with by an Ordinance? Honourable gentlemen, especially the honourable Member opposite (Mr. Barbaro) said that leave should be granted, as a matter of courtesy, even though the draft introduced should have to be rejected on a question for the second reading. Well, he (the Crown Advocate) did not understand that sort of courtesy. To him it was perfectly clear that those who thought that any interference with the existing system was objectionable, and those who were of opinion that, if any reform was necessary, it should be effected in the usual way, and not by way of an Ordinance, had but one course open to them,—the course of honestly expressing their conviction and giving their votes accordingly. Surely, that was, at least in a public point of view, a course extremely preferable to the other, of courteously voting for the introduction of an Ordinance of some hundreds of clauses, but with a deliberate intention of rejecting it, on the question for the second reading, on grounds which should have been stated and acted upon on the motion of the first reading. He would now go into the particulars of the scheme proposed by the honourable gentleman who made the present motion.

Mr. *Cachia Zammit* and Mr. *Barbaro* objected, on the ground that it was contrary to rule to go into the particulars of a draft Ordinance before the first reading. Let, first, leave be granted for introducing the draft.

*The Crown Advocate.*] He was not going to say a single word about a draft which he had never seen, and of which he had only heard that it was enormously long. What he was now going to consider was the speech delivered by the honourable gentleman in support of his own motion. It was due to that gentleman, in courtesy, that his speech should not be left to pass unnoticed, and it was, besides, competent to any Member to examine the particulars of that speech to see whether, indeed, there was anything in the scheme so fully and completely stated to make it desirable to accede to the motion. The honourable gentleman (Mr. *Cachia Zammit*) said that he would divide public instruction into three parts; superior instruction in the University, including the faculties of theology, jurisprudence, and medicine; secondary instruction, with the twofold object of a school preparatory to the superior instruction, and a school completing the instruction received in the elementary schools; and primary or elementary instruction. He then proposed the constitution of certain Councils for the formation and enforcement of special regulations. He spoke as if nothing of the kind existed in Malta. He made a *tabula rasa* of all that was now in existence, and proposed an organic law, as if no such law was now in force, just as if he were going to legislate for a new country, a new colony, the future colony at Tabrouk, for instance. But it so happened that all that the honourable gentleman proposed to do was actually in existence, had been so for many years, and had never proved unequal to its object.

object. There was the Fundamental Statute for the University and the Lyceum, the former including the faculties of theology, jurisprudence, medicine, and philosophy and arts, with general and special councils for the formation and enforcement of special regulations, and the latter the schools for secondary instruction; that very Statute which was reprinted a few months ago, at the request of an honourable Member not now in his place, and in reference to which a motion was made last Session by that same Member, proposing that it should be carried out as it originally was in 1838. According to that Statute and the special regulations made under it, the Lyceum was precisely the branch of the educational establishment which the honourable gentleman wanted it to be, namely, a preparatory school for the University, and a school completing interior instruction. That twofold object of the Lyceum was explained, in almost the same words used by the honourable gentleman in his speech, in the book of regulations published in 1860. "The object of the instruction given in the Lyceum is to complete the elementary instruction necessary for a general education, to prepare pupils for the superior instruction in the different faculties in the University, to give competent instruction to those who propose to devote themselves to commerce, the arts, land surveying, and navigation." There was, therefore, an organic law in existence, and such a law as the honourable gentleman proposed to make; and the organisation of the existing schools corresponded so well to the scheme propounded by that honourable gentleman, that his speech, *mutatis mutandis*, changing the future tense of its verbs for the present, might be inserted after the title page of the present Fundamental Statute of the University and the Lyceum, as an excellent preface explanatory of the provisions contained in that book and in the special regulations appended to it. There was then another series of rules governing the elementary instruction or primary schools; and thus the two sets of regulations, bound together, made precisely the law which the honourable gentleman proposed to introduce, as if there was actually no such thing in existence in Malta. He (the Crown Advocate) had long considered what could possibly be the object of the honourable gentleman's motion, and had been unable to discover it. He could well understand a proposition of an organic law where none was in existence, or where the existing law was insufficient, obscure, or in a state of confusion. Laws sometimes, on complex matters, were scattered in different enactments, made at different times, from different points of view, so as to present a confused mass of legislation difficult to understand, or to carry out in a manner consistent with their general object. In such cases, a proposition to make a law embodying the whole in a well-digested, consistent, and harmonious form, would be perfectly intelligible. But was that the case in Malta? Why, on the contrary, the existing regulations were so clear, that since 1838, when the Fundamental Statute was made, no difficulty had ever been experienced in their execution; so clear and so well framed, that, last Session, the honourable gentleman, now not present, to whom he had just referred, while another motion was pending in connection with primary and secondary instruction, gave notice of a motion to the effect that the Fundamental Statute should be carried out in its entirety, without the modifications made since its original publication. The consideration of that motion was postponed, in consequence of the postponement of the motion of the honourable gentleman opposite (Mr. Cachia Zammit), but both motions, though not now before the Council, might well be considered still pending. There were, indeed, some slight differences between the existing Statute and Regulations and the honourable gentleman's present scheme. Thus, the faculty of philosophy and arts, which by the Statute was included in the superior instruction given in the University, the honourable gentleman proposes to transfer to the Lyceum, putting it at the top of the secondary, instead of the place which it now occupies at the bottom of the superior, instruction, a change of no practical utility, which, however, if deemed expedient for any hitherto unknown reason, might be effected without further alteration of the Statute. There was then another difference, of considerable practical importance.

Mr. *Barbaro*.] The details again.

*The Crown Advocate* ] Yes; of the honourable mover's speech. There was then another difference between the existing regulations and the scheme proposed by that honourable Member, a difference of considerable practical importance, namely, that of making the secondary instruction in the Lyceum commence just where the elementary instruction in the primary schools ended, whereas at present there was in the Lyceum a school of an elementary character. This was, indeed, a serious question, which had long been agitated, and which it was expected the honourable gentleman would have brought for discussion in some one of the resolutions which, last Session, he undertook to propose for the reform of the secondary and primary instruction. It was a point which should be proposed *per se*, in a manner that the public could easily understand it, not involved in an Ordinance of hundreds of clauses. The question, practically, came to this: by the Fundamental Statute, a boy must be completely versed in the Italian language, able to read and write, and familiar with the first elements of arithmetic. However, since the formation of that Statute boys have been admitted, without some of those qualifications, to a preparatory class in the Lyceum, so that in that institution there was now a school for a kind of instruction which could be obtained in the primary schools, and a question has consequently been raised whether such a class in the Lyceum should continue to exist. That question had been raised in different forms; sometimes in the form of establishing a connection between the primary schools and the Lyceum, by making the latter begin just where the former ended, and sometimes in other forms; all, however, coming practically to the point, whether the so-called preparatory class in the Lyceum should or should not be continued. It was

said, on the one hand, that that class created confusion, and prevented the progress of other classes, and it was said, on the other, that no such confusion existed. In the interest of the public, supposing that no such confusion existed, or that, if it existed, it could be easily remedied, the question was of great importance, because the suppression of that preparatory school would compel children of the better classes, not yet qualified for secondary instruction, to go to the primary schools, where they would mix with children of the lower classes, and there probably contract objectionable habits, or to private schools, at a cost which many parents could not well afford to pay. If, on the contrary, to establish what some persons were pleased to call *connection* between the primary schools and the Lyceum, making the former end where the latter commenced, they were to suppress the highest class now included in the primary schools, another inconvenience might arise, namely, that of virtually depriving many children of the lower classes of the benefit they now derived from that class, because parents incapable of appreciating the advantages of knowledge not immediately productive of practical results, as soon as they were told that their children had attained the maximum instruction imparted in the school which they had attended for many years would, in all probability, withdraw them from school altogether rather than send them to the Lyceum. Surely there was much in that question for serious consideration. There was also another point upon which opinions were divided. It was proposed some time ago that in the Lyceum there should be established a regular course of studies, which every child admitted to that institution must entirely follow, and that no child should be admitted to any school in that institution unless his parents consented to his attending all the other schools teaching the matters included in that course of studies. It was said by the supporters of that scheme that the want of progress of the people in general instruction was due to the present regulations, which established, indeed, a course of studies, but left it to the parents to decide which schools their children were to attend; and it was maintained that by making it compulsory to attend a regular course of studies, the standard of public instruction would soon be considerably raised. But, on the other hand, it was replied that many parents could not afford to leave their children the whole day at school, that they could only send them for two or three hours a day, to learn the English or some other language, that those who could permit their children to devote their whole time to school, did it without compulsion, and that consequently the proposed scheme of an obligatory course of studies would deprive a large number of children of the only benefit that their circumstances permitted them to receive from the public schools, without any public advantage. Surely this was another matter for serious consideration, which should be brought forward *per se*, and fairly discussed; but whatever might be the decision, there was no need of an Ordinance to carry it into effect. Whom did the honourable gentleman wish to bind by his enactment? An Ordinance was made when it was necessary in order to compel some one to do that which he would otherwise be at liberty not to do, or in order to prevent him from doing that which he otherwise would be at liberty to do. Now, had the existing Statute and Regulations proved ineffectual in that respect? Was it necessary to have an Ordinance to compel the Rector of the University or the Director of the Primary Schools, or any of the professors or teachers in those institutions, to carry out any rules that the Government thought fit to establish for their guidance? Certainly not. No one had hitherto said, or could say, that the power of the Executive was insufficient for the management of the educational establishment, or that a resolution of the Council for the guidance of the executive, was practically insufficient to give effect to the views of the Legislature. Whom then did the honourable Member mean to bind by converting the present Statute and Regulations, with or without amendment, into an Ordinance? Why, the Council themselves. The Council and the Government alone were now above the existing rules; and if the law was to have any force more stringent than that of the present Statute and Regulations, and if for that purpose an Ordinance was to be made, it was merely to tie the hands of the Council and the Government to certain provisions, until they should be repealed or altered by another Ordinance, and thereby prevent, hamper, or retard the improvement of the educational institutions, or their easy adaptation to circumstances. Why should not the honourable gentleman, instead of insisting on such a radical change in the principal on which the educational system was based, resume the discussion which he opened last Session, and proceed by a series of resolutions to submit for consideration any suggestions made by the Commission of 1865, or by other persons for the improvement of the public schools? Any such suggestion, brought forward separately, in a form to be easily understood by the council as well as by the public, would be more fairly considered in all its bearings; and on the part of the Government, he (the Crown Advocate) would repeat what he said last Session, and what his honourable friend near him (the Chief Secretary) had to-day so clearly stated, namely, that every point submitted by the honourable gentleman, or by any other honourable Member, for the purpose of promoting and improving public instruction would receive every possible attention. It was all very well to quote precedents of foreign countries, in which the rules for the guidance of public schools were established by laws, or as it would be called here by Ordinances; but it was to be seen how far those precedents applied to Malta. In large countries it was perhaps necessary, in order to establish uniformity, as his honourable friend, the Collector of Customs, remarked, and to enforce upon different municipalities certain general rules, to embody such rules in a general Act by the Supreme Legislature. But that was not the case in Malta, where there were no subordinate authorities independent of the Executive. Why should not the Council take example from England?—There, Acts of Parliament were made to settle some disputed points for the guidance of municipal bodies, who otherwise would be at liberty to act as they



they pleased; but all other matters were left to the Executive, subject, of course, to the control of Parliament, just as any measures of the Executive in Malta were subject to the control of the Council. The foreign laws quoted by the honourable gentleman looked perhaps admirable on paper; but the honourable gentleman never visited any one of the schools to which those laws referred, and it was possible that, practically, those laws were not carried out, or that public instruction in those countries progressed in spite rather than by the aid of those laws. No country could boast of a better criminal code than the late kingdom of the Two Sicilies, and in no civilised country was criminal justice worse administered than in those countries. It was absurd to attribute the progress of popular instruction in those countries to the form of the rules by which their scholastic establishments were directed, or to attribute any want of progress in Malta to any defect in the organisation or the regulations of the Maltese schools. In the foreign countries to which the honourable gentleman referred, as soon as a child was able to read, he understood the books placed in his hands; while in Malta a child can acquire no useful instruction before he learnt the Italian or the English language, to him virtually a foreign language. That was the cause why boys of 12 or 13 years in Malta were not so far advanced in elementary instruction as boys of the same age in Italy, France, Prussia, or England. There was, indeed, one point in the scheme propounded by the honourable gentleman, which, if adopted, required an Ordinance, namely, what was called *compulsory* instruction. If, indeed, any system of compulsory instruction should be adopted, it was necessary to embody it in an Ordinance, in order to enforce it upon the public.

Mr. *Cuchia Zammit*.] It was a mere suggestion.

*The Crown Advocate*.] It was an integral part of the scheme of the honourable gentleman, as he stated in his speech. (*The passage of that speech relative to compulsory instruction was read.*)

Mr. *Barbaro*.] It was a point to be discussed hereafter.

*The Crown Advocate*.] It was to be discussed now. It was the only part of the scheme which, if adopted, required an Ordinance; and it was therefore competent for him to look upon the proposed Ordinance as a law for introducing compulsory instruction, and to express his opinion upon it. Was compulsory instruction possible in Malta? No one who knew anything about Malta would say that it was possible in these islands to impart instruction by compulsory means. For parents who could afford to send their children to school, compulsion was unnecessary, and the steady increase of the population of the primary schools, shown by the figures given by his honourable friend, the collector, proved it. As to parents who did not send their children to school, or who did not send them long enough to receive any useful instruction, owing to want of means of maintaining them without their own co-operation, compulsion was utterly impracticable. Those parents would naturally say that their children, to whom the authorities offered intellectual food, wanted bread before all; and that they, the parents, with all their exertions, could not send them to school and feed them for years unless they helped themselves with anything they might get by such works or services as they could perform. In England, compulsory education had been adopted on certain conditions. By Act of Parliament power had been granted to local authorities to enforce attendance at school on any child who had not attained a certain minimum of instruction, but that minimum being attained a parent was not to be compelled to send to school a child able to perform any profitable work. But even such a mitigated form of a compulsory law was impracticable in Malta. Up to the age fixed by that Act of Parliament, 10 or 11 years (he would not be particular as to the precise period), a child of the poorer classes in Malta could not learn anything that he might afterwards remember of the Italian or the English language. And on any occasion that an attempt at compulsion should be made upon a parent, he would be found ready with an unanswerable defence. The average wages of the working classes were 18 *d.* or 2 *s.* a day, making 9 *s.* or 12 *s.* a week. A man with a family of four or five children, earning that amount when he found work, required between 8 *s.* and 10 *s.* a week for bread alone; and the rest, if any, was to pay for rent, clothing, and the debts contracted in shops during the time when no work was to be had. How could such a man be compelled to dispense with even the penny or pennies that anyone or more of his children might get daily by any occupation. It would be impossible to find people in Malta firm enough to carry out such a law. The only compulsion possible in Malta was that which he (*the Crown Advocate*) some years ago had suggested, namely, through the offer of prizes. He had then proposed that, on quarterly or other periodical examinations, prizes should be granted to proficient children, of about 12 *s.* or 15 *s.* in money—just about the lowest amount that young children, on an average, might get by their usual very humble occupations, with a view of inducing their parents to see that they regularly attended at school. But he was then told by the most competent gentlemen in Malta, that the introduction of such prizes would be very objectionable on general grounds; and, having written to a friend in England for advice, he received an opinion from an inspector of schools in England, strongly condemning such prizes, in the very interest of public instruction. He, of course, could not, after such opinions, but give up that scheme. Last Session, however, he gave notice of another, to send to England, for two years, at the public expense, to complete their general education, some boys who, on a competitive examination, proved to have made most progress in matters of primary instruction, as a prize for their proficiency, without any obligation to serve the Government on their return; and also, to give a reward of 20 *l.* to the teacher or teachers of the successful boys. That motion was not then discussed, because honourable gentlemen opposite in-

sisted upon its postponement to the day when the honourable Member (Mr. Cachia Zammit) should bring forward his promised resolution for the reform of the regulations of the Lyceum and the Primary Schools, on the suggestions of the Commission of 1865. Now, however, there was no reason for waiting any longer; and he would shortly submit the same motion for the consideration of the Council. If adopted by the Council, and properly carried out, it would promote emulation and progress in Malta, better than any other measure that Government might take; and the good example set by the Government would probably be followed by parents in easy circumstances, sending, at their own expense, their children to England to complete their general instruction. He had now stated the reasons for which, independently of the subject of the salaries and pensions to professors and teachers, he deemed it his imperative duty to vote against the motion. The inclusion of that subject, as the honourable mover stated, in his draft Ordinance, was, as his (the Crown Advocate's) honourable friend near him (the Chief Secretary) had remarked, quite sufficient, according to Her Majesty's instructions, to prevent the Council from assenting to the motion, it being provided by those instructions that no motion involving a grant of money should be made except by the Government. But he would not rest his opposition on that ground alone. His ground was that there was no reason for an organic law in substitution for the existing Statute and Regulations; and that if the existing arrangement required amendment, this should be done by regulations emanating from the Executive, and not by an Ordinance.

Mr. *Cachia Zammit* said.—I cannot yet recover from the amazement with which I was seized when I heard that the honourable Crown Advocate intended to oppose the first reading of the Ordinance on Public Instruction. In the English Parliament that ought to serve as a model for our discussions; the first reading is looked upon as an act of courtesy due to the mover, and to that section which he represents in the House and in the country; and this rule is so generally adhered to, that it has now become a law for all the Members of that House that the first reading of the Bill is not to be opposed, unless it be likely to create disorder and tumults. All this the honourable Crown Advocate knows very well, and, in fact, in introducing an Ordinance in June 1870, doubting perhaps that this side might be waiting in courtesy towards him, he appealed to me, and asked that those rules might be applied in his favour, and they were. Why then does the honourable Crown Advocate forget them, and without even waiting for the day on which the principles on which the Ordinance is based will be explained, why does he move heaven and earth to oppose it? Was he not formerly in favour of reform? I will not inquire into the intentions of the honourable and learned Crown Advocate; I take it for granted that he, as well as every one here, seeks in every question what is good and true; and God knows how deeply I regret to see the country scandalised, and perhaps led to suspect that the Government wishes to hinder the elective element in Council, in their right to propose Ordinances, and particularly this one, intended to promote the education of all citizens. But though I cannot bring myself to believe that such are the intentions of the Government, I can with certainty assert that educational reform is not wanted; for if it were wanted, the Government that favoured it might have carried it out during the administration of Sir Henry Storks, and even under better auspices since we sit in Council, who have offered the opportunity, and have declared ourselves not only inclined, but determined to do something. Instead of doing so, we have seen the Government first challenging our predecessors by throwing on the table of the Council the report of Storks' Commission; then disavowing that report, and provoking the scandal of the Romer-Sceberras correspondence, afterwards suggesting expedients that were clearly impracticable, however little might be one's knowledge of educational matters; saying nothing when I gave the only possible interpretation to the words "series of resolutions;" and now finally opposing, to the great scandal of all honest men, the mere reading of the way in which I deem a reform possible. The Government wished to contradict this opinion, which so generally prevails, and with reason; for it cannot but know how great is the harm that has at all times befallen those that have made war upon talent and knowledge. A way was therefore sought, and no honest one having been found, recourse was had to paradox; being sure that sophisms, and cavillings, and many words, would not have been wanting, in order to give it an appearance of truth.

In fact, in order to express briefly what has been said by the honourable Chief Secretary, who has been the first to speak to-day against the first reading of my Ordinance, and by his colleagues in the struggle, all the reasons for that opposition may be reduced to the following:—It is impossible to legislate on public instruction, for the subject being of itself variable, there would continually arise the necessity for amendment, and consequently for legislation. Is this what the honourable Chief Secretary means to say?

*Chief Secretary.*] Yes.

Mr. *Cachia Zammit.*] I might add nothing more, and, referring to my speech on the first reading, let the public conscience judge between me and my adversaries; but for those to whom the subject is new, and who are easily persuaded by the loquacity of the honourable Crown Advocate, I shall endeavour to demonstrate the paradox, not only as to the principle which it is endeavoured to establish, but as to the terms in which it is enunciated; and, as I go on, I shall reply to what has been advanced by my opponents, and which they pretend should pass as arguments.

It is impossible to legislate, says, with much assurance, the honourable Chief Secretary, who is echoed by the honourable Crown Advocate, concerning public instruction, because

the

the subject is variable. I surely will not deny to the honourable gentlemen the premise from which they have derived their axiom. If their memory has failed them, let the honourable gentlemen read over my last speech, and they will find that with reference to the part which they call variable, it was so far taken into consideration by me, that it is the foremost of the fundamental principles on which my project of law is based. The honourable Chief Secretary as well as the honourable Crown Advocate ought to have read my speech attentively, over and over again, especially the latter gentleman, before creating difficulties that have no existence except in their imagination. In fact, I said almost at the very beginning:—"The direction given by the several grades into which instruction is divided, requires the fixing of the subjects to be taught in each course of study, and an established order and method in carrying out the same. With reference to the subjects, the project of law provides by means of special and certain regulations; but with regard to the order, the method and the limits to be assigned, it enjoins the drawing up of regulations by the competent authorities, who are, for the University, the Faculties and the Academical Council; for Secondary Instruction, the Collegial Council; for Elementary Instruction, the Director and the Teachers belonging to the Collegial Council. This arrangement is required by the very nature of the instruction itself, suggested by common sense, and, as to the higher and secondary instruction, established by the history of all nations, ever since the middle ages." And the history of all nations is there to condemn the two honourable gentlemen, or rather to pity them, their case being truly pitiful.

In fact, what the honourable Chief Secretary, seconded by the honourable Crown Advocate, calls variable and uncertain, has not prevented the France of '91, '93, and '97, from giving unto itself a law on public instruction; the France of Napoleon I., from remodelling it between 1802 and 1808; the France of the Orleans from modifying it; and later that of the Third Napoleon from strengthening it. It has not prevented Prussia whose laws on education, I hear, to my great surprise, are not liked by the honourable Chief Secretary; it has not prevented Saxony, Holland, and Bavaria, that, as regards their educational legislation, have preceded all other nations; it has not prevented Austria, that was, till 1854, also an example of strong though illiberal organisation, remodelled, if I remember, rightly, that same year, with not less vigour and with more liberality. It has not prevented small Piedmont that has now extended its legislation to the whole of Italy; not again Prussia that, wishing after the last war, to extend to the annexed provinces its scholastic legislation, recently announced to the country a new law in the speech from the Throne. Finally, be it said to our shame, it has not prevented Turkey, which is even now preparing a code of public instruction.

And am I not to be excused if I prefer to err with the whole of civilised Europe, rather than to follow the opinion of the honourable Chief Secretary and the honourable Crown Advocate and of those who applaud him, either because they are unacquainted with the subject, or from class interests? But the honourable Chief Secretary says, we have the consolation of erring with England which, after all, is the country that ought to be our model in governing, and that is not certainly the last among the nations. Alas! if the honourable Chief Secretary and the honourable Crown Advocate had, this time at least, followed the example of England, they would not certainly have provoked so little edifying a debate! England—and the honourable Chief Secretary ought to know it—never had the ambition of knowing more than Germany, France, and Italy, in matters of education; nay, she has ever boasted of having at all times endeavoured to borrow the best from each. The breath of liberty that gives life and vigour to all her institutions did at one time call the attention of a good portion of Europe to her system of elementary instruction; but whilst we and other countries were endeavouring to carry out its methods and organisation, she herself, being but ill-satisfied, was sending out men of experience in educational matters, to study those of Switzerland and Germany, and wrought out a great change. At a later period, wondering at the progress which was said to be making in Germany, a commission was appointed to inquire into the best way of organising elementary instruction. At that announcement party spirit was silenced, and all exclaimed "Let us organise elementary instruction." The Government first took a part by the formation of the Committee of the Privy Council on Education, then with subsidies to the parish authorities and the private educational foundations, afterwards little by little with laws, programmes and instructions which the Revised Code has recently collected, in as far as they relate to primary instructions; and in 1870, as if to deprive the honourable Chief Secretary and the Crown Advocate, of the consolation of having England a companion in not legislating, with the celebrated project for a general organisation of elementary schools, which was honoured not only with a first reading, but with being passed into a law. I wish that both the Chief Secretary and the Crown Advocate had taken the trouble to read Mr. Forster's Bill before commenting upon it. To my great surprise they know nothing of its contents, and I should advise them to procure one from England as early as possible, and that will be enough to belie the fallacious assertions which they have to-day thought proper to display. Besides, I must tell the Chief Secretary that Lord Derby, in the speech lately delivered at Liverpool, was speaking of Mr. Forster's Bill; nor do I think that eminent statesman would be satisfied with having as a commentator of his speeches the Chief Secretary of the Government of Malta. That Bill—perhaps honourable gentlemen are in the dark about such matters—was the first, but not the only one; for there is prepared for discussion the Scotch Education Bill, to reform as well the elementary instruction of that worthy portion of the kingdom, though in this matter it is far in advance of the others. But the honourable Chief Secretary says, with a most astonishing ingenuity, he who ought to know something about educational institutions in England, that there are no laws similar to

those which exist in other countries, comprehending the whole subject of education. And how can you pretend such laws when they cannot exist? Created, as all over Europe, under the influence and the inspiration of the Clergy, the organisation of the English schools was deeply shaken by the Reformation. There arose after that overthrow the richest and most powerful universities; and if secondary instruction was completely destroyed, to the schools abolished on the abolition of the convents, were substituted the grammar schools, which were supported by the same revenues that formerly supported the convents, and the reformers assumed the rights of the former. The Government wished to reform them, tried to make them submit to a law, but from the very nature of their foundation evading all action on the part of Government, when public opinion protested, by leaving almost deserted the benches of Eton College, the heads of that institution being in possession of large revenues, became very easily resigned to enjoy their sinecures. The English Government, however, far from imitating the culpable inertia of that of Malta, accepted the challenge, and favoured the movement initiated in 1825 by some of the most eminent statesmen and scientific men, such as Lords Brougham, Russell, Auckland, Althorp, Nugent, Sheffield, Hallam the historian, and others; a movement that brought about the foundation of the University of London, of King's College, and other colleges in which the instruction given is based on the same principles which govern such schools in other countries, and is in a most flourishing and most prosperous state. Nor did the Government stop here, but though unable to assume the direction of the higher and secondary instruction, regulated their organisation by the appointment of commissions, without even sparing the celebrated Universities of Oxford and Cambridge; sent men specially qualified to visit the schools of Germany, France, Switzerland, and Italy, among whom the celebrated Matthew Arnold, Foreign Assistant Commissioner to the Schools Inquiry Commission, who, upon his return to England, admiring the strong organisation of public instruction in the countries he had visited, published it to the country in a book, from which the Government and the people are trying to discover how to overcome the difficulties arising from the very nature of the present educational institutions, in order to subject them all to a common law.

But let us suppose for one moment that England had never legislated on the subject, and could never legislate, would her fault justify ours? Are we in the same condition in which she finds herself, in order to follow her as our guide and mistress in the question that divides us? Why do not the honourable Chief Secretary and the honourable and learned Member who sits near him, take her place, and admire the constancy and the wisdom with which she has sought to overcome the difficulties that beset her? She legislates where she can, where she cannot, she makes up for it by commissions, and prepares the way for what could not be effected in an instant, without causing a great revolution. But let us let alone England, where is vainly sought a justification of your intrigues, and where educational institutions, are notwithstanding their defects, the most solemn condemnation that could be given to ours; and let us go on to the second part of the paradox.

Variable is the subject (says the honourable Chief Secretary) of education, its progress unceasing, and, therefore, if we legislate to-day, should we wish to follow that progress, we shall be obliged very frequently to re-propose an Ordinance, for, according to our constitution, that is the only way in which a law can be amended.

I already stated in my first speech and I have repeated to-day, that in my draft I considerably reduce the subject of legislation; since all that concerns the method and the measure of instruction, is left entirely to the constituted authorities whose attributes are fixed by the law. So I cannot but wonder how the honourable Chief Secretary can say that with my Bill I shall tie the hands of all the teachers. There are certainly not articles but chapters and sections, that cannot be modified without a new law; but this does not alter our position, since for some of them, even if there should be no law, it would be impossible to provide without asking the sanction of the Council. Now whether such a sanction be asked through an Ordinance or through a Resolution, I think it comes to the same thing, saving the cost of the paper. Other articles, such as those which concern the academical council, the collegial council, &c., that are innovations, notwithstanding the fallacious assertions of the Crown Advocate, it is but right that they should not be altered except by law. No constitutional country would dare to abolish in universities, the colleges of faculties, in lycæums, the collegial councils, the courses of studies and the examinations concerning such institutions, without a vote of Parliament, even with the concurrence of the superior councils of public instruction, that are composed of the men most eminent in science and educational knowledge. And if this would, in all countries, be reputed a crime against scholastic jurisdiction, just think what a monstrous crime it would be in ours! The proposal, therefore, of a law on public instruction implies the necessity of altering by law some of its provisions to such a degree that, if our constitution did not oblige us to do so, I should have been compelled to provide for it with a special enactment. Besides, if the honourable Crown Advocate, instead of giving us this day a wonderful specimen of his most fertile imagination, had waited to condemn my humble work, till he had read it, he would have discovered therein special endeavours to keep away from the Council, as much as possible, the discussion of this question; since, scholastic authorities having been instituted for certain subjects, no other authority can be more competent to modify them. But even if we should be obliged to legislate for every amendment, does not that apply to every other law? Is it not the same in every country? Was it necessary for the Chief Secretary to inform us that laws cannot be modified except by amendments? Laws are not, of course, amended by means of decrees, but by another law emanating from the powers constituted for that purpose. This state of affairs obliged the honourable Crown Advocate last year

to propose to us an Ordinance to amend some provisions of the criminal laws, and who knows how many others will be proposed to the country to amend other laws that might be found faulty in their execution. All the countries in the world have always legislated and continue to legislate; nay, it may be said that the history of legislation is but a continued series of modification, more or less logical of the fundamental principles of law. If it were not so, this imperceptible spot of the globe would not have given occasion to Grand Master Rohan to present us with a code; to his successors in the government, to modify it according to the times, and lately to the honourable Crown Advocate to renew it all. Now why cannot what we are compelled to do for every other law be done for public instruction?

However, it has been said that the question is arduous, and who has denied it? I, for one, have never hesitated to state that it was most difficult to grapple with, and notwithstanding all the study I bestowed on the subject, I felt unequal to the task; but I reckoned on the support of all those who are versed in educational matters, the Government included. It is quite true that some of the Official Members have most humbly declared that they knew nothing about the subject, yet they have dared to resist every reform; and with a dexterity not to be found in the wisest and most renowned of institutors, they have completely reorganised the order of studies pursued in our educational institutions, and that by means of a letter sent from the Chief Secretary's office. Such acts made me feel confident that I would have from them that support which only experience and knowledge can give, and of which they constituted themselves masters. What wonder then that I hoped I would have their support, and thought my task less difficult to accomplish? But no, I must speak with the greatest frankness; I never indulged in the hope of getting the support of the official bench; I could see they would resist and oppose every measure I should have brought forward; and to judge from the speeches which have, this afternoon, been delivered from the official bench, I cannot but come to the conclusion that the Government do not care one jot about a reform of our studies. Yes, the task is arduous; but every obstacle would have most easily been overcome, if they had given themselves the trouble of seconding, not my views, but the ideas of the intelligent class of the community.

Before I sit down I must say that I was shocked at the boldness displayed by the honourable and learned gentleman in speaking of the contents of my Ordinance which he has not read. He, in fact, said that a good portion of its clauses concerned the increase of salaries, the assignment of pensions, compulsory education (on which he most mischievously harped for more than 15 minutes), and the rest was only a reproduction of the present order of studies, so much so, that my speech in introducing my Ordinance might serve as an introduction to the existing *statuto*. Nothing could be more unfounded. The increase of salaries, the assignment of pensions, and compulsory education, are defined in less than 12 articles. As to the rest of the Ordinance being a reproduction of the *statuto*, I have only to refer honest and right thinking men, to the very speech which was the means of helping the honourable and learned gentleman in his queer divinations, and by which he will be condemned. It suffices to say, that I have established for the University the Colleges of Faculties, the Academical Council, &c.: for the Lyceum the Collegial Council; and for every branch of instruction the mode of supplying schools with good teachers. But I need not go into any details; I will only ask whether the official bench, and especially the honourable and learned gentleman, has read the *statuto* which was printed last year, and which is famous for the grotesque modifications it has undergone, and the absurd report it contains on the Lyceum. Moreover, the honourable and learned gentleman, as well as the honourable Chief Secretary, with great authoritative statement, that I have no right whatever to fix the salaries and pensions of teachers. But I have done nothing of the kind; I have only made suggestions to be approved by the Council. We have this right, and the sophistry of the whole legal world cannot deprive us of it.

I have now to address a few words to the honourable Mr. Muscat, in order to try to remove from his mind any doubt that might weigh over his timorous conscience. He may rest assured that compulsory education is not contrary to the principles of the Catholic religion; I am fully aware that it has been condemned by some French Bishops, and always in their individual quality, but I am not aware that any Catholic Bishop has anathematised those parents who sent their children to school, either in Germany or elsewhere. However, the question now is, whether my Ordinance should be read a first time; these articles which concern compulsory education may be amended at a future stage, without any detriment to the Ordinance. But as the remarks of the honourable Mr. Muscat have induced me to speak of Catholic principles, I may here say that in my Ordinance religious instruction is obligatory to pupils who frequent the elementary schools and the Lyceum; and only those are exempted who belong to a different religion; or whose parents prefer that religious instruction should be given to their children by themselves.

I think I have now replied to all those who oppose my Bill at its first reading. I have to thank my honourable colleagues for their powerful and hearty support, not only because they intend to vote for the first reading of my Ordinance, but also because they are going to avail themselves of the opportunity of showing to the Colonial Minister, that we who sit on the elective bench act in a more constitutional spirit than those who sit opposite. This is indeed a most solemn occasion; for the question before us does not involve any Imperial interest, but it is a mere local question. We have a right to reorganise our educational institutions according to our exigencies, for we vote the money to keep up those establishments. You who sit opposite may vote, if you think so, against the first reading of my Bill; public conscience will be the tribunal by which we, as well as you, shall be judged; but do not suppose that with your vote you will strangle my Bill at its birth. Nay, it will acquire more

strength and life; for my Bill, without even the alteration of a single syllable, shall at one of the next sittings, be flung into the arms of the honourable the Crown Advocate, who I trust will not be so unnatural a parent —

The Crown  
Advocate.

*Crown Advocate.*—As to strangle it?—I have not the least intention of doing anything of the kind.

Mr. Cachia Zammit.

*Mr. Cachia Zammit.*—As not to remember that the question of public education was once his beloved offspring.

But it is useless to address myself any longer to the official bench; I can see they have made up their mind to oppose the first reading of my Bill, before coming here. Therefore, with the permission of the Council, I will address the President in the language which is most familiar to him.

Sir,—It is an act of boldness, a species of Parliamentary hardihood, on the part of the honourable the learned Crown Advocate, to oppose the first reading of my Ordinance on the reorganisation of public education. I pick out the honourable and learned gentleman, because I look upon him as the great overseer, the surveyor-general of the official bench. The two Official Members who have spoken before him, have played their part according to his imperious mandates, and therefore I shall not, at this hour, trouble the Council by replying to their farrago of idle words and stale quotations which we have all heard, and which have been poured into their submissive ears within the last fortnight.

The Collector of  
Customs.

The Honourable Mr. *Inglott.*—No; such has not been the case.

The Collector of  
Land Revenue.

The Honourable Dr. *Trapani.*—I deny what the honourable Member says.

His Excellency the  
Governor.

His Excellency the *President.*—I know it to be an unwarrantable assertion.

Mr. Cachia Zammit.

*Mr. Cachia Zammit.*—I have done with the two honourable gentlemen, and they may rest assured I am not going to take any further notice of what they said. It only remains for me to make an appeal to the Chair, where I hope to find uprightiness, common sense, and fair play. Sir, I can say that in the British Parliament a Bill is never rejected at its first reading, unless it is a Bill that excites disturbances and riots in the country. In fact, instances of rejecting Bills altogether; Sir Thomas Erskine May tells us, were formerly not uncommon, but are now very rare, two cases only appearing in the Journals of the Commons for upwards of half a century. Has my Ordinance caused any indignation in the country? Has it excited any disturbance? Quite the contrary. Every honest and intelligent man of this community is anxious it should be read a first time, and be printed; and I cannot but feel a great satisfaction in saying, that distinguished English personages have assured me that such a Bill as my Bill on public education would meet at its first reading in an English House of Commons with a different fate from the one which is most unjustly impending over it. Sir, I was in the House of Commons on the 17th of February 1870, when Mr. Forster introduced his Bill on Elementary Education. Have you any idea of the welcome given to that Bill? Did the Conservative party try to reject it? Did they oppose it at its first reading? Did they split straws on it in the most pettifoggish manner? Nothing of the kind took place. Here are the sensible remarks uttered on that occasion by Viscount Sandon. The noble Lord said,—“That he was deeply conscious both of the educational necessities of the country, and of the need of prompt action in the matter.” How different is the language used by the Official Members of this Council! How different is the welcome given by the Government orators to my Ordinance! They care not about a reform of our educational institutions; they only wish that things should be left as they are, and not be tampered with. Alas! my Bill is therefore to be garrotted in the most skulking manner. But will the President permit such a scandal to happen? will he sanction such an unconstitutional perpetration with his vote? I will not, I cannot believe it. I must recall to his mind the words uttered by Sir John Pakington on the 17th February 1870. He said:—“We should have the Education Bill before us before we attempt to pass judgment on its contents.” Such language is manly, dignified, and statesmanlike; and this ought to have been the language of the honourable the Crown Advocate. But no; he preferred to indulge in the wildest dreams, because it suited his views. Why, he had the boldness to state that my Ordinance contained 700 clauses, that the greater part of it dealt with the increase of salaries and with compulsory education, and that it was a mere repetition of the present educational regulations. I flatly deny all this. He has misstated me, he has misrepresented me; and I challenge him to prove here or elsewhere his most fallacious assertions. Was it fair to draw on his imagination and then to condemn my Bill! Follow then, Sir, the advice of an honest English statesman, once our Colonial Minister, before rejecting this Bill. Have the Education Bill before you, before you pass judgment on its contents. In a few days the Imperial Government will bring in a Scotch Education Bill. Will English fair play strangle it at its first reading, as you intend to do with my Bill? No Member, to whatever party he belongs, will, I am sure, raise his voice to reject it at its first reading. I say more; no man who has the feelings, the honour, the spirit of a man, would stoop to commit so preposterous an act. Remove, then, from a bad position as quickly as you can. Unconstitutional acts, founded on unconstitutional motives, have the most pernicious consequences. The step which the Official Members mean to take, will traduce and vilify the Council. I do not deny you have the power to reject my Bill; yes, Sir, you have the power, but you have not

not the right. It is my Lord Derby who tells us "that power does not constitute right, that astuteness is not statemanship, and that sharp practice does not pay in the long run." Right is on our side. The intelligent class of this community have a right to demand, through their representatives, that this Ordinance should be read a first time and be printed; and you cannot, in open defiance of the just wishes of our constituents, make use of your official majority in a question of great local interest, unless you are inclined to commit a gross breach of duty and trample under foot the Despatches of the Duke of Buckingham and Mr. Cardwell, which Despatches are the only buttresses of the Maltese Constitution.

The Council then divided, when all the Official Members and one of the elected Members (Mr. Mu-cat) voted against the first reading, and the mover and the three other elected Members present voted for it; majority against the first reading—Five.

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— No. 3. —

(No. 221.)

COPY of a DESPATCH from the Earl of *Kimberley* to Governor Sir *P. Grant*,  
G.C.B., G.C.M.G.

No. 3.  
Earl of Kimberley  
to Governor Sir  
*P. Grant*, G.C.B.,  
G.C.M.G.

19 April 1872.  
\* Page 3.

Sir,

Downing-street, 19 April 1872

I HAVE to acknowledge the receipt of your Despatch, No. 38,\* of 2nd instant, transmitting a letter addressed to me by five of the Elected Members of the Council of Government of Malta, complaining of the rejection of a motion made by Mr. Cachia Zammit, for leave to introduce an Ordinance "for the organisation of public instruction," and stating that the vote was due to your having made use of the official majority.

I have also received your Despatch, No. 41,† of 5th instant, reporting upon a letter addressed by Mr. Zammit to Mr. W. H. Gladstone, M.P., on the same subject.

† Page 15.

I wish you to inform the five Members that I have fully considered the statements made in their Memorial; that I entirely concur in the desire expressed by Mr. Cardwell in his Despatch of the 19th September 1864, that great consideration should be shown to the opinions of the elected Members of Council in matters of local and domestic interest, but that the objections raised to the proposed Ordinance seem to me to be well founded, and that it would be impossible to admit that the Council should be bound to accept every measure of a local character, without reference to its merits, which might be brought forward by the unofficial Members; that at the same time I think that, as a matter of courtesy, the Council might have allowed the Bill to be read a first time, and printed, without pledging itself in any way to a second reading.

I have, &c.  
(signed) *Kimberley*.

MALTA (EDUCATION BILL).

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COPY or EXTRACTS of all CORRESPONDENCE  
relative to the Rejection by the COUNCIL of the  
GOVERNMENT of MALTA of an EDUCATION BILL  
on its First Reading.

(*Mr. Bowring.*)

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Ordered, by The House of Commons, to be Printed,  
20 May 1872.

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