

# HENRY FRENDO Identifies Malta's first 'national' dailies and traces their legacies from to the heady 1930s

## MALTESE JOURNALISM

Malta, by comparison, depended on continental as well as British newspapers and magazines, and the wireless arrived in the 1930s.

Maltese styles were quite different too. The usually consigned its lead editorial article to the front page whereas the *Chronicle* gave up that place to advertising blocks. Both published letters to the editor, often commented or even reported differently about the same event, and engaged each other in truth-and-falsehood cycles.

Both were family papers. Owners were editors. Editors were owners. Henry said pretty well what they liked. *Malta* was essentially a paper of the Zerafa family, the *Chronicle* of the Bartolo family. In both cases, son to a wealthy father and carried the standard toward in time by at least one other generation, well into the 1970s. *Malta* was the newspaper, but also the standard. That is, families were standard bearers for philosophy, local tradition and antagonism. There were other wise. Antonio Micallef who called Fortunato, his father, and Giuseppe as uncle. Augustus Bartolo took up where his father Antonio had left off.

What was remarkable about the language-party allegiance represented by these papers' differences, at the whole, were symbolised by the every language employed for circulating news and ideas in Maltese society. Not only was there a wide

other, not simply as papers but as a consciousness and an orientation penetrated and became institutionalised. We are always discussing a minority of the population, in numerical terms. Most people would have read neither English nor Italian

### 1838-1992

### An Historical Overview

### Henry Frendo

By the end of the century, the Maltese language weekly had made some ground and was attracting its own quarter. Some such publications were Church-backed, as in the case of *Il Giornale di Malta*. Others were part of the already existing network of Italian and Stricklandian. The first Maltese nationalist newspaper was *Il Popolo Maltese*, edited by the Rev. Don Antonio Ghade. It was a weekly paper, as much as the *Maltese*. *Il Popolo Maltese* was a weekly paper, as much as the *Maltese*.

By the end of the century, and especially after the 1930s, Maltese papers were generally better informed and more excellent - at least in the Maltese - than was the case with the Italian or English Maltese papers.



**Press Club Publications**  
(Malta)

Maltese papers were generally better informed and more excellent - at least in the Maltese - than was the case with the Italian or English Maltese papers.

language  
The pol  
too, as  
port for  
I men  
So-c  
which  
sumed  
of the  
constit  
were t  
against  
early  
had g


Ma  
a year  
dece  
varie  
repr  
folio  
exist  
indit  
Il  
Fas  
Gaz  
Chi  
mer  
Bin  
ble  
Ng  
Tr  
lic  
M  
Al  
Ma  
L  
Be  
A  
ar

# MALTESE JOURNALISM

1838-1992

An Historical Overview

Henry Frendo

  
Press Club Publications  
(Malta)

Sponsored by  
 telemalta  
corporation

© Henry Frendo 1994

First published 1994

Published by Press Club (Malta), P.O. Box 412, Valletta, Malta  
Cover design and layout by Joseph A. Cachia  
Printed by Agius Printing Press, Floriana, Malta

---

Cataloging in publication data

**Frendo Henry, 1948-**

Maltese journalism, 1838-1992 : an historical overview / Henry Frendo.

- Valletta : Press Club Publications, 1994

xii, 130 p. : ill. ; 22cm. (Press Club (Malta) publications ; no. 1)

1. Journalism - Malta - History 2. Newspapers - Malta

I. Title II. Series

# Contents

Foreword

Author's preface

1 - Shades of the Printed Word.....	1
2 - Censorship Abolished.....	8
3 - The Making of Public Opinion.....	17
4 - Deus et Lux.....	26
5 - Present and Future .....	34
Appendices.....	43
A Ordinance No IV of 1839.....	45
B Ordinance No XIV of 1889.....	53
C Act No. XXIX of 1929.....	62
D Press Law 1933.....	74
E Press Law 1933 Regulations.....	88
F Memorandum (1959) by the Institute of Journalists (Malta Branch).....	89
G Ordinance No. XXVII of 1960.....	96
H Press Act 1974.....	98
I Memorandum (1974) by the Institute of Journalists (Malta Branch).....	111
J Selective chart showing registration of Maltese newspapers.....	114
K Code of Ethics, Press Club (Malta).....	122
L Further reading.....	124
Index.....	125

“ I believe that journalists – and this is not a popular opinion – should not be educated as journalists. I think the techniques of the trade are not difficult to learn. I believe that a journalist should have a wide general education, a wide culture. He should study literature, society and history; history above all, or economics. In short, the journalist should know what he is writing about. I believe in assigning journalists to subjects which interest them, giving them the time and incentive to learn all they can about the subject; publishing what they say with respect for their own knowledge; allowing them to speak on their own authority, with their own opinions properly declared as such and proper account taken of differing opinion ”

— *William Pfaff,*  
*speech during BPC Award to Journalists*  
*organised by Press Club (Malta), 3 May, 1993,*  
*Malta International Hilton*  
*International Press Freedom Day*

# FOREWORD

It is indeed apt that the first Press Club (Malta) publication should be a history of journalism in Malta by Professor Henry Frendo, who is also a journalist.

*Maltese Journalism 1838-1992: an historical overview* starts from 1838, the year when freedom of expression took root in Malta bringing to an end the formerly strictly enforced censorship, and takes us up to 1992. In between those years the author records and analyses developments over a period of 154 years with very useful appendices for research.

People often ask: What makes a journalist? The answer is that it would be very unwise to subject entry to journalism to some form of licensing or certification as for other professions.

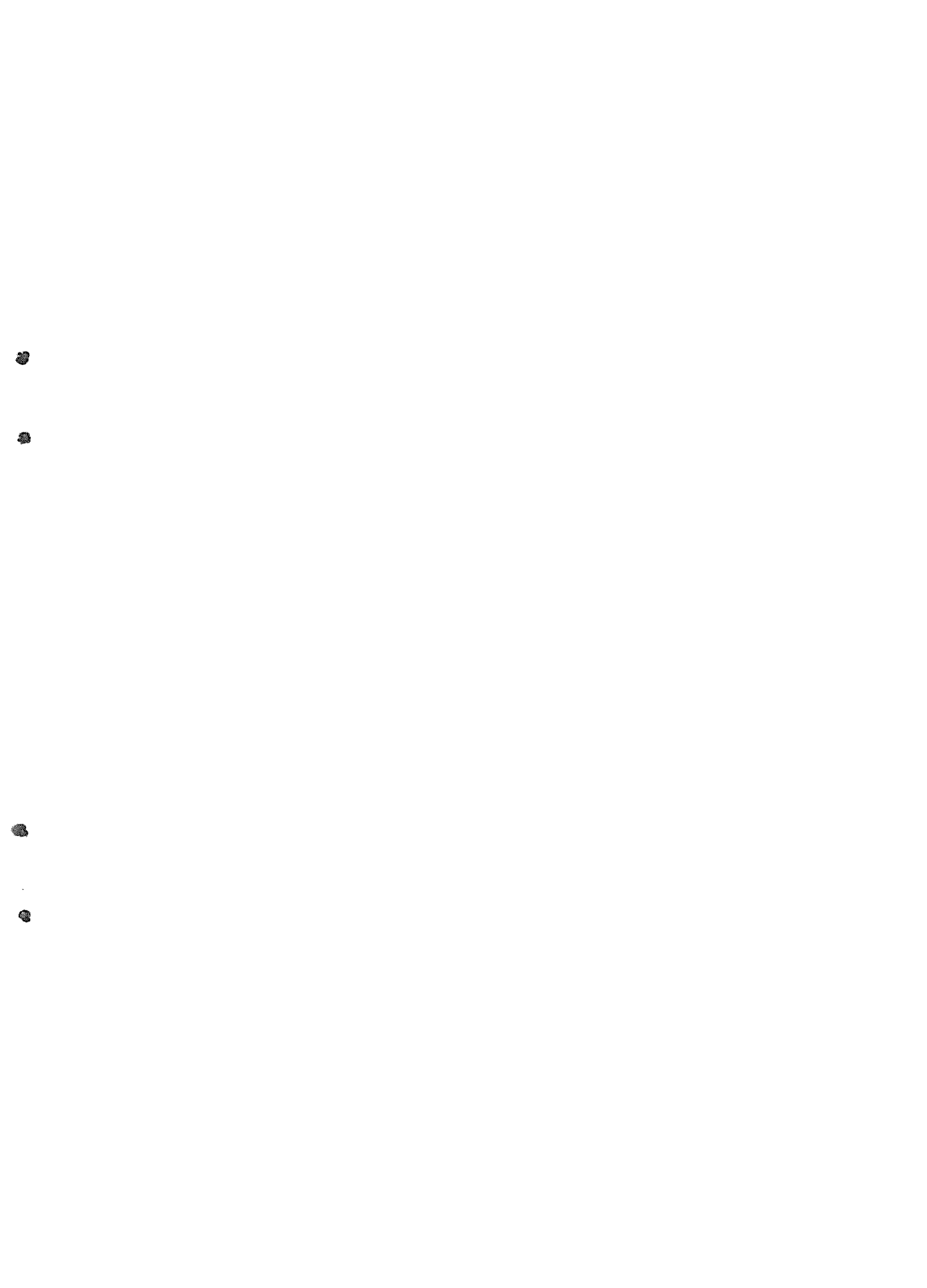
The journalist, however, should certainly seek to be well-formed to start with, and progressively well-informed in the practice of his profession in order to be able to communicate with and inform others. To be informed about the political history of any community is the least to expect of journalists.

This first Press Club publication, in line with our association's objective to defend freedom of expression and to raise the standard of Maltese journalism, is of direct interest to working or aspiring journalists with its history of freedom of expression under the rule of law affecting journalism throughout the period covered. The interest extends to all lovers of and researchers into the history of the past and its lessons for a future with its challenges also calling for constant vigilance in the sphere of communications.

Thanks are due to Telemalta Corporation for sponsoring the the Press Club (Malta)'s publication and to Mr Carmel Bonello, Vice-Chairman of the Press Club (Malta) and Mr Joseph A. Cachia, Information Secretary, for their efforts, in various ways, to make the book available to the public in May, the month bearing a date dedicated to Press Freedom.

3 May, 1994  
International Press Freedom Day

Anthony Montanaro  
Chairman — Press Club (Malta)



# AUTHOR'S PREFACE

## KNOWING THE PRESS

This introductory study gathers together a series of five original feature articles written for and published by *The Sunday Times (of Malta)* between 29 November and 27 December 1992. While these articles were appearing, various people came up to me to comment about particular points volunteering information based on their own personal experiences.

Several readers cut out the articles and kept them in files or scrap books. Others asked me to have them published in one integrated format. A cartoonist offered to set and produce the publication. This was not an unfamiliar experience because my very first publication 23 years ago, on the *Sette Giugno*, had owed its origin to just that kind of newspaper article series in "Il-Hajja": A.C.Aquilina of Valletta had bought the entire edition of 2,000 copies (long since sold out) off the printers.

When in December 1992 the Press Club (Malta) offered to publish this latest batch of historical-analytical feature articles as a first pioneering book in a series they intended starting on the press and media, I was pleased to accept and to cooperate in the project for more than one reason.

Some of the reasons should be implicit in the writings themselves. I am clearly preoccupied about certain aspects - party political, cultural, psychological, ethical and professional - that have characterised Maltese journalism since its inception. At the same time, however, I am appreciative of other qualities which have animated and sustained it in spite of the obvious limitations of the market: the will to be heard and read, the cut and thrust of open debate or at least of polemic.

The study ends on a note of guarded optimism. *Maltese Journalism* was intended as an insightful, instructive and perhaps provocative overall historical survey, a sketch providing some frameworks for further investigative work, not as a fully-fledged history.

I have left out, too, journalism among Maltese emigrants. Although closely related to events in Malta and indicative of the 'cultural baggage' taken



from there, that rather has a story of its own which would probably be better integrated into a history of Maltese overseas settlements when I get down to doing that more comprehensively than I have attempted to do so far.

Very little indeed that is comprehensive has ever been published on Maltese journalism. We have had commemorative special anniversary issues by newspapers and/or presses: the 50th anniversary of *The Times (of Malta)* in 1985; the 30th anniversary of *L-Orizzont* in 1992; the 20th anniversary of *In-Nazzjon Tagħna* in 1990. The single most useful book so far has been Tony Sapienza's *Checklist* of newspapers and periodicals, a reference tool. A recently-published short history of printing stops before the free press started.

There are so far two unpublished history theses in the University's Melitensia section: one by Dionysius Mintoff, another by Catherine Mallia, which are directly relevant; some work has also have been done on the legal side but this too is not published or readily available. There is Franco Masini's 1964 Maltese B.A. (General) essay on the development of the press law, and an earlier LL.D project, on much the same topic, by Reginald John Mifsud. More recent theses relating to the press law were undertaken by Andrew Borg Cardona and Tonio Farrugia.

An underlying concern in *Maltese Journalism*, which partly stirred me to prepare this series, was and continues to be a gnawing tendency to be oblivious or indifferent to the past, to assume that the present is the measure of all things, or to be 'antiquarian' about the past. While shedding off absolutism and patronising or even teleological postures, can civilization do without some canons and *données*, opting instead for *de rigueur* relativism, the 'anything goes' philosophy? Is everything in the mind of the reader or the writer? Should the agnostic replace the crusader, the opportunist the believer? Is there a lurking danger that theory, technique, immediacy and the profit motive - or sheer basic survivalist stress and routine - sabotage journalism of a deeper and more lasting significance and worth?

I ask this not only in view of the dearth of graduates and intellectuals among our contemporary crop of working journalists in Malta, possibly more so in post-war Malta than earlier, to date; but also because of a want of the all-too-indispensable dimensions of time and space that need to instruct the intellect and the sentiment of any prospective writer, researcher, reporter, editor, public affairs analyst, even photographer or cameraman. The art of

investigation and of analysis is closely related to the terrain, the field: not even weeds grow without seeds. A pretentious news story by someone who does not really know or fully understand or care about what s/he is producing does no justice to a journalist's art, or to a reader's expectations or edification. The fact that history ceased to be a subject of serious study at University and has hardly ever been one in the upper forms of school has not helped this state of stupor: all the more reason to seek to create filters whereby to search the world around us and to attempt to interpret it with reference to man's experience in time, to perceive, to conceive, to compare. And to express: that is where the penny drops.

But there are other concerns, more sociological or perhaps anthropological ones, deriving from the type of community or society that we find in the Maltese islands. There are economic and financial considerations and constraints relating in the mind at least, to one's survival and career. Hence the difficulty of boldness, of enlightened articulation, indeed of freedom, which is what independence is about. I do not mean an outside institutional freedom as much as an internalized, integral individual one, that which could justifiably 'rock the boat'.

The *engagé* journalist or intellectual has been rare to come by in the Maltese Islands. That can hardly be merely an evidence of scale. Has an intellectual withdrawal not been a casting mould of our history or at least a crucial aspect of it, with definitions imposed from above or outside? The failure of management would not be unrelated to that. Nor the failure of a conventional university education. Here too, however, the historical dimension has been crucial, which is why I have put together central texts of Malta's press law, from the first one in 1839 and leading to today's (1974) press law. The legal abolition of censorship and mono-poly took place in colonial times: under colonial conditions as well as later on, these provisions were liable to change, sometimes (as in 1933) for the worse, depending on decisions taken by *fiat*. The opening up of broadcasting in the 1990s could turn out to be an all time breakthrough, not least for "the man in the street".

Along the way, minor but significant amendments or subtle modifications of precedent and practice took place, which would require another more legally oriented study to document. One such, for instance, would have been the July 1929 provision to make newspaper boys responsible for libels contained in newspapers which they sold or distributed. That was intended as a

stragem to restrict or deter the diffusion of sometimes personal attacks on the then Head of Ministry, Lord Strickland, by Italian newspapers such as *La Tribuna* and *Il Giornale d'Italia*; but the implications from our point of view were sinister enough. There are many *en passant* references and queries in *Maltese Journalism* which would call for and merit separate studies on their own by historians, lawyers and others demonstrating an interest in the subject of journalism. In no case however may worthwhile journalistic studies take place *in vacuo*; that can risk being a waste of time.

As another help for future reference I am including an appendix which is the first compilation from the Press Registrar's office at Castille, indicating who were the editors and printers of which newspapers, and how these registrations changed over time. The compilation, kindly prepared for me by History Honours graduate student Kevin Bonavia, is rooted in the inter-war period, but gives some indications of when newspapers had started and when these were cancelled off the register.

It is selective, incomplete and sometimes misleading, but instructive, indicative and generally accurate. It is also pace-setting, as when I first approached the very helpful officials responsible for such archival information at the Department of Information, they were surprised. Nobody had ever bothered to look up such things! Before moving to the D.O.I, these registers had been held in the Nationality or Expatriates Division in the Office of the Prime Minister. Information prior to the first world war is scanty while that covering the seventies and eighties has yet to be located.

The selective chart has to be read carefully and cautiously. Thus, for example, the Press Register gives the date of cancellation of the *Daily Malta Chronicle* as 1947, when in fact this ceased publication in 1940, the reason probably being that the paper's goodwill had been sold to another family who however made no use of it and finally gave up the prospect seven years later.

When Enrico Mizzi is named as registered editor of *Malta* in 1928, clearly this does not mean that that was when *Malta* started: our chart does not mention previous editors, who however would have included Fortunato Mizzi until 1905, probably Francesco Azzopardi until 1910 and Giuseppe Mizzi after that, and probably others (of whose names and dates we cannot be sure) as occasional substitutes.

Curiously some well-known newspapers do not seem to have been listed, or at least must be listed somewhere else, or the respective documentation has been misplaced, lost or destroyed. The search continues.

Journalists have to be careful not simply to reproduce what others want them to say. And the reading public must be careful not simply to imbibe what is printed in the newspapers. The Moscow correspondent of *The New York Times*, Walter Duranty, who consciously misreported the man-made famine in Ukraine in the 1930s, was described by Malcolm Muggeridge, who also was there, as 'the greatest liar', but Duranty's reports in an influential newspaper moulded public perceptions and influenced national and international policy.

"International understanding and final world peace", Paul Winterton once wrote, "can be built securely only on truth and knowledge". It is imperative that we look far and wide in our own national history, for examples of lies, intimidation, repression, deceit and trash; but there have also been examples of stimulus and erudition, of courage and heroism, of flair, verve and zest.

Finding out and being revolted or inspired by past deeds, dispositions and incidents, was not meant to be a prerogative of recollection by the elderly. On the contrary, such is the raw material of meaningful journalism - of serious writing - in any society. The tension between appearance and reality, between what is said and what is done or intended, has long fascinated writers and thinkers of all ages.

Without the comparative and relative references anchored in time - in demography and geography, in economics and sociology, in social psychology, politics, government and diplomacy - journalism will be a mundane humdrum, a gossip column curiosity, a vacuous veneer and an unlikely or at least undeserving advertiser's broadsheet.

With this mental formation there can be little appreciation of humour or irony and never any impelling moral force as one meets in great writers who have served the medium eloquently from Alexander Herzen to Emile Zola to André Gide, George Orwell, Arthur Koestler.

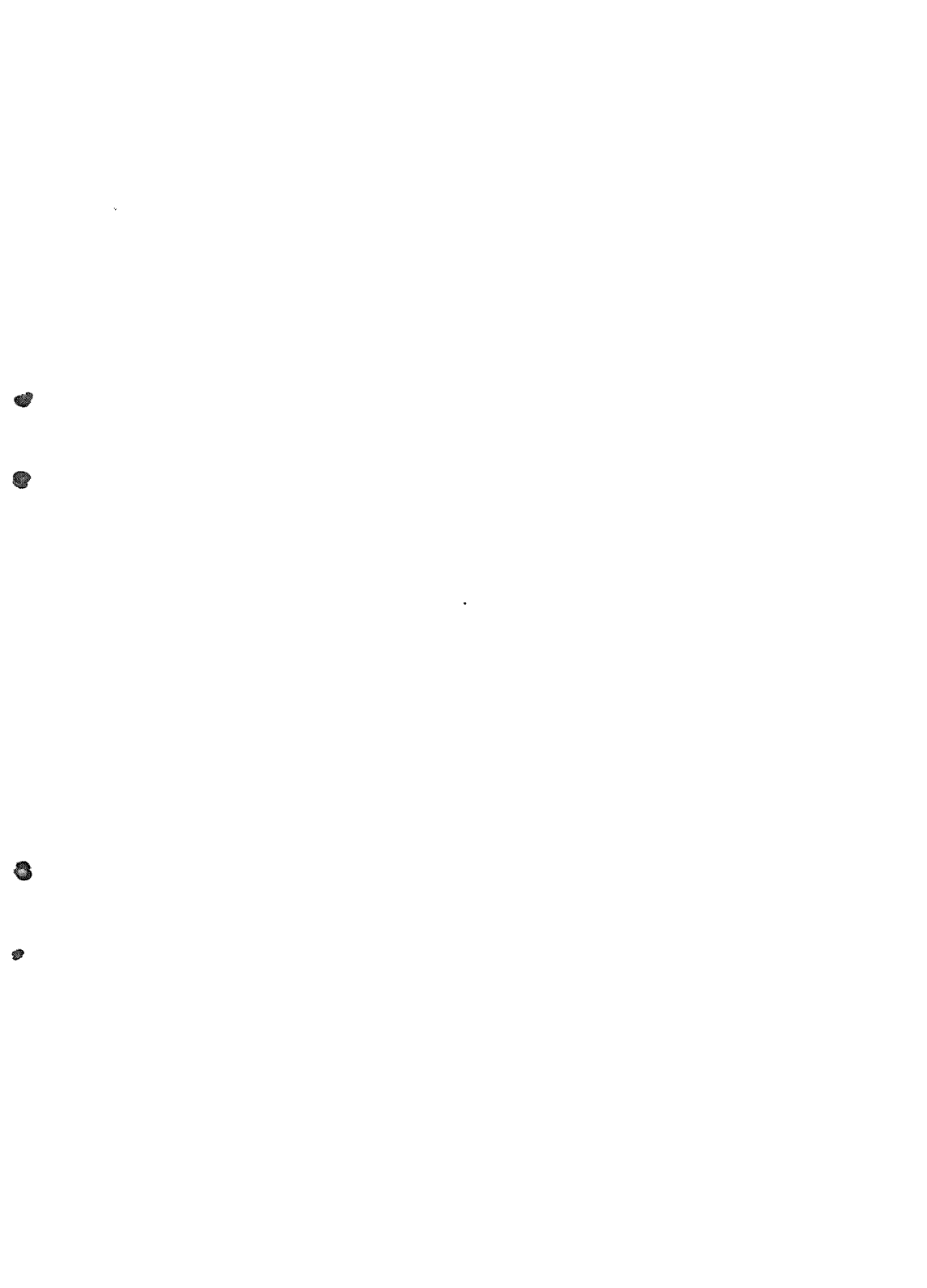
What they had to say was so true that initially it was greeted by an icy silence, derision, punishment or simply turned down by the publishers (as Faber & Faber did to Orwell's manuscript *Animal Farm*). Australians say

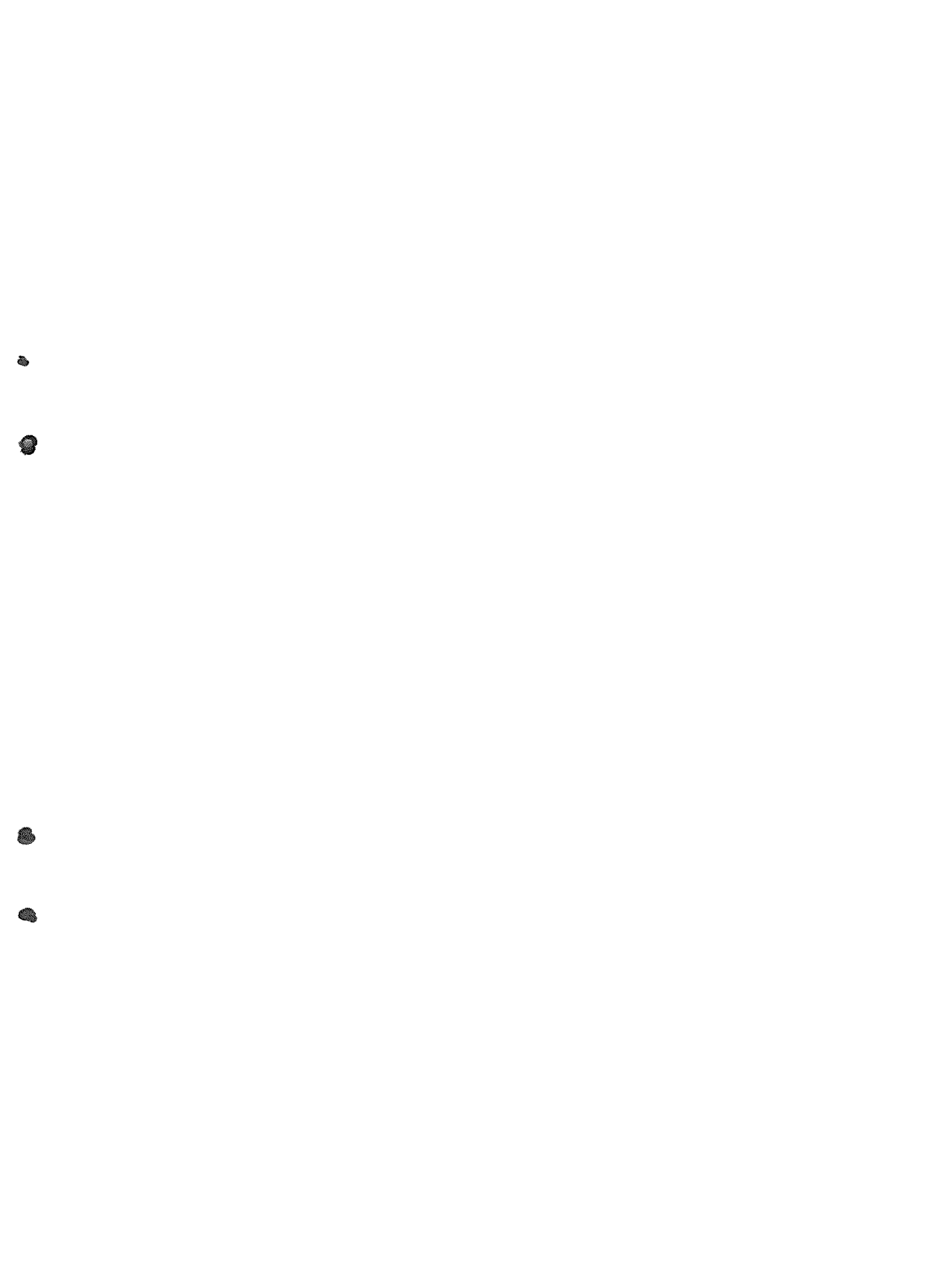
'you cannot keep a good man down'. In Malta, too, probably not all those who 'publish' are 'damned'... not for ever.

Some Maltese proverbs about *iz-zmien* could make useful guidelines for a journalist, inviting communicators to try and measure what it is that they have to say or to report against what the judgment of time itself might be. In other words, those homegrown proverbs could serve as a precaution against the frivolous and mediocre, as well as a motivator of the seminal and creative.

A critique of this approach to journalism would be that it is too serious, that it expects too much of journalists, that newspapers and the media are meant mainly to entertain and to record, to be perused and forgotten. While that is also partly true, much will depend on cultural parameters: the very definitions of 'enjoyment' and of 'information' in a given society as this evolves.

Henry Frendo





# 1 SHADES OF THE PRINTED WORD

*This first chapter defines and contextualizes the origins of printing and the growth of publications as well as the differences between the press and other media that develop later.*

In an age where the electronic media have taken such a hold over the lives of so many people, it may take some mental effort to go back to the days - not so long ago - when the 'journal' was the only source of circulated news and comment. Mercifully, there continues to be a fascination with the written word, or at least with the 'printed' word.

## WE NEED THE WRITTEN WORD

The old saying that words fly but writing lasts — '*verba volant sed scripta manent*' — is a reflection of man's fascination with the written word as opposed to the spoken one. The written word has long had more prestige: it recorded events; it stayed with you, in front of you, in your hands, on shelves, in drawers, in archives of all kinds registering 'rites de passage' - births, marriages, deaths - and practically every contractual undertaking.

The Maltese word for writing - '*kitba*' - is very strong and can have a legal connotation; there is ring of the sacred about it. It is the medium of the law-giver, human and divine, and naturally of the scribe. But it has been what it also continues to be: the chief medium of the thinker. A thinker is almost automatically a writer.

Whether in manuscript or on marble slabs, it is the written word that has conveyed messages and instructions, minuted decisions in the taking and in the execution, and generally linked past to present in the nexus of generations at least since Hammurabi.

Writings formalize speech. They can refine it too, because in writing, as opposed to speaking, time is usually on your side. I would like to think that in spite of the electronic media's growing invasion of our lives since the telegraph and the wireless, now the dish and the cable, mankind will not



become less literate, semi-literate or illiterate. The press flourished above all thanks to the advent of compulsory schooling, as the reading 'literate' public grew by leaps and bounds.

Today, more than ever, we need, yes we still need, the written word. And yet, competition to it seems to be on the rise. Reading and writing are not senses like sight and hearing. You can hear car tyres screech or see a naked woman cavort, but not quite so if you are reading: books don't usually laugh, cry, jump, kiss, shoot, sneeze, converse.

Reading, compared to listening or watching, has a secret weapon: imagination. When you read you can conjure up your own mental pictures, turn these around in your head, shape and retain and enjoy them for all they're worth. You are not bound by the fleeting two second film clip or sound effect.

### **TRASH AND TREASURE**

Moreover, newspapers have come a long way since photographs could be reproduced and printed by the thousand. Still as these are, they can even be colourful, attractively laid-out to illustrate stories, or leave some space for captions.

Printing from Gutenberg, Coster and Caxton in the fifteenth century (when runs of the same text could be produced), to developments in communication (when trains and later planes could carry these), revolutionized and greatly extended the currency and clout of the written word. In 1992 Europe it is worth recording that the Mainz goldsmith Johann Gutenberg began experimenting with 'artificial script' when he was a political exile in Strasbourg. Other early centres of printing were Avignon, Bruges and Bologna.

As satellites and spaceships compete with or complement telexes and fax machines, the printing presses roar on. But then, reading a paper is a quiet affair. No din.

A newspaper can even be instructive, depending on who writes for it, and how. Whether it is merely a crudely commercialized sensationalist-

news-mongering or page-three-splashing broadsheet or an exchange-and-mart 'trading post' variety, or a more subtle enterprise, objective, sobering, critical and analytical tool, with a Bernard Levin or even a Peter Ustinov to grace its pages. Disgusted by the amount of trash that was already appearing in his own day, Tolstoy in 1866 went so far as to curse the diffusion of printed matter as 'that most powerful engine of ignorance'.

But trash was not all that was appearing in print. Judging by the stature acquired by, for example, *The Times*, even before the abolition of the Stamp Act of 1712, or reviews of the calibre of, in France, the *Nouvelle Revue de Paris* from 1866, or, in Italy, the *Nuova Antologia*, also from 1866; or the tens of thousands of copies sold of pace-setting books from Voltaire's *Candide* in 1759 to Goethe's *Werther* in 1774 to Macaulay's *History of England* in the following century, together with works by Manzoni, Hugo, Dumas, Thackeray and Tolstoy himself.

Such authors increasingly engaged themselves in public debate carried out in the more widely circulated newspapers and magazines: indeed they were among their most prized contributors.

## THE NATIONAL CHARACTER OF JOURNALISM

In essence, the scope of journalism has not really changed very much over the last two centuries. Styles and methods have changed drastically, but the preoccupation with information and entertainment has continued to be central. There are limits even to '*Homo publicitarius*', as Bernard Wouts of *Le Point* calls him (*La Presse Entre Les Lignes*, Flammarion, 1990):

*'ni la télévision ni la radio n'ont su créer des mythes comparables à ceux qui traversent l'histoire de l'écrit: Gutenberg, la première impression de la Bible et l'essor du protestantisme, l'Encyclopedie de Diderot et la Révolution française, le "J'accuse" de Zola, l'honneur d'un capitaine et celui d'un pays; et encore le Watergate ou Greenpeace.'*

Naturally journalism is everywhere sensitive to human environment, to history, culture, mentality. In this sense one can speak of a national character of journalism: journalism, that is, as a reflection of and an influence on its human environment.

Whether that influence is good or bad depends on publishers, editors, printers, reporters, investigators, columnists, designers, distributors, photographers, and the readers themselves. Influence can hardly be indifferent in this domain: this is a contradiction in terms, for indifference is a sure recipe for a publication's death. 1989 has shown how even in government-controlled information-monopoly situations, the public never really warmed up to the newspaper. *Pravda* was not the truth, and everybody knew it.

Monopoly is not enough; it usually makes things worse. Getting accustomed to a monopoly situation is probably worst of all: the fall will be big and quick. One cannot expect the same sort of people to be able to respond alertly to radically changed circumstances - especially, as in the former Soviet empire, when such types would have progressed in their "journalistic" careers precisely for not possessing the qualities which ought to make journalists and newspapers, thinkers and writers. I mention this as an acute case of 'national character' in the history of journalism: in this case a 'character' dominated by a totalitarian political system.

Both Mussolini and Hitler were very much aware of the uses that could be made of newspapers - and of the electronic media, both radio and film. They exploited and abused these ruthlessly, ridiculously and, while they lasted, effectively. (Just watch, say, Leni Raufenstal's *Triumph of the Will*). They were not (are not) the only ones (think of China, for example).

## THE HISTORICAL PHASES

In addition to what I have called 'national character', we also need to look at the times: the 'historical phases' in which newspapers are formed and shaped. 'National character' and 'historical phases' are normally two sides of the same coin. Individuals also matter, sometimes very much so. In situations where states and/or political systems interfere directly with newspapers, 'national character' is most conditioned - and for a period, deformed - by the 'historical phase'. We have to take the long-term view to try and construct a national history of journalism. Without abandoning events and trends elsewhere, this is what I propose to sketch for Malta.



Gio Francesco Abela, father of Maltese historiography and Malta's first Government Censor of Printed Works



Gio Francesco Abela's *Descrizione di Malta* was published in Malta in 1647.

## ENTER THE PRINTER

Journalism is intimately bound up with printing. When Dickens wanted to praise freedom of expression, it was the printer he eulogized in the first place. This is like that famous dissident's reflection on thought in Russia: what did not exist was the freedom to express it. The printer is the one who actually starts up the machine and produces the print to go around. He, in a sense much more than the writer, assumes responsibility for making 'it' happen.

As recently as the 1980s in Malta, when Toni Abela and Wenzu Mintoff pinned their historic manifesto to the door having been kicked out of the MLP, there was a rumour that no printer could be found (or easily found) for their new *Alternattiva* publication. I would have no difficulty believing it, given the circumstances of those (still very, very recent) times.

The point is the printer: the one who produces the readable matter for the

public to consume. I can make the point in many different ways to say the same thing. History does it best. When the first printing press was opened in Malta under the Knights, in the seventeenth century, it was soon enough closed down, and that was the end of it for a century. The tortuous paths from de Fiore's press in the 1640s to Capaci's in the 1750s are documented in J.F. Grima's instructive little book recently out from the Valletta Publishing Company.

## CENSORSHIPS REAL AND FANCIFUL

Censorship! The printer's chief enemy - and the writer's - has been censorship. Censorship is a state apparatus or a power clique doing their damn best to keep the lids on, to shut up those with something to say - and, worst of all, those with something to say in a lasting, permanent and visible fashion: by means of a printed piece of writing. (Or, much later, through other means: hence Radio Free Europe, Richard Muscat, etc.) The concern was not only obscenity: censorship was moral and, still worse, political, especially perhaps in countries where obscenity and moral licence were quite alright.

A prime agent of censorship has no doubt been the Roman Catholic and Apostolic Church, burning heretics at the stake, index of prohibited books and so on; but there have also been important moments when this same church (or at least individual members of it) acted as a pivotal agent of resistance to oppression and as a beacon of hope, even of justice. Under the Knights a printer in Malta needed as many as three '*imprimaturs*': the Grand Master's, the Inquisitor's and the Bishop's. To spread the word by means of printed matter was no joke. Since time immemorial humanity has known emperors censoring, enslaving and torturing subjects in myriad ways.

Wherever there is a preoccupation with Right, often another term for Power, and consequently with Sanction, there is bound to be censorship. Let us not kid ourselves: in one form or another there is always, everywhere, a degree of censorship, alas. Censorship is also in the law. Thus swimming without clothes on is prohibited by the law as a societal norm, depending on the society, or at any rate on its legislators and moralizers: it is, that is, a censorship of man's natural state in public (you have to go *in* and to get *out* of the water). Worst of all, censorship is in the mind. Much depends on the human

condition in general or at a given moment or in a particular place. There have been *good* reasons for all that too.

One of the early and great defenders of the liberty of unlicensed printing was of course John Milton in the seventeenth century, a *Puritan*. '*Whoever knew truth put to the worse*', he wrote in his **Areopagitica**, '*in a free and open encounter?*' Who indeed?! This Milton quote was the motto of one of the earlier Maltese weekly newspapers in English, that owned and edited by Sigismondo Savona in the 1860s, called appropriately enough *Public Opinion*.

For his book **Public Opinion** in 1922, Walter Lippmann chose the famous '*underground den*' passage from Plato's **Republic**: from their childhood men had been chained in this cavern seeking the light at its mouth but with a fire blazing all around them:

*'They see only their own shadows, or the shadows of one another, which the fire throws on the opposite side of the cave... How could they see anything but the shadows if they were never allowed to move their heads?...And if they were able to talk with one another, would they not suppose that they were naming what was actually before them?'*

# 2 CENSORSHIP ABOLISHED

*No sooner is the press made free that publications of all kinds mushroom by the dozen. This chapter outlines their first trends and troubles.*

In 1812 Napoleon's grip on Europe was still strong, even as the Battle of Borodino, immortalized by Tchaikovsky, began to sound his empire's death knell in the Russian snows. It was in this year that the first royal commission sent to Malta from London, of which the civil commissioner Hildebrand Oakes was himself a member, concluded that no portion of representative government could be granted to 'a people so singularly unfitted' to receive it.

## THE WIND OF CHANGE

In such a climate no civil freedoms could be expected by the Maltese, even though Maltese leaders had continued to demand them. The first governor Malta had, Maitland, ruled with an iron hand, and no improvements in that direction materialised during his term, whether in Malta or in the Ionian Islands, which he jointly governed.

Change comes with the replacement of the British old guard associated with the Iron Duke, Wellington, and the emancipation from the traumas of Napoleonic times. The eighteen thirties signalled important changes of movement and of mood throughout Europe, from the liberal uprisings in France, Italy and elsewhere, to the independence of Belgium and of Greece.

What was most important for Malta was the change of government in Britain, when the liberals under Earl Grey finally broke the conformist establishment mould of the previous era. It is in this context of Europe and Empire that the chances of press freedom improved markedly.

The first step was the appointment of a royal commission quite different in its composition from that of Oakes's time. Sir John Austin and Sir George Cornwall Lewis recommended, *inter alia*, that the censorship be lifted and newspapers and books allowed to be freely printed in the Maltese islands, as these were, indeed, in the Mother Country. Whereas printed material from abroad could be imported, locally printed materials used to be subject to government censorship.



George Mitrovich

One of the ironies of this time was that Maltese 'agitators', such as Giorgio Mitrovich, could print their speeches and leaflets about Malta in London but not in Malta. Mitrovich remarked on this contradiction of the principles of liberalism and representative government which Britain pretended to uphold (for herself).

It was largely in response to the Mitrovich-propelled patriotic party that the Austin-Cornwall Lewis commission came and, after meeting many Maltese exponents, recommended press freedom.

### THE RUSH INTO PRINT

Ordinance No. IV of 1839 made book and press censorship illegal, unless there was good reason for it. Considering that book and press censorship were not abolished in Germany before 1848 and in France not definitely abolished before 1872, Malta was not doing too badly.

Already by 1838, when it was known that press freedom was in the pipeline, we get the first Maltese papers. These were published, typically, in Italian, intended obviously enough for the literate market. Thus we get pioneering titles like *Lo Spettatore Imparziale* and *Il Portafoglio Maltese*. In the 1850s, over a six year span, we get *L'Indipendente*. From the very



start the history of Maltese journalism to date is littered with titles and subtitles boasting of 'impartiality' and 'independence': in a Maltese historical context, one could hardly think of a more hackneyed and possibly meaningless title for a newspaper. On the other hand, it was interesting that such titles or attributes should have been so marked, when suspicion of government, church and later party influence was paramount.

Such titles as appeared before the late 1830s, of which the longest-lasting was *Il Cartaginense* between 1804 and 1810, were under government licence and from the government press; other printing presses tended to be confiscated, whereas those few who were granted the right to print were mostly British (Protestant) missionary societies. What was at issue was 'unlicensed' printing. Some 'harmless' publications, especially if anti-French, did appear; we also had Mgr Ludovico Mifsud Tommasi's litanies of prayer, usually in verse form or stanzas, known as *kurunelli*, a first boost for Maltese.

The Maltese church was not among the champions of a free press during the 1830s; it was conscious and fearful of the proselytizing tendencies of some Protestant missions and of the possibility of rivalry, competition and criticism. It was the secular patriotic party of individual liberals like Mitrovich and Camillo Sceberas that most strove for this important measure. Travels to London by Mitrovich had to be financed by public collections.

His addresses and petitions printed in London in both English and Italian were circulated in leaflet form, and gave rise to agitation in political circles, but naturally they could not be more widely circulated until after 1838-1839.\*

Once the censorship was removed and one no longer needed to print overseas what one intended for Maltese consumption, the church and Catholic organisations became fervent utilisers of the new freedoms. Slowly, the use of Maltese crept in too, especially in the more popular satirical publications which used to be read in coffee-shops and village venues. Cartoons also acquired a certain popularity and saved the illiterate from feeling totally excluded by this new medium of circulated gossip, news and comment in

---

\*In the main we have two studies of relevance here so far: one an unpublished First Class History Honours thesis on Mitrovich by Hector Mercieca; and the other Dr Robert Farrugia Randon's recently published study, using family archival materials, on Camillo Sceberas.

**L' APE MELITENSE**  
GIORNALE DI MEDICINA

**BRIGHELLA**  
FOGLIETTO POLITICO SEMI-SETTIMANALE.

Settembre 1838.

N.° 1. **Num. 1.**

FOGLIO D'AVVISI,  
Il dì 8 Ottobre 1803.

**PORTAFUOCIO MALTESE**

**THE HARLEQUIN,**  
ANGLO-MALTESE MISCELLANY

Thursday 14th July 1838.

PRICE 3 Halfpence.

PROSPETTO.

Questo foglietto si pubblica ogni due giorni cioè il 20, 22, 24, 26, 28, 30, 31 di ciascun mese. L'abbonamento è di 1000 Maltese o lire nuove per ogni mese numerato e si paga anticipatamente. Ogni numero si circonda del titolo "Foglietto politico" e non soggetto più alla censura. La abbonamento si circonda del titolo "Foglietto medico" e non soggetto più alla censura. Il prezzo di ogni numero è di 1000 Maltese.

Ango L. MALTA, Lunedì 20 Agosto 1838. No. 1.

CON DOTT. LEONARDO BOTTI LINGOLFI.

DEB. CAV. L'ESTÀ

Con dono, il topi  
zortilo del mio  
moco, a te e a?  
dell'avvento?

Ma! pensiamo appliche alla Valletta (detti alla dirigetè Uerzetta è Corazzata...  
me "Come siete solo ad abbandonate, e  
cristi altre volte ci pinto pi grata?"  
In seno la Valletta nell'isola è un de-  
no ) ed appan di rimozione crassa

PREZZO 3s. SABATO 15 MARZO 1838. NUMRO 1.

Some of the newspapers and other publications which appeared in Malta in the first half of the 19th century

cheaply-priced printed formats.

There was a rush of such papers, not always in Maltese or only in Maltese, from *Brighella* and *Bertoldu* in the late thirties, to *Giahan* in the mid-forties, to *Don Basilio* in the late sixties, and many others subsequently - all the way down to literary gems of partisanship in contemporary times such as *Ix-Xewka*, *In-Niggieza* and *Il-Mhux*.

### MALTA'S FIRST PAPERS

The first monthly paper, *Lo Spettatore Imparziale*, bore the mark of its editor, Canon Fortunato Panzavecchia, an educationist interested in the Maltese language, in Maltese history and the scriptures, whose writings and translations are currently the subject of examination by the German scholar

# L'ECO

## DEI TRIBUNALI DI MALTA .

Anno primo

Sabato 29 Aprile 1843.

Num. 1.

### A' BENEVOLI LETTORI.

Ch'è mai la pratica giurisprudenza? Se vuoi si prestar fede alle grette e meschine definizioni che fin qui da taluni si donarono, "è raccolta di decisioni contraddittorie, tutt' al più buone nei pratici--un immenso arsenale ove ciascun trova un' arme per offradere od attaccare."

Ma, da senno, non è altro, che questa la giurisprudenza? Le operazioni sue, sono così strette ed anguste che si limita, aggirandosi eternamente per un circolo di privati interessi, a far perdere o guadagnare processi? Sola in fine, tra mezzo agli elementi sociali che accen-

circolo della sue interpretazioni aspira a collocarsi in suo luogo.

Or nissalla scienza abbisognando ognora di rendersi vieppiù popolare che non è, non soltanto dai tribunali, ma pur per organo dei fogli dischiude le sue dovizie.

E se si volesse stare a sentire coloro che tengono qualsivoglia novità come cosa imprudente, inutile, ed anco dannevole e perniziosa sarebbe davvero un pentirsi un rammaricarsi eterno di aver dato opera al ben fare. Nel nostro paese dacchè la Madre-Patria n'elargia la benedizione della libertà di stampa vari giornali sono comparsi, del che se molti uomini ed i migliori ne si sono piaciuti, non son mancati di altri e non privi

The first issue of *L'Eco dei Tribunali di Malta*, published in 1843

Reinhold Kontzi at Tübingen. *Il Portafoglio Maltese* followed a month later.

Two more controversial publications - *The Harlequin*, in English, and the Risorgimento organ *Il Mediterraneo*, mainly in Italian - came out in subsequent months during the same year. There were more than two dozen 'papers' within a year, more than five dozen within a decade. Most started with fanfares but, in retrospect, had a short history. One of the earliest steady-going weeklies in English was *The Malta Times*. These papers effectively broke the monopoly hitherto enjoyed by the *Malta Government Gazette*, whose predecessor may be said to have been *Le Journal de Malte*, also an official broadsheet, during the French occupation.

### THE CULTURAL PARAMETERS

The cultural parameters within which Maltese journalism emerges are colonial (British) as much as they are geographical (Italian), spiced and peppered by what is particular, peculiar but also innovative and seminal

Anno I.	Malta, 22 <sup>o</sup> Gennajo 1876.	Num. 2.
<h1>L' ECONOMISTA DI MALTA</h1>		
<p><b>Abbonamento.</b></p> <p>Anno . . . . . Rs. 6d.          Sei mesi . . . . . 4s. 3d.</p> <p>Un numero separato          Soldi 2.          Arretrato Soldi 4.</p>	<p><b>RIVISTA EBDOMADARIA</b></p> <p>di Finanza, Commercio, Navigazione, Agricoltura,          Valori, Statistica, Lavori Pubblici e Politica.</p> <p><b>Indicatore delle principali Estrazioni Finanziarie.</b></p>	<p><b>Direzione.</b></p> <p>Tip. Gutenberg, Via          Brema, No. 15,          Floriana.</p> <p>Si pubblica il Sabato.          Ogni numero consta di          8 pag a 3 colonne.</p>
<p style="text-align: center;"><b>GL' IMPIEGATI.</b></p> <p>La questione della condizione economica dei funzionari pubblici, è, può dirsi, all'ordine del giorno in quasi tutta l'Europa! La ragione ne è evidente. I prezzi delle cose, sia per il continuo aumento del consumo, sia per il crescere della popolazione, sono in perenne incremento, e, da un decennio all'altro, si riscontra, nei prezzi di ogni cosa, un divario sensibilissimo.</p> <p>Gli assegni degl' impiegati, invece, ben raramente vennero aumentati; ed i governi, qualunque ne sia la forma e l'importanza, cominciando dal più</p>	<p>stanza di che soddisfarli, quando non si è in condizione di provvedere in equa misura al sostentamento della famiglia; non si ha e non può pretendersi si abbia sempre quella tranquillità d'animo, quella serenità di mente, che, alla trattazione dei pubblici affari sono indispensabili.</p> <p>La questione della condizione economica degl' impiegati non è sorta da ieri tra noi; è da molti anni che si discute dai giornali ed in Consiglio. Che i bassi impiegati di tutti i Dipartimenti locali, non sono abbastanza retribuiti è una verità passata oramai nella coscienza di tutti.</p>	<p>amministrazione locale, già bastantemente disordinata.</p> <p>Da parte nostra non ci stancheremo di propugnare la causa dei burocratici; ed in altri numeri tratteremo l'importante argomento sotto i suoi molteplici aspetti.</p> <p style="text-align: center;">* * *</p> <p><b>Chi non respinge questo numero alla Direzione = Piazza Brema, No. 15, Floriana = si ritiene come abbonato per un semestre.</b></p> <p style="text-align: center;">* * *</p> <p style="text-align: center;"><i>La Direzione dell' Economista di Malta, volendo dare la più ampia diffusione a questa rasse-</i></p>

*L'Economista di Malta, a Saturday financial paper from 1876*

(Maltese). Imperialism, nationalism and religion are pivotal factors on which it rotates. Equally, however, mundane, parochial and personalised *ad hominem* concerns find vent in print - culminating, not infrequently, in the libel courts.

The four decades from 1830 to 1870 marked the heyday of the Italian Risorgimento and the struggle for and against Italian unification, with much controversy centering on the role of the papacy and the temporal power of the Pope. Partly because of the territories held by the papacy, Italian nationalism was often anticlerical.

What is important is the fact that many Italian exiles were based in Malta and their impact on Maltese journalism and political agitation and mobilisation during this epoch, even among Maltese intellectuals, was considerable.

The best study of journalism in Malta during this period, indeed one of the best studies of journalism history in Malta, is that by Bianca Fiorentini.\*

The clerical-anticlerical strain underlay at least a section of Maltese journalism - and internal politics - from the very start. As we know, when Garibaldi eventually visited Malta in 1864, he was both cheered and booed. Cheered by the liberals, radicals, anticlericals, republicans and assorted non-conformists who supported Italy's unification. Booed by Bourbons and their fellow travellers who had been forced by events to leave Naples and Sicily, or who feared or otherwise opposed the new state-in-the-making, or wanted to see 'Il Papa Re'.

Although circumstances have changed significantly, the *Lega Lombarda* and similar movements today are merely a reinforced contemporary version of a particularism and regionalism which never quite disappeared from the Italian scenario, even during the Risorgimento itself.

A fundamental difference in disposition and approach was made evident by the Risorgimento as reflected in sections of the Malta press, with the bishop condemning the exiles, supporting Pius IX and his territories, and afraid that Maltese would be influenced by these Italians 'whose language they spoke'.

In the mid-fifties about three times as many Maltese knew Italian as they did English. Episcopal and clerical pronouncements to the effect that 'the Maltese' opposed the republican movement had to be taken with a pinch of salt; there is no doubt that several Maltese 'pro-Italian' individuals were sympathetic to the ideal of Italian unification, and indeed to the idea of nationalism as this was developing in British-dominated Malta. Patriotic campaigning was increasingly conducted through the press after 1839 and centred on rights to education and representation for Malta and the Maltese.

## THE ANGLO-ITALIAN MOULD

Generally speaking, the *Mediterraneo*, founded and edited by Italian exiles in Malta, was liberal, secular and nationalist, critical of British rule in Malta

---

\* See our select bibliography, Appendix L, p. 124

and of Jesuits, whereas the *Malta Times*, which succeeded *The Harlequin* and was successively edited by Englishmen, defended British and Protestant interests in the island and more generally in the empire; it opposed Roman Catholicism as the established religion. To my mind this brief overview already demonstrates some noteworthy trends and patterns in Maltese journalism.

First, even before political parties have formally come into existence in the 1880s, we have a polarisation that may broadly be described as 'pro-Italian' on the one hand and 'pro-British' on the other. In this incipient polarisation, we have Italians and Englishmen resident in Malta as protagonists, with Maltese adherents alongside. In other words, there is an external-internal dynamic at work.

Second, in spite of the overall camouflage of conformist Catholicism in the islands, there are underlying strains of opposition to or at least distance from officialdom, hierarchy and the establishment in religious matters. This was evident already to a very limited extent, from Vassalli's involvement with Protestant missionaries in the first decade of the nineteenth century. In other words, what appears on the surface may not be a true reflection of moans and groans at the bottom.

Third, the Maltese language begins to make headway as a written language by means of more popular publications: prints circulate more extensively in Maltese and reach a growing audience in towns and villages. However, there seems to be from the beginning a particular role assigned to the uses made of this language, as opposed to the two other languages of wider currency: publications in it tend to be more satirical or religious-oriented, with caricature tending to assume a more important role and the nature of discourse is somewhat different. In other words, Maltese was not expected to be read so much by the better-educated, better-placed members of society.

In these three tentative conclusions, there would be considerations of class and station as well as of literacy and means. Some such considerations may still apply in changed ways today.

A combination of all three aspects was steadily leading to the formation of a

better-instructed and 'public' opinion. This was to find expression in more overtly political forms: most notably in the quest for representative government. Newspapers assumed a more important role in national affairs.

# 3

## THE MAKING OF PUBLIC OPINION

*In this chapter Malta's first 'national' dailies are identified and their legacies traced down to the heady 1930s.*

The movement for representative government had two legs. One was a free press after 1838. The other was a Council of Government to which, after 1849, Maltese representatives could be elected. Although in a minority, these councillors were returned by secret ballot from the Malta electorate.

Elections became necessary. Elections required campaigning, a focus on issues, a debate among electors and those who took an interest in public affairs, whether or not they qualified as electors. Councillors spoke out in debates. Debates were reported in the newspapers. Newspapers brought up other issues for debate, then reported on the outcome, editorialising as they thought fit, inviting letters and articles from their readers, trying to cater for and to increase their respective audiences.

### THE FAMILY NEWSPAPERS

Urging this cycle on was the more or less popular and consensual aspiration that the Maltese ought to have a majority of elected members in the Council of Government. What in constitutional and imperial history is known as Representative Government. It was largely on this wave that the more enduring national dailies rode. They came into being at about the same time: in the eighteen eighties.\*

As might have been expected in accordance with out 'national character of journalism' theory, one - generally known as *Malta* - was in Italian, the other - popularly known as the *Chronicle*, in English. The languages and the titles were sufficiently indicative of the positions these papers favoured.

---

\* Newspaper distribution benefitted from improved literacy and communications, especially the railway from the early 1880s; it became easier to reach the outlying areas sooner. Established and important earlier newspapers would have been generally less 'national' in this sense too. Globally, the 1880s were also a time of heightened imperialism and nationalism.



The former opposed anglicization, the latter, describing itself as a 'garrison gazette', supported it, and was better patronized by advertisers. That was not to say it was necessarily the more influential in Maltese national politics, although it was more often enclosed with despatches to London than the *Malta* was. The *Malta* was often critical of government. Being in Italian, it required translation before it could be sent off to the Colonial Office. Translations took some time and cost some money.

The *Chronicle*, being in English and appealing to the large resident or sojourning community and their families, and being 'safer' for businessmen to advertise in, may well have attracted a larger share of the reading market. It could afford better communications links and acquired access to telegraph and agency facilities, eventually including Reuter\*. The *Malta*, by comparison, depended more on continental as well as the English newspapers and magazines, until the wireless arrived in the mid-thirties.

The styles were quite different too. *Malta* usually consigned its lead or editorial article to the front page, whereas the *Chronicle* gave up that space to advertising blocks. Both carried letters to the editor, often commented or even reported differently about the same event, and engaged each other in truth-and-falsehood tussles.

Both were family papers. Owners were editors. Editors were owners. They said pretty well what they liked. The *Malta* was essentially a paper of the Mizzi family, the *Chronicle* of the Bartolo family. In both cases, son inherited father and carried the standard forward in time by at least another generation, well into the thirties. Not just the newspaper, but also the standard. That is, families were standard-bearers for philosophies, for rivalries and antagonisms. They were *partis pris*. Enrico Mizzi succeeded Fortunato, his father, and Giuseppe, his uncle. Joseph and Augustus Bartolo took up where their father Antonio had left off. \*\*

What is remarkable was the language-party allegiance represented by these

---

\* In 1932 the *Malta* correspondent of Reuter was Joseph Bartolo, on whom more below.

\*\* Apparently Mabel Strickland held Anthony Bartolo (who passed away in 1935) in great respect but competition between the *Chronicle* and the new *Times* flared up unremittingly even in the advertising field after 1935. Bartolo senior was replaced as registered editor by his elder son Joseph (the father of Mrs Josephine Amato Gauci, to whom I owe this information), helped along by the much more prominent Augustus, until 1940. The *Chronicle* had moved its premises from the Piazza San Giorgio (the 'Main Guard') to *Strada Mezzodi* (South Street), where its long history came to an end.



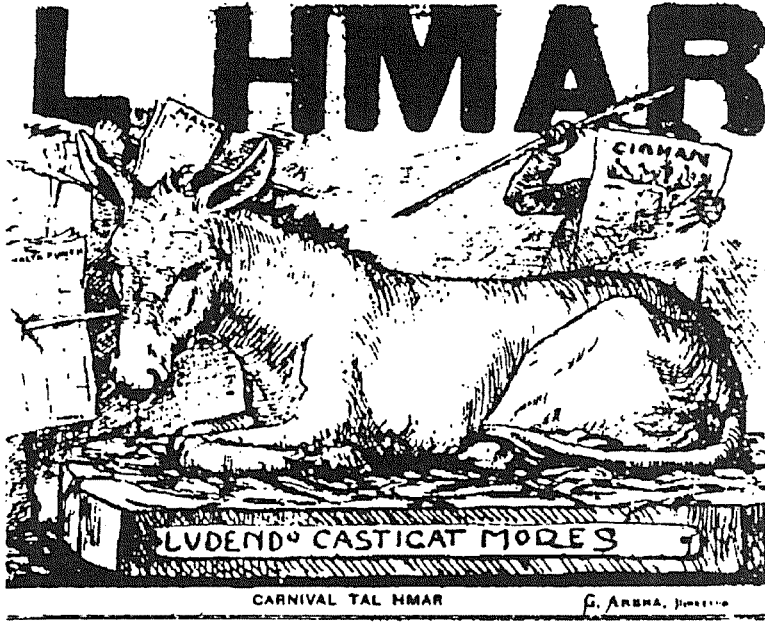
Two Italian-language periodicals published in the late 19th century.

papers: differences, on the whole, were symbolized by the very language employed for circulating news and ideas in Maltese society. Not only was there a polarisation caused by difference of opinion: there was an acculturation, or an induced acculturation, almost as if choice of paper implied a choice of party, or at least a mark of education, occupation or cultural-political disposition.

Malta was a somewhat faulted society in this respect. Although a section of the population would have read both papers, most would have pinned their allegiance to one or the other, not simply as papers but as a *forma mentis*. Such allegiances were consciously and unconsciously perpetrated and became institutionalized as streams. And yet we are always discussing a minority of the population, in numerical terms. Most people would have read neither English nor Italian.

### THE MALTESE LANGUAGE PRESS

By the turn of the century, the Maltese language weekly had made some inroads and was attracting its own market. Some such publications were



G. Arena's *Il-Hmar* and a cartoon attacking Sir Gerald Strickland as a dangerous mosquito

church-backed, as in the case of *Is-Salib* or *Il-Habib*. Others were variants of the already existing political formations, by this time the Savonian, Mizzian and Stricklandian.

In 1901 the first important Nationalist paper in Maltese, *Il-Poplu Malti*, sold more than the Savonian *Malta Ghada Taghna*, and about twice as much as Emmanuele Dimech's *Il-Bandiera tal-Maltin*. The manner of language and approach of such papers was generally less inhibited, or more explicit - all too explicit at times - than was the case with either the Italian or English language Maltese papers. Socially, culturally and politically they were of the utmost importance and began to unravel a dimension of Maltese social life which had hitherto not come out into the open so much or at all.

Dimech's *Bandiera* was one of the most intriguing and became quite popular until the bishop moved in to squash it in 1911. Another somewhat unorthodox paper at about this time was Agostino Levanzin's *In-Nahla*. Some of those with budding literary instincts found solace and space in such publications, although Maltese poetry continued to be composed mainly in Italian right up to the 1930s.

For mobilizing public opinion and support on a mass scale, the Maltese language press became indispensable. The police department realised this too, as may be seen from their support for the paper called (*niente poco di meno che*) *Malta Maltia!* So-called 'monster meetings' which started in the late 1870s assumed greater proportions by the turn of the century when the taxation and constitution issues dominated and were the opposition's battle horses against colonial government, popularly identified by now with Strickland's position and role.

## MORE COSMOPOLITAN INTERESTS

Many publications lasted less than a year or two. Others survived for a decade at most. Clearly, a wider variety of interests was coming to be represented, as may be seen from the following titles which came into existence before 1921, given here as indicators: *Il Ghannej*; *The Enterprise*; *Il Bon Pastur*; *Malta Army and Navy Gazette*; *L'Economista di Malta*; *La Chitarra*; *Il Ghafrit*; *Finanza e Commercio*; *San Paul*; *Lo Studente*; *Il Bircchino al Teatro*; *L'Afrique Maltaise*; *La Rivista Medica*; *Il Naturalista*

*Maltese; Youth; Propagazjoni tal Fidi; La Salute Publica; Philatelic; Il Habbar Ghawdx; Malta Football Record Book; Athenaeum Melitense; Il-Haddiem/The Worker; Archivum Melitense; Ir Rusariu Imkaddes; L Independent; Il Hmar; Il Calcio; Bollettino della Societa' Economico Agraria; The Teacher; Malta Letteraria; and many others.*

There you have a developing cosmopolitanism hand in hand with obvious parochialisms and traditional and devotional pursuits. Leisure begins to come into its own - from football to philately. So too professional reviews about medicine, health and hygiene, music and theatre. There is a growing concern about economic and commercial activity, and a slowly-emerging working class consciousness. It seems that intellectual and cultural publications were more numerous (if not superior in standard) to what Malta has today.

Censorship naturally came back in wartime, and again for a while in 1919, at the time of the *Sette Giugno* (when the pro-British Bartolo press facing Piazza San Giorgio was destroyed), and again during the second world war.\* On the whole, however, in spite of size and a small internal market, Malta has had a bewildering run of publications of all kinds, with the single most commonly recurring title probably being the *Giahana*.

## PARTISAN STRAINS

With the advent of self-government in 1921 and competition for office among the four parties lining up in the general elections of that year, we get another spurt of newspapers which, still more so than before, were partisan in inspiration and in interest. Among these were *Il Progress* (Strickland), *L'Eco di Malta e Gozo* (Nerik Mizzi), *Labour Opinion* and the Panzavecchian *Patria*.

An historic development in the 1920s was Strickland's founding of the Progress Press, the most advanced printing press in Malta at that time, and one that assumed very considerable importance in the history of journalism. This encompassed both Maltese language papers *Il Progress*, 1921-1932; *Il Berka*, 1930-1968, and other generally less important ones, such as *Ix-Xemx*,

---

\*The daughter of Sir George Borg, then lawyer-editor of *The Malta Herald*, recounted to me how in the *Sette Giugno* her father had helped the Bartolos to safety across the Kazin Malti rooftops to his apartment in Strada Rjali. The Chronicle press was rebuilt with insurance money and other subsidies.



A cartoon in one of the Maltese-language newspapers in the Twenties lampooning the Nationalist prime minister, Sir Ugo Mifsud. (Note the play on the surname).

and English language papers.

First, in a sense, there was *The Sunday Times*, founded initially as the *Times of Malta Weekly* in 1929, later becoming a fully-fledged Sunday in its own right; and there was of course *The Times of Malta*, from 1935 onwards. *Malta* and *Chronicle* carried on, the latter eventually making way for the *Times*. The veteran journalist and current President of the Press Club (Malta), Anthony Montanaro, wrote thus in 1985:

*'Il Progress...had its own printing offices at what was then 10A Strada Reale, in Valetta. A new phase in local journalism was introduced with the publication, on February 3, 1922, of an English supplement to Il Progress. Two years later Il Progress and its English supplement became The Times of Malta u Il Progress, each consisting of eight pages published alternately in English and Maltese. This pattern of bilingual journalism was to be adopted again and again in local journalism. It never quite caught on for*

any length of time, as editors and publishers eventually changed to either one or the other of the two languages.'

Before the *Sunday Times* entered the fray, the longest run belonged to *Malta*, with the *Chronicle* a close second. Earlier the longest lasting paper had been *The Malta Times*. In retrospect, *The Times* has now overtaken the *Malta* in 'durability'. Apart from a specialized publication such as *Lloyd Maltese*, however, the longest-lasting mass circulation paper in Malta has been another one, discussed in the following chapter.

From the start of press freedom there had been several individual publishers - a family name like Cumbo probably survives in the trade to this day - and some of these publishers were quite enterprising, given their limitations. None had ever had the technological clout of the Progress Press or indeed the political and financial patronage that this enjoyed and employed. Nevertheless another characteristic of the inter-war period was the increasing number of increasingly vigorous and influential, less orthodox and sometimes anticlerical, Maltese language papers, such as Arena's *Il Hmar*, Gino Muscat Azzopardi's *Dr Xecckec* and *Il Cotra* which replaced *Labour Opinion*.

John Chircop among others has looked at such publications, indispensable for an understanding of the inter-war Labour Party and the *Ghakda Socialista Maltija*. These papers were usually labourite and/or Stricklandian. But certainly not always so. The 'donkey' (*sic*) was countered by the 'giant' (*sic*). When, under Strickland's first (and last) administration (1927-1930) the first Maltese journalist was sent to jail for alleged breach of privilege - Antonio Salafia - it was in the Maltese language nationalist paper that he had openly defied the government. He was followed to prison by 'il-Gross' for much the same reason.

As in the case of *Il-Bandiera* before the first world war - and to a lesser extent, at one point, the *Malta* itself - papers associated with Strickland suffered from episcopal censure in and after 1930, but for many reasons they were in a much better position to resist and to come through that. Something of a novelty and a rarity was the pro-Nationalist paper in English, *Mid-day Views*, edited by Carmelo Mifsud Bonnici (not Karemnu - 'il-Gross'). Other developments took place in such things as caricatures, cartoons, photographs and illustrations. A frequent occurrence was a slight change in the title as a

consequence of libel actions e.g. from 'News' to 'Views' or 'Hmar' to 'Hmara'.

## THE FEAR DYNAMIC

All told, however, Maltese journalism was caught in a time warp of sorts: one from which it is still struggling to emancipate itself now. The inter-war period after 1927 was full of tensions leading to the suspension and eventually the revocation of Malta's self-government. After the Abyssinian war had greatly strained Anglo-Italian relations in the mid-thirties, these were never the same again until after the war. Nor could Malta's general situation be said to have assumed as much as a colonial normalcy before 1945.

Suspicious of disloyalty and preoccupations with loyalism in the thirties were paramount: even the introduction of Rediffusion, with Edwina Mountbatten as an announcer, was heightened and spurred on by the advent of Italian wireless. Noms-de-plume were the rule, not the exception.

The Malta press, especially of course the opposition press, always had a fear dynamic that inhibited and stymied what it or its readers said and did, what thoughts it actually publicized and how. It laboured valiantly on, reacting and over-reacting to such often invisible restrictions its own ways. Another deterrent to uninhibited discourse in the Maltese media was the church. Whether implicit or explicit, the presumed standard belief ethic and norm was omni-present. Last but not least, in so small and densely packed a society, there were also tendencies in certain sections of the press (surprise, surprise) to run riot and abuse of their powers by insult, insinuation, innuendo, sensational inventions and hypotheses, *ad hominem* attacks even sometimes of private persons, and outright libel.

More than other politicians, Strickland used the libel law as a strategem to intimidate opposition and have his way or to gain time or delay implementation of what he disliked. He was not too successful in these libel cases. He usually lost them.



*Coming closer to our own day, this chapter sizes up the Church and the Lux presses.*

Although the condition of Maltese journalism has been changing, more rapidly so in the last few years, the links with its past are still important, even if not always readily visible. After the second world war, as after the first, Malta got a self-government constitution, which again ushered in party political competition for office. The post-war resurgence in newspapers was partly the result of social and economic changes brought about by wartime and the renewed campaigning and electioneering.

Once again, that is, the party political dimension of Maltese journalism was omnipresent. Important shifts nevertheless had taken place. Strickland had passed away in 1940, during the war, and his one time Constitutional

Malta, Venerdì, 20 Gennaio 1939

# MALTA

Quotidiano Nazionale

---

## onio britannico e dei diritti maltesi

nostra Isola. Ovunque egli avrà  
Malta non è un'isola sconosciuta  
Governo rappresentativo, che il  
Consiglio Esecutivo tiene le  
sta a parte chiusa, come la *Star*  
di cui conosce le origini e  
sione, mentre i suoi membri  
che non sono eletti da questa  
sione, ma nominati dal Governatore  
a cerchia dei suoi paladini.  
è proprio qui a parlare di liber-  
tari costituzionali e di simili

patimento e che gli applausi sono ap-  
punto scattati come un rumoroso com-  
mento di allegria a quelle sue an-  
trovate, in urlo colla logica e con la  
realtà della nostra vita.

Nes.

**Un completo di borbonici  
svizzeri a Malta nel 1893**

Consolo italiano. Da quelle lettere risultava fare  
che il Pita tentava di arruolare localmente l'un-  
qualtro o cinque persone rimaste ignote per non  
prendere parte alla spedizione contro il Me-  
lazio d'Italia.

Evidentemente il Pita ebbe sentore delle  
indagini che si andavano operando a suo e in  
riguardo, e il 16 aprile 1893 partì da Malta di  
come da informazione mandata da Slythe al-  
l'Avvocato della Corona, il quale il 17 susse-  
guente riportava il suo esposto al Governatore  
l'Autore. Questi era dispetta del nostro  
1893 informava gli esecutori Pita che il  
Slythe - tuttavia gli esecutori Pita che il  
le notizie che si erano andate pubblicando  
ne, quasi italiani, e le notizie andate pubbli-  
dalle notizie inglesi, circa vaste spedizioni  
organizzate in Malta per creare disturbi nella  
provincia meridionale dell'Italia da parte di  
Huguesi lotteggianti di molto esagerate da parte  
di borbonici che, salerati per creare quei  
disturbi, avevano tutto l'interesse di lavare

A pre-war number of the Italian-language Nationalist daily, *Malta*, which stopped in 1940

Party would never be the same again. With all due respect to his energetic daughter Mabel, under whose direction the Progress Press moved ahead, Strickland's demise left a resounding vacuum in the political sphere, one that was largely filled by the suddenly all-important Labour Party led by Dr Boffa. The pre-war union branches and *societa' di mutuo soccorso* dwindled further as a general workers union emerged, rather on the British model, to spearhead social and political changes. The Nationalists, several of whom like Nerik Mizzi and Herbert Ganado had returned from their exile in Uganda, licked their wounds. In the circumstances Mizzi The Younger still found the strength and courage to resume his political career and journalistic writing.

After the 1947 elections, won in a landslide by Labour, Mizzi popped up as Leader of the Opposition. The *Malta*, published in the afternoon, only died with his arrest in 1940 - and was somewhat replaced by *Il Patria* in 1947. Three years later, when Mintoff had split the Labour Party, Mizzi stepped into the breach as premier; but the *Malta's* disappearance in 1940 effectively marked the end of 'mass' Maltese Italian language journalism.\*

## SLIDES AND SHIFTS

These were heady days when some third party experimentation also took place, usually represented in party 'newspaper' organs. One such grouping was the Democratic Action Party, known as DAP, mainly a business faction seeking political influence. Although an established third party was never part of our political system, the emergence of third parties, with their 'voices' in print, is a recurring phenomenon. There were, as there always are, a number of such relatively short-lived initiatives; here I shall concentrate on the mainstream post-war press.

Some quite noteworthy shifts took place then as a result of earth-shaking wartime experiences and the consequent resumption of self-government. As in 1921, so too in 1947, the changed constitutional status of the islands encouraged new initiatives. New parties, new papers. These were, in part, a reflection of socio-cultural change, as were the political parties themselves.

---

\* According to British Intelligence *Malta* only had a few hundred subscribers but was influential in Italy. The Mizzi archives are known to have a list of these subscribers. Distribution of *Malta* in the 1930s could be risky. The newspaper started in Rome during wartime, also called *Malta*, was an altogether different publication.

## THE CATHOLIC CHURCH PRESS

The strongest continuity factors in journalism were probably the church-backed or Catholic-inspired press, whose carrier remained *Leñen is-Sewwa*, and the Progress Press, which in addition to the *Times of Malta* and *The Sunday Times of Malta* still had, also, *Il-Berqa* until 1968.\*

*Leñen is-Sewwa* had been founded as a Catholic Action paper in 1928, shortly after Strickland had come to power and the first bursts of anticlericalism. In September 1988, it celebrated '60 Sena Ta' Hidma'. With a more or less constant run of over 64 years, starting on 1 September 1928, *Leñen is-Sewwa* today may fairly be described as the doyen of Maltese journalism. It had six principal editors: Mgr Enrico Bonnici (1928-1930), Mgr. Prof. Arturo Bonnici (1931-1933), Dr Herbert Ganado (1933-1939), Mikiel Caruana (1939-1942), Mgr. Salvino Bartoli Galea for thirty years (1943-1973) and its present editor, the legal procurator Paul Saliba since 1973. Far its most important contributor and later editor was to be Dr Herbert Ganado, who resumed his relationship with the paper on his repatriation from exile after the war.

Herbert Ganado, historically, is one of the more outstanding Maltese language journalists that Malta ever produced. A devout but socially-minded Catholic, Ganado was able to blend wit and humour with moral commitment to a cause and with a personal cultural accomplishment; he had an easy turn of phrase and kept abreast of the times as best he could. He was instrumental in *Malta Taghna* in the 1950s and 1960s, when he entered the political fray with his striking pen as a much greater ally than his hoarse voice.\*\* Of course *Leñen is-Sewwa* was not a one man band: many ecclesiastics and dignitaries played an important role in its history, such as Mgr Bartoli-Galea. Although not now a daily, it remains the only Maltese publication of its kind that is self-sufficient through sheer strength

\* In January 1993 Lawrence Grech, Editor of *The Sunday Times*, said he had it on the authority of Capt. E.J. Agius of Progress Press, that during the Ghallis murder trial in 1956 *Il-Berqa* sold as many as 66,000 copies daily. If so, that constitutes undoubtedly a record in the history of Maltese journalism, probably an unbeatable one. *Il-Berqa* until 1962 was the only mass circulation Maltese language daily and reported such trials in detail. Public interest in these macabre events may be gauged from the following accorded to the admittedly most unusual trial of Lawrence Pullicino, Malta's former Police Commissioner, in early 1993, concerning Nardu Debono's "escape from the Police Depot" on 29 July 1980.

\*\* *Malta Taghna* was the name of an earlier rather different paper in the last quarter of the nineteenth century; it is a patriotic title that recurs, however much the approach, content and readership may differ. See the chart in Appendix J, p. 114



Another interesting church press experiment, a more unusual one, was the publication of an English language weekly, *The Maltese Observer*. It was edited for some years by Tom Hedley, former editor of *The Times of Malta*.

The boldest church attempt to strike home was *Il-Hajja*, started as a daily in the late sixties, with the former Director of Education Salvu Gatt as its editor. *Il-Hajja*, very originally, described itself as an independent newspaper, which it strove to be, desperately under my own editorship in 1970-1971, but it was financed by the episcopal conference, in other words, owned by the Curia.

A rapidly increasing circulation for the paper was not sufficient inducement to tolerate independent stands, quite the contrary as it turned out. After staggering on for some years it folded up and was replaced by a weekly, *Il-Ġens*, printed at the Media Centre in Blata l-Bajda, which we had started work on already in 1971, the year of the change of government.

Of the six newsroom staffers in my time, three went to television - Joe Dimech, John Inguanez and Alfred Musu'; another to *In-Nazzjon* - Michael Caruana; a fifth, Charles Buttigieg, became the Curia's publicity officer. Our main and promising photographer, Edgar Terribile, left Malta. Some of the paper's leading correspondents, such as Oliver Friggieri and Lino Spiteri, stopped their columns in 1971 when I left; others, such as Maurice Eminyan, felt constrained to carry on. Not long after my departure, however, what was left of the editorial board - two priests and a monk - mysteriously stepped down!

Probably *Il-Hajja*'s greatest scoops on the eve of the 1971 elections were the unprecedented full-scale interviews with Mintoff and Borg Olivier. Other scoops concerned the church herself, in particular the Easter Monday 1971 story about McKinsey's findings and recommendations on the church's properties and finances, which I had called "*Il-Gazzetti Ingliżi Jikxfu l-Karti*". None of the other '*indipendenti*' papers had the audacity, or perhaps the foolhardiness, to publish that story, which was dynamite.

Somebody had to pay for it, and he did. Researched and revealing articles about Manwel Dimech had to be stopped short, following direct intervention by the bishops, and so on. I remember one incident when on arriving at my

office in the morning, at the Catholic Institute, there was Archbishop Gonzi sitting at my desk, furious, that *Il-Hajja* had reported his blessing of the Regional Road plaque, in the presence of Lorry Sant.

The tunnel, built under the Nationalists with Taiwan money and inaugurated by their Socialist successors, had been named after the Chinese sage Sun Yat Sen, Manwel Dimech and Guze' Ellul Mercer. We had to carry a correction: it was the tunnel, not the tunnel plaque (next to which he was standing in our caption story) that the Archbishop had blessed. He who pays the piper plays the tune, I guess. So much for that independent newspaper. The church printing press, also based at the Catholic Institute, and directed by priests, was called The Empire Press. The Empire Press gradually made way for the Media Centre, as *Il-Hajja* did for *Il-Gens*.

It should be said that after Progress Press, it was probably the church press milieu that most 'formed' and 'bequeathed' journalists to the Maltese market. The party presses would hardly exchange their journalists, although quite a few one time militant pressmen seem to have ended up at MTV in the mid-seventies.

## THE LAST OWNER-EDITOR NEWSPAPER

Unlike the Empire Press story, in another case, that of Lux Press and *The Bulletin* newspaper, nothing comforted their demise, paper, press and all. *The Bulletin* had certain unique qualities. In English, it was patronised very largely by a very Maltese readership (not at all a garrison or imperial services gazette, as the *Chronicle* had called itself, and indeed of a different inspiration). *The Bulletin* had two vital qualities for genuine independence: it was the last owner-editor newspaper concern in Malta, and it had its own printing press and quarters at Santa Venera.

Started in 1944 by Anthony Micallef ('is-Sur Tonin') and his family, the Lux Press's *The Bulletin* was initially directed by J.J. Scorey, an independent and critically-minded journalist, the father of Harold Scorey (the MTV head of news sacked and sent to his grave by the GWU-MLP lock-out at Xandir); its best known surviving editor was then Lino Micallef, one of the three Micallef brothers at Lux. The Micallefs took over from Scorey with Micallef senior, initially, in charge, until one of the sons replaced him

PRESS		REGISTER	
Prescribed by article 3D		Ordinance V of 1933.	
NEWSPAPER—Name <u>The Bulletin</u>		Number of No. <u>LG 888/144</u>	
Name <u>Political</u>		Date of registration <u>31.2 Jan. 1944</u>	
EDITOR	PRINTERS	PRINTING OFFICE	REMARKS
Name — Age — Residence	Name — Residence	Name — Address	
<p>Scary J. J. 46 years 35 Abela Street, Hamrun.</p> <p>Increased bearing, aged 29 years, Pres. of Malta Club, Pres. of Argus Office.</p> <p>Anthony Micallef, 55 years, 15 Stella Maris Street, Sliema</p> <p>(Sister) Carmel Micallef 44 years 6 Stella Maris Street Sliema</p>	<p><del>Micallef Anthony</del> 15 Stella Maris St. Sliema</p> <p>5.7.1943</p> <p>Joseph James Scary 34, 35 Abela Street, Hamrun.</p> <p>Anthony Micallef, 15 Stella Maris Street, Sliema.</p> <p>Leo Micallef.</p>	<p><del>Lux Printing Press</del> 161 High Street Hamrun.</p> <p>The Bulletin Press 89 Abela St., Hamrun.</p> <p>Lux Printing Press 551 High Street, Hamrun</p> <p>Lux Printing Press.</p>	<p>See Ref. 12 in No. 888/44.</p> <p>Chief Editor emp. 18.11.49 see LG 888/44.</p> <p>sideletter from 12 December 1972 see L.S. 888/44.</p> <p>no. of 6.4.47</p>

The Press Register from the 1940s when *The Buletin* started to be published.

in the 1960s. Apart from *The Bulletin* itself, Lux had a quite interesting history which testified to its independence, for both the Nationalist Party and the Labour Party made use of it. The MLP's *Il Cotra* and the PN's *Il-Poplu* were both printed there at one time or another. Neither of them had their own printing press (or a proper headquarters) until fairly recently.

One of *The Bulletin's* best specialized supplements was that commemorating the quatercentenary of the Great Siege 1565-1965. In its 1964 independence supplement it carried what must have been one of the last articles written by 'Cato' (Sir Arturo Mercieca). Lux also published lots of books and other publications spanning the gamut of human interest. It was the press used by Klabb Kotba Maltin when that seminal publishing house started operations in 1970.

It was sad to see it all go in 1984, but the writing had been on the wall for some time, especially for *The Bulletin*, which needed an overhaul, for which, as in all overhauls, a get-up-and-go budget and some daring are essential. *The Bulletin* was also one of the few - and the last - of Malta's

daily evening papers. A good morning story, say from the Courts, would see its sales swell to as many as 8,000 that evening.



# 5

## PRESENT AND FUTURE

*This concluding chapter looks at the newer party presses and their products; it asks what the prospects of Maltese journalism are as the millenium draws to a close.*

The two most influential post-war press creations were, for better or for worse, both party-political in set-up, style and imprint. The other telling historical factor here is that one preceded the other by nearly three decades.

### THE LABOUR PRESS

The Union Press emerged as one of the first major projects of the newly-founded General Workers Union. Its first publication, a weekly in Reggie Miller's heyday, was *The Torch* in 1944 (the same year that the *Bulletin* also started publication), later renamed *It-Torċa*. The MLP had many publications but probably none, with the possible exception of Micallef Stafrace's *Is-Sebħ* and Nestu Laiviera's *Il-Helsien* at certain times of the late 1950s and early 1960s, rivalled *It-Torċa* as a mass circulation labour mainstream paper, and certainly not as a Sunday.\*

Publications such as *The Dawn* and *The Struggle* had a more restricted circulation. One of the Union Press stalwarts and pioneers was Pawlu Carachi, a rather independent soul who had a good command of both English and Maltese journalese and a flair for the newsworthy. There were others who made their debut with the Union Press, like Anton Cassar,

---

\*Dr Joseph Micallef Stafrace explained to this writer how under chapter 117 of the Laws of Malta (1942 ed.) a first conviction under section 6 carried with it an automatic suspension of the newspaper for two months and an automatic suspension of the printer's licence for one month. In October 1958 *Il-Helsien* started to be published instead of *Is-Sebħ*, with Nestu Laiviera and Joe Attard Kingswell instead of Micallef Stafrace and Reggie Miller as editor and printer respectively. This happened because in *Police vs. Micallef Stafrace and Miller*, the latter were found guilty of violating article 6 of the Press Ordinance: insulting, reviling or bringing into hatred and contempt the Governor of Malta. The Criminal Court confirmed the judgment of the Magistrates Court and condemned the editor to four days imprisonment and a fine of Lm5 and the printer to a fine of Lm5. *Is-Sebħ* was suspended for two months and Miller's printing licence suspended for a month. The offending article was "*Tixwix tat-Times of Malta*" (18 September 1958). Articles 42 and 50 that provided for the mandatory suspension of the newspaper and the printer's licence were abolished by the Press (Amendment) Ordinance of 1960.

having first worked for Progress Press.

An important move during the politico-religious Mintoff-Gonzi maelstrom was the introduction of a vigorous and sensationally-oriented Maltese language daily newspaper, which grew increasingly partisan. This was *L-Orizzont* in 1962. It was *L-Orizzont* that mainly killed off *Il-Berqa* after less than six years that it had competed directly with it.\*

## SENSATIONALISM AND MONOPOLY

As Piju Spiteri observed during my 1992 AZAD lecture on journalism history, *L-Orizzont* was aided by its sensational reportage of unusual stories, such as that of Giga's murder and Cikku Fenech's escape. The former, a Valletta slum murder of a son by his mother after sadistic torture by the father, was one of the most macabre stories of all time, and Giga was lucky to escape being lynched by the crowds outside the court-house during her trial. The latter was an escape and search story concerning Cikku Fenech, with police calling his name in vain in the caves and cliffs: it was something of a farce, until the poor man eventually gave himself up.

*L-Orizzont* made a meal of both: there was nobody else to do so, it seems, and the paper gloried in it, thus taking the ascendant over Maltese language journalism as a whole. Two years later, in 1964, Union Press gave *L-Orizzont* an English language sister, *Malta News* (later *Daily News* and the *Weekend Chronicle*), until this English language weekly died out).

Far its best editor was Lino Spiteri. (Not only because he offered me my first paid job as a newspaper columnist — '*Campus News*' — in 1968. That one guinea changed two lives: my girlfriend and I could go to the talkies every week-end). But some people at Union Press seem to have considered Lino Spiteri's *Malta News* as too high brow. Frankly, I doubt that was the reason for his eventual disappearance from the scene there. There was nothing high brow about criticising *Humanae Vitae*'s condemnation of condoms, or other such articles about different subjects.

---

\* Just as Strickland's *Times of Malta* had killed off Bartolo's *Daily Malta Chronicle* between 1935 and 1940. The test for newspaper survival or otherwise in direct competition conditions in Malta would thus seem to last six years! See the polemic about *Il-Berqa*'s editorship between Montanaro and Cassar in *Il-Mument*, Nov-Dec. 1992

*Journal of the Maltese*  
*Diary of the Red*  
*Revolution*

# Patria!

Organi Nazjonalista

IL-*Tieta*, 17 ta Giunju, 1952.

denza fi hdan il NISTEN

wealth

IL GRANET GHADEJJIN FTIT  
 MALTIJA, KEGHDA TAKDI: IO-DMIR  
 ACTARX LI IL MAURA, TAD-DELEG  
 CLISI TITUAL XI FTIT; U DAN HU  
 DISCUSSIONIJET HUMA FUK HAF  
 ZIARJI CHEMM GOSTITUZIONALI,  
 ICUN HEMM BZONN DEJEM TA

PRIMA MINISTRU: DR. BORG  
 INT. TAN-REUTER INSIBU FI

*Patria*, the Nationalist Party organ, was followed by *Il-Poplu* and later by *In-Nazzjon Taghna*, which was printed at the Nationalists' own printing press, National Press, later Independence Print, opened in 1970.

### THE NATIONALIST PRESS

Throughout this long and formative period, as Mintoff asserted his charismatic and demagogic skills, the Nationalists under Borg Olivier were in the doldrums of the PR world. Their last serious national daily had been Nerik Mizzi's *Malta*. The *engagé* Mizzian spirit had gone and became distant. Certain individuals who held power - not always politicians - seemed to use it as they pleased and sought to keep out promising younger individuals from moving ahead in preference for the evidently mediocre but more conveniently cliquish. The GWU did pretty much as it pleased.

Nationalists were constrained to rely on Progress Press and even on Union Press papers to publicize their activities. Publications such as the *Patria* and later *Il-Poplu* (edited by Eddie Fenech Adami, with Ugo Mifsud Bonnici's assistance) were simply no match. Technically or even content-wise they were not up to scratch. They depended on voluntary individual contributors, usually the same handful, still used italianized language which had gone out of fashion (albeit much less in *Il-Poplu* than in *Patria*), lacked any professional lay-out style or graphics and rarely made use of

photographs, they had no syndicated news and were limited usually to four or eight pages. For all the goodwill and sometimes pace-setting *articoli di fondo* by, for example, Victor Ragonesi, these publications were not attractive or saleable enough to compete.

The late Karmenu Caruana (an energetic village lawyer and wartime protection officer to whose efforts the Nationalist Party largely owes getting a printing press and headquarters in due course), would have had to associate himself with Ganado's *Malta Tagħna* (rather, it seems, to Borg Olivier's distaste, after Ganado and Borg Olivier had fallen apart in the late fifties and led rival parties). *Patria* faded away by the mid-fifties and *Il-Poplu* did not start until 1958, so for three crucial years the Nationalists opposing Integration - and super-communicator Mintoff in office - had to rely largely on the Stricklandian and/or the church newspapers. *Lehen is-Sewwa* had become a daily in 1962.

Finally, at long last, the *Stamperija Indipendenza* opened its doors, bang in the middle of the GWU strikes at the dockyard. It was in one of his first speeches at the '*Stamperija*' that Borg Olivier said that a union should not 'choke the government'. Their first daily newspaper, in 1970, shortly before the crucial election of June 1971, was *In-Nazzjon Tagħna*. Another 'independent' paper. So said the sub-title, just like *L-Orizzont*'s. The first editor was Michael Schiavone, ex-Progress Press.

In the following year, having lost office, the '*Stamperija*' started a Sunday paper, also in Maltese. This was *Il-Mument*, edited by Michael Refalo, with help from a number of other contributors, such as Joe Zahra. These two papers naturally filled a void which had been long felt, as there had effectively been no popular papers to represent the voice of Malta's oldest party which had been most often elected to office. A third, like Mifsud Bonnici's onetime *Mid-Day Views* in English, was *The Democrat*. Started in 1974 as a weekly, *The Democrat* was last edited effectively by Tony Mallia, famous for his dangerous scoop on what the parties were concocting about constitutional changes and the presidency. Like the previous English weekly from the GWU-MLP stable, *The Democrat* ceased publication after two odd decades or so. \*

---

\* A noteworthy initiative by Independence Press, in conjunction with the Library Association, was the exhibition on "A Century of Political Press in Malta" in 1989. See Tessa Balucci's feature in "The Democrat" of 11 November, 1989.

**"Two  
Large Scotchies  
please  
barman"**

*only 25c*

# MALTA NEWS

If it  
leaks  
**WATERPROOF**

TEL: 25644

3.70
FRIDAY, APRIL 28, 1972
44 (167)

---

**British High  
Commission  
refutes MALTA  
NEWS reports**

**Augusta**

The Union Press brought out an English-speaking daily, *Malta News*, in 1964, but eventually it died out

Much changed in the newspaper industry and in the bent of nationalist journalism since their earlier historical phase: the country too had changed markedly especially since independence. On 16 October 1992 *In-Nazzjon* published a fascinating critique from a reader and listener to Radio 101 who was firmly of the conviction that no Maltese words that are not strictly of Arabic origin should be used. The language question upside down. *Tempora mutantur, nos et mutamur in illis*. Sports and, lately, leisure journalism blossomed.

As happened with the GWU/MLP press, the PN press set up shop on a grand scale and flourished best in opposition, in adversity, more especially so (in the nationalist case) during the 1971-1987 period. What with having bank loan facilities suddenly withdrawn, a bomb placed outside your press to blow it up, and genteel police visitations in the dead of night. Worse, surely, than mortal sins, postponed absolutions in the confessional, or temporarily preventing the distribution of interdicted GWU papers in the public hospital. Now you get *L-Orizzont* on Air Malta flights for free.

Official party organs have been less successful, with few exceptions. One

recalls, for example, the MLP's *Iż-Żmien*, edited by Manwel Zammit, or consider even today's resurrected *Helsien*, and a number of minor Nationalist 'organs', such as *Il-Quċcata*, or the resurrected *Il-Poplu* of Francis Zammit Dimech as a monthly magazine. None of these were ever too widely read or long-lasting or otherwise sustainable.\*

In spite of (or was it because of) a lingering Stricklandian association - although they had opposed integration with Britain and adamantly stood up to Mintoffism - in English language Maltese journalism, Progress Press remained the leaders. They had or came to have three notable advantages: without a political party of their own but with their own established printing press and jobbing departments, their reputation for journalistic stamina was most dramatically vindicated on 15 October 1979. On that day an armed Mintoffian mob gutted Progress Press, across the street from the Prime Minister's office, with employees escaping from rooftops, and the *Times of Malta* still came out on the following morning. Neither the Nazi *Luftwaffe* nor Socialist *squadristi* had brought these papers to their knees. Some history to live with, that.

## OTHER NEWER INITIATIVES

The post-war saw a spate of new publications, some more persistent than others, from Remig Farrugia's *The Malta Economist* to Fr Ghigo's *Problemi ta' Llum*, *Lil Hbiebna*, *Lil Hutna*, Fr Mizzi's *Il-Qawmien*, hobby and sectoral issues, and well-patronized entertainment guides especially *Il-Gwida* (*Il-Gimgħa*) - since January 1993 back to its old household name *Il-Gwida*.

Other intriguing papers or paper-like publications in the last two decades have been, among others, the 'intellectual' monthly *Illum* (edited by Joe Friggieri) which carried on for some years selling 5,000 copies or so.

More recently, of course, we had *Alternattiva*. *L-Alternattiva* started as a monthly. It is now a fortnightly. *Alternattiva's* importance is twofold: it re-enchanted the third party posture, which Mintoffism just about killed off in 1971, thus challenging perpetual biparty control; and it adopted a fresh, unorthodox or at least uninhibited approach to many issues. Of course it has always been controversial, and thrives on the sensational, with its tally of *faux pas*, yet it continues to provide information not always or easily or

---

\* The new "*Il-Helsien*" was replaced by "*Kullhadd*", a Sunday, in 1993

readily accessible elsewhere. Another has been *Il-Ġens*, from the enterprising Media Centre at Blata l-Bajda, which has thrown up some good investigative journalists. Maltese has improved all-round.

A fourth still more recent project has been *The Malta Independent*. Risky as a venture but interesting as an experiment, the brainchild of a group of businessmen with an accountant for an editor and printed at the Independence Press and the Union Press, they have made noticeable headway on some fronts.\*

While generally a lighter and usually a more visually colourful read with an occasional noteworthy scoop to its credit, this *Independent* would not seem to be any more of an independent Sunday newspaper, a more serious, instructive or reliable one than the better-established and 'ideologically' similar *Sunday Times*, whose sales under Anthony Montanaro's editorship came to top the 30,000 mark (a joke overseas but, for Malta, not a negligible feat). I don't believe in monopoly, immobility or sheer force of habit. Time will tell whether Malta's market can take four Sunday papers, two in Maltese (*It-Torċa* and *Il-Mument*) and two now in English (*The Sunday Times* and also the *Independent*).\*\* Plus umpteen radio stations and, soon enough, many other TV channels.\*\*\* A bane of Maltese journalism continues to be unaudited (or non-verifiable, alleged) circulations. Thus priorities are left sometimes unduly in the hands of advertising agencies who may have their own interests or prejudices (for example against the Maltese language press). §

Maltese printing qualities and journalism technologies have come a long way since Ordinance No. IV of 1839. The press law of 1889 and its

\* As of January 1993 the paper took a working journalist from *The Times*, its editor in fact, for an editor. (Ray Bugeja). In 1970-1971 businessmen Bertie Mizzi and Nini' Miceli-Farrugia had already planned to set up a newspaper and approached Lux Press to do it for them, Lino Micallef recalled to this writer in January 1993; but they had not come to an agreement with regard to printing machinery. Two of the main shareholders of *The Malta Independent* started in 1992 are, as it happens, Alec Mizzi (of Alf. Mizzi & Sons) and Louis Farrugia (of Farsons). The dream-project stayed at least partly in the same family concerns that had originally mooted it.

\*\* A fifth has since appeared; see above, pg. 39 (ftn).

\*\*\* Cable television started being introduced in 1993. The MLP's TV station, Super 1, was licenced by the Malta Broadcasting Authority and started transmitting in 1994.

§ The first publication to be audited and to publish its sales probably was *Il-Gwida* in the 1960s; but in 1993 *It-Torċa* boasted of an ABC-audited circulation of some 26,000 copies weekly.

successor of 1974 need to be looked at again, indeed the whole domain of news and communications should be up for reappraisal, not a day too soon. Ordinance No. XIV of 1889\* was so evidently a colonial enactment; but Ordinance No. V of 1933 was worse.

In a memorandum by the Malta Branch of the Institute of Journalists in July 1959\*\* it was described as 'restrictive, repressive and outdated'. And what exactly did the 1974 press law change? Two contentious issues have been, and remain, trial by jury in libel proceedings and privilege, which can be abused of by MPs and those reporting them, to the detriment of the ordinary citizen.

As Austin Bencini noted in a 1985 article on this subject, constitutional provisions of 1961 and 1964 improved this situation, although the libel not the constitutional court remained the testing ground of press freedoms vis-à-vis citizens' rights - and the state itself. Presumably malice is as difficult to prove today as it always has been, so one has ultimately to place a good dose of hope in the good sense of the ordinary man, i.e. the market itself, when excesses are committed. But that of course depends on the audience and what fodder they have been regurgitating from their own press and media in the first place. Damages for libel continue to be very low, the maximum amount being Lm2,000. The ordinary citizen's redress against abuse by some MP hiding under parliamentary privilege (as opposed to a TV camera or newspaper article) remains nil. (One of the lingering cases in this domain has been that between Rene' Buttigieg and Lorry Sant.) Writing about the American press ("*The Watchdog's Bite*", 1991) Ted Smith noted:

*'The press as we know it began in the 1830s with the appearance of mass-circulation daily newspapers (the "penny press") supported by commercial advertising and intended to turn a profit. Fierce competition and the daily format created a need for a constant flow of "news", and the role of professional journalist emerged in response. Further, profit depended on advertising, advertising deepened on circulation, and circulation depended in part on not alienating potential readers. Thus newspapers became markedly less partisan. Increasingly, such journals restricted themselves to reporting the political debate; in theory, active participation was relegated to the editorial pages.'*

---

\* Courtesy of Chev. Anthony Montanaro. See Appendix B. p. 53.

\*\* Courtesy of Mr Anton Cassar. See Appendix F. p. 89.





Hotel Phoenicia, 1971: a protest against abusive press conferences on MTV.  
From left: Lino Micallef, *The Bulletin*, Remig Farrugia, *The Malta Economist*,  
Henry Frendo, *Il-Hajja*, and Anthony Montanaro, *The Sunday Times of Malta*

How far has this happened, how far is it possible in the Maltese context? The party presses have hardly helped so far, although they might well have to survive growing competition in a freer and more European environment. Released of the diktat of colonialism and of militarism, of language-culture clashes and hostilities, of the dead hand of ecclesiastical censure and of the worse features of Mintoffism, released somewhat of the propensity - the craving - to rely on foreigners for advice about ourselves, a new era should be possible in the field of human communications in Malta at all levels.

Given less cliquishness in the nerve-centres and 'a little intelligence' presumptuousness, a more self-assured but circumspect command of language and a resulting introspection and flourish in discourse would seem rather set to evolve, to mature and to change, probably at a fast pace. The mould to which all too many had become resigned could be in the process of being broken or shaken during the nineteen nineties.\*

---

\* See the debate on party-media relations in *"In-Nazzjon"*, March 1994, and Henry Frendo, *"Il-Limiti tal-Libertà"*, *ibid.*, 28 March 1994; *"Stampa Hielsa, Pajjiz Hieles"*, *Alternattiva*, 2 June, 1990. See also Marie Benoit Said, *"Independent written journalism in Malta"*, *Il-Qawmien*, Dec. 1989-Feb. 1990.

# Appendices



## Appendix A

### THE MALTA GOVERNMENT GAZETTE FRIDAY 22nd MARCH, 1839

#### PROCLAMATION

By His Excellency Sir Henry Frederick Bouverie, Knight Grand Cross of the Most Distinguished Order of St Michael and St George, Knight Commander of the Most Honorable Military Order of Bath, Lieutenant General of Her Majesty's Forces, Governor and Commander in Chief in and over the Island of Malta and its Dependencies, and Commander of the Troops serving within the same.

The Governor is hereby pleased to promulgate the following Ordinance No IV, passed on the 14th day of March instant, entitled: An Ordinance enacted by the Government of Malta, with the advice and consent of the Council of Government thereof, for abolishing the Censorship and for providing against Abuses of the consequent liberty of publishing printed writings; which is to be observed as law within these Possessions.

Valletta, 15th March, 1839

By Command of His Excellency,  
H. Greig,

*Chief Secretary to the Government.*

God save the Queen

*(L.S.) H.F. Bouverie,*  
*Governor*

#### ORDINANCE NO IV of 1839

*An ordinance enacted by the Governor of Malta, with the advice and consent of the Council of Government thereof, for abolishing the Censorship, and for providing against abuses of the consequent liberty of published printed writings*

---

#### CHAPTER 1

#### SECTION 1 CENSORSHIP ABOLISHED

Whereas printed writings, printed in these islands, are liable and subjected to the censorship immediately hereafter described; and other printed writings are liable to the same censorship, although in practice they are not subject thereto: And whereas it is expedient that the aforesaid censorship should be abolished:- Now His Excellency the Governor, with the advice and consent of the Council of Government, hereby enacts as follows:

From the day of the promulgation of the present Ordinance, no printed writing shall be subject or liable to the censorship which is now exercised in these islands by Her Majesty's government therein.

**SECTION II**  
**CONSEQUENT LIBERTY OF PUBLISHING, AND FORCE OF LAW**  
**GIVEN TO PROVISIONS AGAINST ABUSES THEREOF.**

Whereas the aforesaid censorship will be abolished by virtue of the enactment in the first section of the present chapter: And whereas a liberty of publishing printed writings (printed in or out of these islands) will result from the abolition of the aforesaid censorship: And whereas it is expedient that the provisions against abuses of the aforesaid liberty of publishing, which are contained in the second and following chapters, should be substituted for the aforesaid censorship, on the abolition thereof:- Now His Excellency the Governor, with the advice and consent of the Council of Government, hereby enacts as follows:

From the day of promulgation of the present Ordinance, the provisions in the second and following chapters thereof, shall have in these islands the force of law.

**CHAPTER II**

**SECTION I**  
**ABUSES DETERMINED**

The only publications and contributions to publications, which are within the purposes of the present Ordinance, are publications of printed writings, and contributions to similar publications; and the only abuses of the aforesaid liberty of publishing, which are within the same purposes, are such publications of printed writings, and such contributions to similar publications, as are prohibited in the third chapter and are not exempted in the fourth.

**SECTION II**  
**PRINTED WRITINGS DEFINED**

Any words printed in alphabetical or other characters, and with types or in any other manner, on one or more papers or other substances, shall be deemed, for the same purposes, a printed writing.

**SECTION III**  
**PUBLICATIONS DEFINED**

Any delivery of a printed writing to one or more persons, or any offer to deliver it to one or more persons, shall be deemed, for the same purposes, a publication thereof. Any exposition of a printed writing, being neither a delivery of it nor an offer to deliver it, which probably might cause it to be read by one or more persons, shall also be deemed, for the same purposes, a publication thereof.

**SECTION IV  
CONTRIBUTIONS THERETO DEFINED**

Any act or omission causing, or helping to cause, an actual publication of a printed writing, shall be deemed for the same purposes, a contribution to the publication.

**SECTION V  
PUBLICATIONS AND CONTRIBUTIONS EQUIVALENT**

A publication and a contribution to a publication are, for the same purposes, equivalent; and any of the provisions in the third and following chapters, which in its terms is restricted to publications, extends notwithstanding contributions to publications, unless the contrary be declared by another of the same provisions.

**SECTION VI  
WHAT PUBLICATIONS**

A publication, embraced by a prohibition in third chapter, shall not be imputed to the publisher, as an offence against the present Ordinance, unless he published with culpable knowledge or unless he published negligently.

He shall be deemed to have published with culpable knowledge, if, at the time of the publication, he knew that he was publishing the writing, and also knew that the publication fell within the prohibition. If, at the time of the publication, he was ignorant of those facts, or either of them, but, with due attention, might have been aware of both, he shall be deemed to have published negligently.

**SECTION VII  
AND WHAT CONTRIBUTIONS, ARE NOT IMPUTABLE TO THE PUBLISHER OR CONTRIBUTOR**

A contribution to a like publication shall not be imputed to the contributor, as a like offence, unless he contributed with culpable knowledge, or unless he contributed negligently.

He shall be deemed to have contributed with culpable knowledge, if, at the time of the contribution, he knew that he was contributing to the publication and also knew that the publication fell within the prohibition. If, at the time of the contribution, he was ignorant of those facts, or either of them, but with due attention, might have been aware of both, he shall be deemed to have contributed negligently.

**CHAPTER III  
PUBLICATIONS PROHIBITED, AND PUNISHMENTS FOR OFFENDING  
AGAINST THESE PROHIBITIONS**

**SECTION I**

*Any publication tending to incite a person or persons to any act embraced by either of the descriptions immediately following, is hereby prohibited.*

Descriptions referred to in the first paragraph of the present section

1. Any attempt (or endeavour) to subvert Her Majesty's government in these islands.
2. Any act tending to subvert the aforesaid government though not being strictly an attempt to subvert it.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of twenty-four months.

## SECTION II

*Any publication tending to incite a person or persons to any act embraced by any of the descriptions immediately following, is hereby prohibited.*

Descriptions referred to in the first paragraph of the present section.

1. Preventing or obstructing by violence, or by offering or threatening violence, the lawful execution, or other lawful administration of a law (or rule of law) in force in these islands.
2. Attempting to prevent or obstruct, in the like manner, the lawful execution, or other lawful administration, of any such law (or rule of law).
3. Preventing or obstructing, in the like manner, the lawful execution of a lawful command from a person or persons employed or concerned in administering Her Majesty's government in these islands.
4. Attempting to prevent or obstruct, in the like manner, the lawful execution of any such command.
5. Disobeying with violence, or with any offer or menace of violence any such law or command.
6. Impeding by violence, or by offering or threatening violence any such person or persons in the lawful exercise of his or their authority.
7. Attempting to impede, in the like manner, any such person or persons in the lawful exercise of his or their authority.
8. Doing or offering violence to any such person or person in the lawful exercise of his or their authority.
9. Destroying or damaging unlawfully, any immoveable or moveable thing possessed by the aforesaid government.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publications, shall be punishable with an imprisonment not exceeding the term of eighteen months.

## SECTION III

*Any publication of any writing censuring or disrespectfully mentioning Her Majesty the Queen, is hereby prohibited.*

Whoever shall offend against the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

## SECTION IV

Any publication of any writing embraced by the description immediately following is hereby prohibited.

Description referred to in the first paragraph of the present section - Any writing untruly imputing malversation in administering Her Majesty's government in these islands to a person employed or concerned in administering the same.

Whoever shall offend against the prohibition contained in the present section by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

## SECTION V

*Any publication of any writing embraced by the description immediately following is hereby prohibited.*

Description referred to in the first paragraph of the present section - Any writing reviling, ridiculing, or otherwise insulting the person or persons at the head of a sovereign government in amity with the government of Her Majesty; or reviling, ridiculing or otherwise insulting the person or persons in any high office under any such sovereign government.

Any publication embraced by the description immediately following is also hereby prohibited. Description referred to in the third paragraph of the present section - Any publication tending to incite a subject, or subjects of any such sovereign government, to attempt the subversion thereof; or tending to incite a subject or subjects of any such sovereign government, to prevent or obstruct by violence or by offering or threatening violence, the execution of other administration of any of its laws or other commands; or tending to incite a subject or subjects of any such sovereign government, to disobey with violence, or with any offer or menace of violence, any of its laws or other commands.

Whoever shall offend against either of the prohibitions contained in the present section, by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

## SECTION VI

*Any publication of any writing embraced by any of the descriptions immediately following, is hereby prohibited.*

Descriptions referred to in the first paragraph of the second section.

1. Any writing reviling, ridiculing, or otherwise insulting an essential or fundamental doctrine of the Christian religion: that is to say, a doctrine received by the generality of Christians of every church, society, or denomination.
2. Any writing, reviling, ridiculing or otherwise insulting any doctrine of the Roman Catholic church; or the government or discipline; or any ritual or other religious observance of Roman Catholic Christians of any class or description.
3. Any writing, reviling, ridiculing or otherwise insulting, any doctrine of the established Church of England, or its government, discipline or rites.
4. Any writing, reviling, ridiculing or otherwise insulting, any doctrine of any



church or society of Christians other than the Roman Catholic Church or the Established Church of England; or reviling, ridiculing, or otherwise insulting, the government, discipline or rites of any such church or society.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

#### SECTION VII

*Any publication of any obscene writing is hereby prohibited.*

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition or by any contribution to any such publication shall be punishable with an imprisonment not exceeding 12 months.

#### SECTION VIII

*Any publication of any writing embraced by the description immediately following, is hereby prohibited.*

Description referred to in the first paragraph of the present section.- Any writing censuring any person in a private capacity, or reviling, ridiculing or otherwise insulting any person in a similar capacity.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication shall be punishable as follows. If the publication tend to defame the person censured or insulted in the writing, the offender shall be punishable with an imprisonment not exceeding the term of 12 months. If the publication have not that tendency, the offender shall be punishable with an imprisonment not exceeding the term of six months.

#### SECTION IX

*Any publication tending to incite a person or persons to any act embraced by either of the descriptions immediately following, is hereby prohibited.*

Description referred to in the first paragraph of the present section.

1. Doing or offering unlawful violence to a person in a private capacity.
2. Destroying or damaging unlawfully, or offering to destroy or damage unlawfully, any immoveable or moveable thing possessed by a person in a similar capacity.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 18 months.

### CHAPTER IV

#### PUBLICATIONS EXEMPTED FROM THE PROHIBITIONS

##### SECTION I

A publication made in pursuance of an Act of Parliament, or in pursuance of an

authority from Her Majesty, shall be exempted from the operation of any prohibition in the third chapter, in the even of its falling within the terms thereof.

A publication made in pursuance of a law (or rule of law) in force in the these islands, shall be exempted from the operation of any prohibition in the event of its falling within the terms thereof.

A publication made by a person or persons employed or concerned in administering Her Majesty's government in these islands, and made in the lawful exercise of his or their authority, shall be exempted from the operation of any similar prohibition, in the event of its falling within the terms thereof.

## **SECTION II**

If a publication of a printed report of any proceeding in a court of justice in these islands, shall fall within the terms of a similar prohibition, it shall be exempted from the operation thereof. But the publication shall not be within the exemption, unless the report shall be a fair statement of the proceeding; nor shall the publication be within the exemption, if the court shall have prohibited any publication of a printed report of the proceeding, and the report shall be published in contravention of the prohibition.

## **SECTION III**

If a publication of a printed report of any proceeding in either House of Parliament or in Her Majesty's Privy Council, or in any court of justice in the United Kingdom, shall fall within the terms of a similar prohibition, it shall be exempted from the operation thereof. But the publication shall not be within the exemption unless the report, published in these islands, shall have been printed in the United Kingdom, or shall be a correct copy or a fair abridgement of a report, which shall have been printed in the United Kingdom.

## **CHAPTER V**

### **SECTION I**

#### ***OFFENCES TO BE TRIED BY CRIMINAL COURT***

Every prosecution for any offence against the present Ordinance shall be directly instituted by the public prosecutor, by means of an indictment to be presented in Her Majesty's criminal court; and every such indictment shall be tried in the said court before three judges.

### **SECTION II**

#### ***COMMUTATION OF PUNISHMENT***

If a defendant to such an indictment shall be convicted of such an offence, it shall be competent to the court to change the imprisonment to which it would condemn him as of course, into an equivalent punishment by a shorter imprisonment and a fine, or into an equivalent punishment by a fine only.

**SECTION III**  
***LIMITATION OF THE PERIOD FOR PROSECUTION***

Every prosecution for any offence against the present Ordinance shall be instituted within the 365 days immediately following the time of the offence; and if the prosecution be instituted after the expiration of that period, it shall not be competent to the court to punish the offender for the offence, or to convict him thereof.

**SECTION IV**  
***PERSONS TRIED NOT RESPONSIBLE***  
***FOR DUPLICATE PUBLICATIONS***

If a person prosecuted, under the present Ordinance, for a publication of a printed writing (or for a contribution to such a publication) which may have taken place previously to the conviction or acquittal.

By Command,

H Greig,  
*Chief Secretary to Government*

Passed 14th March 1839

WM SIM  
*Clerk of the Council*

## Appendix B

### ORDINANCE NO XIV OF 1889

AN ORDINANCE enacted by the Government of Malta, with the advice and consent of the Council of Government thereof,  
*To check abuses in the publication of printed writings.*

#### PREAMBLE

Whereas it is expedient to repress abuses in the publication of printed writings, it is hereby enacted and ordained by His Excellency the Governor, with the advice and consent of the Council of Government, as follows:

#### CHAPTER I

##### GENERAL PROVISIONS

##### OBJECT OF THIS ORDINANCE

1. The publication of printed writings is free. This ordinance is enacted to repress abuses of this freedom.

##### HOW OFFENCES CONTEMPLATED IN CHAPTER II ARE CONSUMMATED

2. The offences contemplated in Chapter II of this Ordinance are consummated by the publication in these islands of printed matter, from whatever place it may originate.

##### MEANING OF CERTAIN WORDS

3. In this ordinance,

by *printed matter* is meant any writing printed in typographical characters or by lithography or any other similar device, on one or more papers or other substances;  
by *publication* is meant any act causing or intended to cause a printed writing to come to the knowledge of any person;

by manager of a newspaper or any other printed periodical are meant both the real manager and the person who may have produced to the Police the declaration referred to in article 27;

by *printer* is meant the person to whom the licence indicated in article 33 has been issued.

#### CHAPTER II

##### OF PRESS OFFENCES IN PARTICULAR

##### PUNISHMENT FOR PROVOKING CRIMES REFERRED TO IN ARTICLES 50 AND 51 OF CRIMINAL LAWS

4. Whoever shall, by means indicated in §1 of article, directly provoke the perpetration of any one of the crimes referred to in articles 50 and 51 of the Criminal Laws, shall be punished with imprisonment up to nine years.

FOR INCITING ANY ONE TO TAKE PART IN A CONSPIRACY HAVING FOR ITS OBJECT THE SAID CRIMES

5. Whoever shall, by the means indicated in §1 of article 1, directly incite any one to take part in a conspiracy, having for its object the crimes contemplated in articles 50 and 51 of the Criminal Laws, shall be punished with imprisonment up to three years.

FOR PROVOKING CRIMES REFERRED TO IN ARTICLE 65 OF CRIMINAL LAWS

6. Whoever shall, by the means indicated in §1 of article 1, directly provoke the perpetration of the crime contemplated in article 65 of the Criminal Laws, shall be punished with imprisonment up to two years and with the payment of a fine (*multa*).

FOR THE CRIME REFERRED TO IN ARTICLE 66 OF THE CRIMINAL LAWS

7. Whoever shall, by the means indicated in §1 of article 1, commit the crime contemplated in article 66 of the Criminal Laws, shall be punished with imprisonment up to four months and with the payment of a fine (*multa*).

FOR PROVOKING CRIMES REFERRED TO IN ARTICLE 84 OF THE CRIMINAL LAWS

8. Whoever shall, by the means indicated in §1 of article 1, directly provoke the perpetration of the crime contemplated in article 84 of the Criminal Laws, shall be punished with imprisonment up to two years and with the payment of a fine (*multa*).

FOR REVILING THE HEAD OF A FOREIGN GOVERNMENT

9. Whoever shall, by the means indicated in §1 of article 1, revile or ridicule the Head or the representative of a Foreign Government in amity with the Government of Her Majesty, shall be punished with imprisonment not exceeding six months and with the payment of a fine (*multa*).

FOR INCITING THE SUBVERSION OF A FOREIGN GOVERNMENT

10. To the same punishment shall be liable whoever shall, by the means indicated in §1 of article 1, directly incite any subject of a foreign Government in amity with the Government of Her Majesty, to subvert such foreign Government or to disobey, by unlawful means, any law or command of such Government, or to obstruct, by unlawful means, the execution of any law, regulation or command of such Government.

FOR REVILING OR RIDICULING THE ROMAN CATHOLIC RELIGION OR OTHER RELIGIONS PROFESSED IN THESE ISLANDS.

11. Whoever shall, by the means indicated in §1 of article 1, revile or ridicule the Roman Catholic religion or Worship or any other Religion of any denomination professed in these islands, shall be punished with imprisonment up to four months and with the payment of a fine (*multa*).

FOR OFFENDING AGAINST MODESTY

12. Whoever shall, by the means indicated in §1 of article 1, offend against mod-

esty, shall be punished with imprisonment up to three months, and with the payment of a fine (*multa*).

#### FOR COMMITTING THE CRIME REFERRED TO IN ARTICLE 245 OF CRIMINAL LAWS

13. Whoever shall, by the means indicated in §1 of article 1, commit the crime referred to in article 245 of the Criminal Laws, shall be punished with imprisonment up to six months and with the payment of a fine (*multa*).

#### FOR DEFAMATION

14. Whoever shall, by the means indicated in §1 of article 1, saving the cases provided for in other articles of this Ordinance, be guilty of a defamation, shall be punished as follows;

If, to any person shall be imputed determinate facts, the object of which is to attach his character and reputation, or to hold him up to public contempt or derision, with imprisonment up to six months and with the payment of a fine (*multa*).

In any other case, with imprisonment up to three months or with the payment of a fine (*multa*).

#### EVIDENCE OF THE TRUTH OF THE IMPUTATION WHEN ADMITTED

15. Evidence of the truth of the facts attributed to any one, shall be admitted only if the person attacked

1st Is a public officer, and the fact attributed to him refers to the exercise of his functions; or,

2nd Is a candidate for a public office, and the fact attributed to him refers to his capacity or ability to fill that office; or

3rd. Habitually exercises a profession, an art, or a trade, and the fact attributed to him refers to the exercise of such profession, art, or a trade.

Such evidence exempts the person accused from any punishment, except the punishments for the insults which may not necessarily be dependent on the facts proved.

#### WHOEVER PROVOKES OTHER CRIMES, HOW PUNISHED

16. Whoever shall, saving the cases specially provided for in other articles of this Ordinance, and by the means indicated in §1 of article 1, directly provoke the perpetration of any crime, shall be punished with imprisonment up to eighteen months and with the payment of a fine (*multa*).

And if the provocation be to commit a contravention, with the punishments established for contraventions.

### CHAPTER III

#### OF ACTIONS ARISING FROM PRESS OFFENCES

PERSONS AGAINST WHOM CRIMINAL ACTION  
ESTABLISHED IN CHAPTER II ARE PROSECUTED

17. In the criminal actions established in Chapter II a prosecutions shall be instituted against each of the following persons:

Against the author of the writing, if he shall have composed it for the purpose of its being published, or if he shall have consented thereto;

Against the printer who shall have acted knowingly;

Against the publisher who shall have acted knowingly;

Against the manager of the newspaper or other periodical in which the writing was published, if he shall have acted knowingly;

Against any person who, under article 38 of the Criminal Laws, should be considered as an accomplice in a press offence.

EVIDENCE THAT THE WRITING IS A COPY, SUMMARY OR TRANSLATION, NOT ALLOWED.

18. None of the persons indicated in the foregoing article shall be allowed to prove, in his defence, that the writing is a copy, an extract, an abridgement, or a translation of another writing which has been printed and published.

WHEN MANAGER OF A NEWSPAPER OR OTHER PERIODICAL IS DEEMED TO HAVE ACTED KNOWINGLY.

19. The manager of a newspaper or any other periodical publication shall be deemed to have acted knowingly, even if, having been at any time aware of the writing before its publication, he did not prevent it.

PRINTER, MANAGER OF A NEWSPAPER OR ANY OTHER PERIODICAL, AND PUBLISHER, HOW PUNISHED IN CERTAIN CASES.

20. The printer, the manager of a newspaper or any other periodical writing, who may not have acted knowingly and the publisher who was not aware, but who with due diligence might have been aware of the tenor of the writing shall be liable to the punishments established for contraventions.

IN CERTAIN CASES OF INSULT THE COURT MAY BESIDES ACTUAL DAMAGES, GRANT A SUM OF MONEY UP TO £500.

21. In the case of an insult the object of which is to offend a person's character or reputation, the competent Court may, besides the damages really sustained and which may be due according to the laws in force, grant to the person offended a sum not exceeding five hundred pounds sterling.

THE CRIMINAL ACTION ESTABLISHED IN ART. 14 IS PROSECUTED AT THE SUIT OF CERTAIN PERSONS

22. The criminal action established in article 14 shall be prosecuted only at the suit of the person offended or of the persons indicated in article 456 of the Criminal Laws.

APPEAL

23. From an sentence of an Inferior Court, based on the provisions of this Ordinance, it shall be lawful to enter an appeal to Her Majesty's Criminal Court, to be composed in the manner provided for in Ordinance No. XV of 1888, by a

petition to be presented, within four days from the sentence, to the Registrar of the Inferior Court, and the provisions contained in paragraph 2nd of article 9, in articles 10, 13 and 14, in paragraph 1st of article 15, and in articles 17 and 18 of the said Ordinance No. XV of 1888, shall apply to such appeals.

#### LIMITATION OF ACTIONS

24. The criminal actions established in Chapter II are barred by prescription after the lapse of one year.

#### CERTAIN PUBLICATIONS NOT ACTIONABLE

25. The following are not actionable:

1st Publications made in pursuance of an Act of the British Parliament or of an authority from Her Majesty;

2nd Publications made in pursuance of an Act of the Council of Government of these islands, or of an authority from the Head of the Government of these islands;

3rd Publications made by a public officer in the exercise of his functions;

4th Reprints and republications made by private parties, of the acts indicated in the three foregoing sections of this article;

5th Publications of debates of the Council of Government and of the documents placed on the table thereof;

6th Publications of reports of any proceeding in a Court of Justice in these islands, provided such reports shall be a fair statement of the proceedings, and provided the publication of such proceedings or reports shall not be prohibited by laws or by the Court;

7th Publications of printed reports of any proceeding in either House of Parliament, of in Her Majesty's Privy Council, or in any Court of Justice in the United Kingdom, provided such report of such proceedings in cases of defamation, whenever the proof of the facts imputed is not allowed by law, is however always prohibited.

### CHAPTER IV

#### OF PERIODICAL PUBLICATIONS

#### PERSONS WHO MAY UNDERTAKE THE MANAGEMENT OF A NEWSPAPER OR OTHER PERIODICAL

26. Any person who is of age and resides in these islands, may undertake the management of any newspaper or any other periodical writing, provided he shall comply with the following provisions.

#### THEY SHALL PRODUCE A DECLARATION WITH CERTAIN STATEMENTS

27. Whoever intends to undertake such management, shall produce, at the office of the Chief Secretary to Government, a declaration, to be supported by the requisite documents, stating:

1st His name and surname, age and place of residence;

2nd The nature of the publications, the name of the office in which the printing thereof is to be done, the name, surname, and residence of the printer;



## **PUNISHMENT**

In default thereof, whoever shall manage a periodical publication or shall print it, shall be liable to the punishments established for contraventions: such liability shall be incurred for each publication.

### **ANY CHANGE IN THE SAID STATEMENT SHALL BE NOTIFIED**

28. Any change in any of the said indications shall, under the same punishments, be notified, within eight days, at the said office, by the manager, or by his heirs or successors.

29. Any falsification in any of the indications required under article 27, renders the offender liable to the punishments of imprisonment for a term not exceeding three months.

Whoever shall, for the purpose of the said indications, lend his won name to the true manager of a newspaper or other periodical, shall be liable to the same punishment.

## **SECURITY**

30. The manager of a periodical publications, upon the first conviction of any person, in reference to any writing which may have appeared therein, in contravention of Chapter II, shall, besides the liability to the punishments established for contraventions, to be incurred for each issue subsequent to such conviction, give security for the payment of any damages to which any one of the persons mentioned in article 17 may be condemned in consequence of writing published in the newspaper or other periodical writing.

The amount of security shall be one hundred pounds sterling.

Security is given by the production of a sufficient surety, or by the deposit of a sum of money or of an equivalent pledge, with the Chief Secretary to Government.

Any security forfeited wholly or in part through any cause, shall, under the punishments established in the first paragraph of this article, be renewed or made good.

## **LIMITATION OF ACTIONS UNDER THIS CHAPTER**

31. Criminal actions for offences contemplated in this chapter are barred by prescription after the lapse of three months.

## **EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER**

32. Periodical publications originating from the Authorities indicated in numbers 2, 3 and 4, of article 40 are exempted from the provisions of this Chapter.

## **CHAPTER V**

### **OF PRINTING AND LITHOGRAPHIC PRESSES.**

#### **POLICE LICENCE FOR KEEPING PRINTING OR LITHOGRAPHIC PRESSES**

33. No one shall keep printing or lithographic presses without a licence of the Police.

#### **GRANT OF LICENCES**

34. The licence shall be granted gratis to any person who is of age and resides in these islands.

It shall indicate:

1st The name and surname, age, and residence of the person keeping the printing or lithographic press;

2nd The name proposed to be given to the printing or lithographic press;

3rd The place in which it is proposed to keep it.

#### CHANGES IN THE INDICATIONS IN THE LICENCE TO BE NOTIFIED.

35. Any change in the said indications shall be notified, within eight days, to the Superintendent of Police or to the person acting for him, by the keeper of the office, or by his heirs or successors.

36. Every printed writing shall indicate the office and the year in which it was printed, and the name and surname of the printer.

#### POLICE LICENCE FOR SALE OF PRINTED WRITINGS BY ITINERANT VENDORS.

37. The sale of printed writings by itinerant vendors, without a licence of Police is prohibited.

The licence may be conditional, and its duration shall not be longer than one year.

The forfeiture of such printed writing is a consequence of the contravention.

38. Whoever shall offend against the provisions of this Chapter, shall be liable to the punishments established for contraventions.

#### LIMITATION OF ACTIONS

39. Criminal actions for offences contemplated in this Chapter, are barred by prescription after the lapse of three months.

#### EXEMPTIONS FROM PROVISIONS OF ARTICLE 36.

40. The following are exempted from the provisions of article 36:

1st Printed writings intended simply for industrial or commercial purposes, or for domestic and social purposes;

2nd The acts of the Civil Authorities, and of several Departments of the Government, or writings printed by order of or by leave of the Head of the Government;

3rd The acts of the Military and Naval Authorities, or of any Department under such Authorities, or printed by order or by leave of such Authorities;

4th The acts of Ecclesiastical Authorities, and those ordered or permitted by an Ecclesiastical Authority and concerning ecclesiastical matters;

5th Printed writings which the Head of the Government shall, by a Notice, declare to be exempted from the provision of article 36.

### CHAPTER VI

#### TRANSITORY AND REPEALING PROVISIONS

#### EXISTING PERIODICAL PUBLICATIONS

41. In regard to existing periodical publications, the provision of articles 26, 27, 28

and 29 shall come into force one month after the promulgation of this Ordinance.

#### EXISTING OFFICES

42. The provisions of Chapter V shall come into force, in regard to existing offices, on months after the promulgations of this Ordinance.

#### REPEAL OF CERTAIN LAWS

43. The following are repealed and abrogated:

Ordinance No. IV of 1839;

And any other law contrary to or inconsistent with, the provisions of this Ordinance.

#### AMENDMENT OF ARTICLE 242 OF CRIMINAL LAWS

44. The provision contained article 242 of the Criminal Laws is revoked and replaced as follows:

“242. When the crimes contemplated in articles 240 and 241 shall be committed by means of the press, the provisions contained in Ordinance No. XIV of 1889 entitled “To check abuses in the publication of printed writings,” shall be observed.”

#### AMENDMENT OF ARTICLE 314 OF THE SAID LAWS

45. The provision contained in article 314 of the said Laws is revoked and replaced as follows:

“314. The Executive Police shall have power to arrest persons guilty, or suspected, of any crime punishable with death, or with hard labour, or with imprisonment, except crimes punishable under Ordinance No. XIV of 1889, entitled “To check abuses in the publication of printed writings.”

#### AMENDMENT OF ARTICLE 335 OF THE SAID LAWS.

46. The provision contained in No 4 of article 335 of the said Laws is revoked and replaced as follows:

“4. Offences contemplated in other laws or regulations which are now in force or which may hereafter be in force, provided they are liable to the punishments established in these laws for contraventions, or to the punishment syndicated in number 2 of this article, and are not is such laws or regulations otherwise provided for.”

#### AMENDMENT OF ART 459 OF SAID LAWS

47. The provision contained in article 459 of the said Laws is revoked and replaced as follows:

“459. In cases for the prosecution of which the private instance of the party is necessary, it shall not be competent to the complainant to renounce the complaint made, except in cases of prosecution for adultery, according to the provision contained in article 190 and 193, and of offences falling under the provision of article 14 of Ordinance No. XIV of 1889, entitled “ To check abuses in the publication of printed writings,” in which cases the complainant may renounce the complaint at any time before the sentence is passed, and the case shall, under such circumstances

be superseded; but if the accused shall refuse to accept such renunciations, the Court shall proceed to pass sentence, as if the renunciation had not been made.'

**ADDITION TO ART 503 OF THE SAID LAWS**

48. The following provision is added after §1 of article 503 of the said Laws;

"In cases of abuses in the publication of printed writings, provided for in Ordinance No. XIV of 1889, "To check abuses in the publication of printed writings, " the Crown Advocate may, instead of inserting in the indictment the words of the printed writing constituting the offence, quote only that writing, or that part thereof constituting the offence, provided that in such case, a copy of the said writing shall be annexed to the indictment, or shall be amongst the acts of instruction."

**REPEAL OF TITLE BEFORE ART 596 OF THE SAID LAWS, AND OF THE PROVISION OF THAT ARTICLE**

49. The title standing immediately before article 596 of the said Laws, and the provision contained in the said article 596, are repealed.

**NOT NECESSARY TO QUOTE THIS ORDINANCE IN REFERENCE TO ARTICLES OF CRIMINAL LAWS HEREBY AMENDED.**

50. In any procedure, act, or decision in which the law is to be cited, the citation of the said articles 242, 314, 335, 459 and 503 of the Criminal Laws, shall imply the citation of the said articles amended as above, and it shall not be necessary for such purpose to cite this Ordinance.

Passed the Council of Government at Sitting No 42 on July 4, 1889

EMILIO DE PETRI  
*Clerk to the Council*

Assented to, this 15th day of July 1889

H TORRENS,  
*Governor.*

By Command

G STRICKLAND  
*Acting Chief Secretary to the Government*

## Appendix C

### ACT NO. XXIX OF 1929.

An Act to regulate the publication of printed writings.  
(Assented to on the 6th September, 1929).

#### PREAMBLE

Whereas it is expedient to repress abuses in the publication of printed writings;  
Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and of the Legislative Assembly of Malta, as follows:-

#### CHAPTER I GENERAL PROVISIONS.

##### SHORT-TITLE

1. This act may be cited as "The Press Law of 1929"

##### REPRESS OF ABUSES IN THE PUBLICATION OF PRINTED WRITINGS

2. The publication of printed writing is free.

This Act is intended to limit such freedom in the way and manner hereinafter stated by repressing abuses of this freedom.

##### COMMISSION OF CRIMES AND CONTRAVENTIONS

3. The crimes and contraventions contemplated in Chapter II of this Act, are committed by the publication or distribution in the Island of Malta and its Dependencies of printed matter, from whatsoever place it may originate.

##### DEFINITION OF WORDS AND EXPRESSIONS

4. In the construction of this Act, unless there is anything in the subject matter or context repugnant thereto, the several words and phrases hereinafter mentioned shall have the following meanings, that is so to say:-

the word "Registrar" shall mean the person for the time being performing the duties of Official Secretary to the Head of the Ministry, or such other person as may, from time to time, be designated by a notice published in the Gazette;

the word "printed matter" shall mean any writing printed in typographical characters or by lithography or any similar device or process on paper or on other substances, and any gramophone records, as well as placards or posters containing signs or script written, printed painted, embossed or in any other way impressed, whether the same be carried by hand or affixed to any house, building, wall, gate, fence, pillar post, boarding, board, tree, or other thing whatsoever, so as to be visible to a person being in a street or passing along any public place, highway, foot-path or public convenience;

the word "newspaper" shall mean any paper containing news, advertisements, intel-

ligence, or occurrences, or any remarks or observations therein printed for sale or to be distributed free or in any other way and published periodically either in parts or numbers at intervals;

the word "occupation" when applied to any person shall mean his art, trade, profession or other calling;

the word "editor" shall mean the person responsible for the publication referred to in the preceding paragraphs or the person who may have produced to the Registrar the declaration and certificate referred to in article 42;

the word "printer" shall mean the person to whom the licence indicated in article 47 has been issued.

## **CHAPTER II**

### **Of press crimes and contraventions in particular**

Crimes against the life and liberty of the king or his representative.

5. Whoever shall, by the means indicated in paragraph 1 of article 2 directly incite others to kill or to restrict the liberty of His Majesty the King, or of the Heir to the Crown, or of the Governor, or Officer Administering the Government, of the Island of Malta and its Dependencies shall be punished with imprisonment up to nine years.

#### **SUBVERSION OF HIS MAJESTY'S GOVERNMENT**

6. Whatever shall, by the means indicated in paragraph 1 of article 2 directly incite any person to subvert or attempt to subvert the Government of His Majesty, His Heirs and Successors, established in the Island of Malta and its Dependencies or in any other of the Dominions of the British Crown, by committing any of the acts herein mentioned shall be punished with imprisonment up to three years, namely:

- a) taking up arms against His Majesty's Government for the purpose of subverting it;
- b) bearing arms in the service of any foreign power against the Government of His Majesty;
- c) aiding His Majesty's enemies in any other manner whatsoever, against the Government;
- d) usurping or unlawfully assuming any of the executive power of His Majesty's Government, for the purpose of subverting it;
- e) taking up arms for the purpose of compelling the Government to change its measures or counsels, or of obstructing the exercise of its lawful authority.

The punishment, however, shall be diminished by one or two degrees, where the crime shall not have been carried into effect, owing to the voluntary desistance of the offender.

#### **INCITEMENT TO CONSPIRACY**

7. Whoever shall, by the means indicated in para. 1 of article 2, directly incite any

one to take part in the conspiracy, having for its object the crimes contemplated in the two preceding articles shall be punished with imprisonment up to three years.

#### COMPELLING HIS MAJESTY'S GOVERNMENT TO CHANGE MEASURES

8. Whoever shall, by the means indicated in para. 1 of article 2, directly incite a person to endeavour by any unlawful means not amounting to the crime provided for in article 6, to compel His Majesty the King or the Government established in the Island of Malta and its Dependencies or in any other of the dominions of the British Crown to change His or their measures or counsels, shall be punished with imprisonment up to two years and with the payment of a fine (multa).

#### USE OF CONTUMELIOUS WORDS IN CONTEMPT OF HIS MAJESTY

9. Whoever shall, by the means indicated in para. 1 of article 2 directly incite a person to use any contumelious, insulting, or disparaging words, acts or gestures, in contempt of the person of His Majesty the King or His Royal Dignity or shall censure or disrespectfully mention or represent His Majesty the King or Members of the Royal Family by words, signs or visible representations, or by any other means shall be punished with imprisonment up to three months or with the payment of a fine (multa) or both.

#### REVILEMENT OF THE PERSON OF THE GOVERNOR

10. Whoever shall, by the means indicated in para. 1 of article 2 insult or revile the person of the Governor of Malta and its Dependencies, or the Officer Administering the Government or the Bishops of Malta and Gozo shall be punished with imprisonment up to three months or with a fine (multa) or both.

#### CONTEMPT TOWARDS THE FLAG

11. Whoever shall, by the means indicated in para. 1 of article 2 insult or show contempt towards the white and red flag or emblem of Malta or the flag or other emblem of the United Kingdom, British Dominions or Colonies, shall be punished with imprisonment up to three months or with a fine (multa) or with both.

#### INCITEMENT TO DISLOYALTY

12. Whoever shall, by the means indicated in para. 1 of article 2, produce or publish any printed matter likely to incite any person to disloyalty to His Majesty's Sovereignty in and over the Island of Malta and its Dependencies or to promote disaffection against the Crown, shall be punished with imprisonment up to three months or with a fine not exceeding twenty pounds or with both.

#### SALE OF PUBLICATIONS WHEREBY CRIMES ARE COMMITTED

13. Whoever shall sell or offer for sale, distribute or import for sale or distribution any publication whereby any of the crimes contemplated in this Act are committed shall be deemed an accomplice and punished as such; if, however, he proves that he did not act knowingly he shall be exempted from punishment.

#### VIOLENCE AGAINST A PUBLIC OFFICER

14. Whoever shall, by the means indicated in para. 1 of article 2, directly incite a

person to compel by violence or by threats a public officer to do or not to do any act in connection with his office, shall be punished with imprisonment up to one year or with a fine (multa) or with both.

#### REVILEMENT OF JUDGE ETC

15. Whoever shall, by the means indicated in para. 1 of article 2, insult or threaten a Judge, or the Public Prosecutor or his Assistant or a Magistrate or a Juryman in the performance of his duties, or because of his having exercised his functions or with the purpose of intimidating or unlawfully influencing him in the exercise of his functions shall be punished with imprisonment up to three months or with a fine (multa).

If the object of the insult be to destroy or lessen the reputation of the person against whom it is directed, the punishment shall be imprisonment from three months to one year.

When the threat is of a crime the punishment shall be imprisonment from nine months to two years.

The offender may be subjected to the obligations expressed in articles 382, 383, 384, of the Criminal Laws with or without bail, according to circumstances.

#### REVILEMENT OF THE SOVEREIGN OR THE FLAG OF A COUNTRY IN AMITY WITH HIS MAJESTY

16. Whoever shall, by the means indicated in para. 1 of article 2, revile or ridicule the High Pontiff or the Sovereign or President or other Head of the State in a country in amity with His Majesty the King or shall insult or show contempt towards the flag or other emblem of such foreign Government shall be punished with a term of imprisonment not exceeding three months or with a fine (multa) or with both.

#### REVILEMENT OF THE ROMAN CATHOLIC RELIGION OR OTHER RELIGION

17. Whoever shall, by the means indicated in paragraph 1 of article 2, revile or ridicule the Roman Catholic Religion or Worship shall be punished with imprisonment up to three months or with the payment of a fine or with both.

Whoever shall, by the means indicated in paragraph 1 of article 2, revile or ridicule the Religion or Worship of any other denomination professed in these Islands shall be punished with imprisonment up to three months or with the payment of a fine or with both.

#### OFFENCES AGAINST PUBLIC MORALITY

18. Whoever shall, by the means indicated in paragraph 1 of article 2 directly, indirectly or by using equivocal expressions offend against public morality or morals, modesty or decency shall be punished with imprisonment up to three months or with the payment of a fine (multa) or with both the above punishments.

Any printed matter that, under any pretext whatsoever, directly or indirectly, divulges the means or explains the ways of preventing impregnation or of stopping pregnancy, or of wilfully causing miscarriage, and any printed matter that directly encourages, justifies or excuses suicide, shall be deemed to offend against public morality.



## DEVULGATION OF PROFESSIONAL SECRETS BY PHYSICIANS ETC

19. If any member of a profession or any other individual who by reason of his position or of the profession exercised by him, is depository of secret matters confined to him shall, by the means indicated in paragraph 1 of article 2 divulge the same, saving always cases wherein he shall be by law obliged to give information to the public authority shall be punished with a fine (multa).

## SPREAD OF FALSE NEWS

20. Whosoever shall maliciously, by the means indicated in paragraph 1 of article 2, spread false news which is likely to alarm public opinion or disturb public good order or public peace shall be punished with imprisonment up to three months or with a fine (multa).

If any disturbances ensues in consequence of the offence mentioned above the punishment shall be imprisonment up to six months or multa or with both.

Malice, in terms of paragraph 1 of this article is presumed in default of evidence to the contrary.

No penalty shall be incurred if it is proved that the accused has taken adequate steps to investigate the truth of the assertion before its publication.

## PUBLICATION OF FALSE NEWS

21. Any person who through the omission of ordinary diligence publishes false news which is likely to alarm public opinion or to disturb public good order or to cause pain or loss to other persons shall be liable to the penalties incurred by committing a contravention and may be required to disclose in a Court of Law the source of such information and in default of compliance with an order of the Court to make such a disclosure to the satisfaction of the Court he shall incur a penalty up to twenty pounds.

In the case of news likely to cause pain or loss to other persons, action shall only be taken at the instance of the person aggrieved.

## DEFAMATION

22. Whoever shall, by the means indicated in paragraph 1 of article 2, saving the cases provided for in the other articles of this Act, be guilty of defamation, shall be punished as follows:-

If to any person shall be imputed determinate facts with the object of attacking his character and reputation, or to hold him up to public contempt or derision, with imprisonment up to three months or with the payment of a fine (multa), or with both the above punishments.

In any other case, the punishment shall be imprisonment up to one month or the payment of a fine (multa).

## PUBLICATION OF UNTRUE FACTS IN RELATION TO PARLIAMENTARY CANDIDATES

23. Any person who shall, for the purpose of influencing the return of any candidate at any election for the return of members of Parliament, publish as a fact any statement that is untrue in relation to his personal character and which might possibly

prejudice the chances of election of such candidate shall be punished with imprisonment up to three months or with the payment of a fine (multa).

The accused person shall be exempt from any punishment if he proves the truth of the facts referred to in the preceding paragraph.

#### EVIDENCE OF TRUTH

24. Evidence of truth of the facts attributed to any one shall be admitted provided the accused, in the preliminary stage of the cause, shall assume full responsibility and declare in his defence that he wishes to prove the truth of the facts attributed by him to the offended party and only if the person attacked:

- 1) is a Minister, a public officer or other person employed by the Government, and the facts attributed to him refer to the exercise of his functions; or
- 2) is a candidate for a public office and the facts attributed to him refer to his honesty, capacity or ability to fill that office; or
- 3) habitually exercises a profession, an art, or a trade, and the facts attributed to him refer to the exercise of such profession, art or trade; or
- 4) has any other occupation within the meaning of article 4 of this Act, and the facts attribute to him refer to such occupation; or
- 5) takes active part in politics and the facts attributed to him refer to such part taken by him in politics; or
- 6) occupies a position of trust in a matter of general public interest.

No evidence of the truth of facts attributed shall be admitted when such allegations refer to the domestic life of the offended party.

If the truth of the imputations is substantially proved the defendant shall not be liable to punishment provided the Court is satisfied that the proof of the truth has been in the public interest, in this case he shall be entitled to the refund by complainant or plaintiff, of the judicial costs, criminal or civil, incurred by him.

Such evidence does not exempt the person accused from any punishment for the insults, imputations or assertions which may not necessarily be dependent on, and justified by the facts proved.

#### PUBLICATION OF MATTER WITH INTENT TO EXTORT MONEY

25. If any person shall, by the means indicated in paragraph 1 of article 2 publish or threaten the publication of any valuable consideration, such person shall be liable to a term of hard labour not exceeding two years.

#### PROVOCATION TO COMMIT CRIME

26. Whatever shall, saving the cases specially provided for in other articles of this Act, and by the means indicated in paragraph 1 of article 2, directly provoke the perpetration of any crime, shall be punished with imprisonment up to eighteen months or with the payment of a fine (multa), or if the provocation be to commit a contravention with the punishment established for contraventions.

When the Criminal Laws award a higher punishment, these laws shall apply.

#### IMPORTATION OF PUBLICATIONS

27. Whoever writes or knowingly sends for publication abroad any matter a printed

copy of which is subsequently imported into these Islands, and for which, were it published in these Islands, he would be guilty of any of the offences contemplated in this Chapter, shall be punished as if the publication had taken place in these Islands.

#### ACTIONS MISREPRESENTED IN NEWSPAPER

28. Any person whose actions or intentions have been misrepresented in a newspaper or other publication shall be entitled on demand and forthwith to have published free of payment in the same newspaper, and with the same prominence and with the same type, a contradiction or explanation. Any manager of a periodical publication who shall delay beyond the next two issues after due notice received, in causing the said contradiction or explanation to appear, shall be liable to fine not exceeding twenty pounds.

In case such contradiction or explanation exceeds double the length of the article or the part thereof relative to the offended party, the excess shall be charged to the sender of such contradiction or explanation at the rate payable for insertions in that newspaper or periodical; provided the manager shall not be bound to publish such contradiction or explanation, if it is defamatory, or if it is not written in the language of the newspaper or if the person asking for it fails to advance, on request, the payment of the cost chargeable for the excess contemplated in the preceding paragraph of this article.

The publication of any such contradiction or explanation, or the punishment incurred by the manager for refusing or delaying such publication, shall not be a bar to the exercise of any other action contemplated in this Act.

#### CONVICTION IN THE TERMS OF ART. 23 OF THIS ACT

29. In the case of a conviction in terms of article 22 of this Act, the Court shall in the judgment at the request of the offended party, under a penalty not exceeding one hundred pounds sterling, order, in the case of newspapers or periodicals, that in a subsequent issue thereof not later than the next but one, the judgment itself or a comprehensive summary thereof be published in the language of the newspaper free of charge, and in the case of newspapers which at the time of the judgment or immediately after shall cease to be published and in the case of all other printed matter, the Court may order such publication in any newspaper or periodical at the expense of the accused within a period not exceeding one month.

In default of compliance with such order, the action relative to the penalty incurred shall be prosecuted only at the suit of the person offended.

### CHAPTER III

#### PERSONS AGAINST WHOM ACTION MAY BE INSTITUTED

30. In the criminal actions established in Chapter II a persecution may be instituted against each or all the following persons:-

the author of the writing, if he shall have composed it for the purpose of its being published, or if he shall have consented thereof; the printer; the publisher; the editor of the newspaper or other periodical in which the writing was published;

#### PROOF THAT THE WRITING IS A COPY NOT TO BE ALLOWED

31. None of the persons indicated in the foregoing article shall be allowed to prove, in his defence, that the writing is a copy, or an extract, or abridgment, or a translation of another writing which has been otherwise printed and published.

#### PERSONS ARE DEEMED TO HAVE ACTED KNOWINGLY

32. The persons indicated in article 30 shall be deemed to have acted knowingly in default of evidence to the contrary.

The editor, publisher and printer of a newspaper, periodical or any other printed matter shall be deemed to have acted knowingly, when, having been at the time aware of the writing before its publication, did not prevent its proposed publication.

#### PUNISHMENT AGAINST PRINTER OR EDITOR WHO MAY NOT HAVE ACTED KNOWINGLY

33. The printer or the editor of a newspaper, periodical writing or any other printed matter, who may not have acted knowingly, and the publisher who was not aware, but who with due diligence might have become aware, of the tenor of the writing, shall be liable to the punishment established for contraventions.

#### DAMAGES FOR DEFAMATION

34. In the case of an insult or defamation the object of which is to defame a person's character or reputation, the Civil Court may, besides the damages really sustained and which may be due according to the laws in force, grant to the person offended a sum not exceeding six hundred pounds.

The defendant shall be at liberty to produce evidence in mitigation of damages or indemnities and prove that the plaintiff has already brought actions for damages or has received or agreed to receive compensation.

#### SEPARATE ACTION IN RESPECT OF SEPARATE ACCUSATION

35. It shall be lawful to take action separately for every separate accusation in the same article and against those responsible either one by one or collectively, provided that the total of damages recovered or penalties in regard to the same article shall not exceed six hundred pounds.

#### DIVULGATION OF FALSE NEWS LIKELY TO DAMAGE THE COMMERCIAL VALUE OF PROPERTY

36. Whoever, by the means contemplated in paragraph 1 of article 2, shall knowingly or through gross negligence, divulge any false news likely to damage the commercial value of any property, shall be liable to pay besides really sustained and which may be due according to the laws in force, a sum not exceeding six hundred pounds to be determined at the discretion of the competent Court.

#### ACTION INSTITUTED AT THE SUIT OF THE PERSON OFFENDED

37. The criminal action established in articles 22 and 23 shall only be prosecuted at the suit of the person offended or of the persons indicated in article 518 of the Criminal Laws.

## CRIMINAL ACTION INDEPENDENT OF THE CIVIL ACTION

38. Criminal action is independent of the Civil action. Either may be instituted at the same time or separately.

39. The Criminal actions established in Chapter II are barred by prescription after the lapse of one year.

## PUBLICATIONS NOT ACTIONABLE

40. The following are not actionable:-

- 1) publications made in pursuance of an Act of the British Parliament or of an authority from His Majesty;
- 2) publications made in pursuance of an Act of the Parliament of these Islands, or of an authority from the Head of the Government of these Islands;
- 3) publications of official Acts of the Episcopal Authorities;
- 4) publications made by a public officer in the exercise of his functions;
- 5) reprints and republications made by private parties of the Acts indicated in the four foregoing sections of this article;
- 6) bona fide publications of debates of Parliament, provided that a fair bona fide report of the relevant portion of the debate is published and that the defence of an accused person is not suppressed or maliciously or recklessly curtailed or modified.
- 7) publications of reports of any proceeding in a Court of Justice in these Islands, provided such reports shall be a fair statement of the proceedings, and provided the publication of such proceedings or reports shall not be prohibited by law or by the Court;
- 8) publications or printed reports of any proceeding in either House of Parliament, or in His Majesty's Privy Council, or in any Court of Justice in the United Kingdom, provided such report, published in these Islands, shall be a correct copy or a fair abridgment of a similar report which shall have been printed in the United Kingdom;

Nevertheless the publication of any proceedings or of any report of such proceedings of cases of libel, when evidence of the truth of facts attributed is not admitted by law, is prohibited.

## CHAPTER IV Of periodical publications

### EDITING OF NEWSPAPERS

41. Any person who is a British subject and against whom no conviction under this Act has been recorded during the previous twelve months, is of eighteen years of age and resides in these Islands may undertake the editing of any newspaper provided he complies with the provisions of article 42.

### DECLARATION AND REQUISITE DOCUMENTS TO EDIT NEWSPAPER

42. Whoever intends to edit a newspaper shall produce, at the Office of the Registrar, a declaration to be supported by requisite documents, stating:

- 1) his name and surname, age and place of residence together with a certificate of

good character from the Commissioner of Police; and certificates of date and place of birth;

2) the name and surname of the publisher and his place of residence;

3) the nature of the publication, the name of the office in which the printing thereof is to be done, the name, surname and residence of the printer;

4) a certificate from a Board composed of two Magistrates and the Official Secretary to the Head of the Ministry to the effect that the applicant is an efficient and respectable person.

The decisions of the Board shall be taken by a majority of votes.

In default thereof, whoever shall own or edit a periodical publication or shall print it, shall be liable to the punishment established for contraventions. Such liability shall be incurred for each publication and the Court may order the cessation of such publication, and in default of compliance with A warning the Court may order the confiscation of the plant and machinery,

#### CHANGE OF INDICATIONS

43. Any change in the said indications shall, subject to the same punishments, be notified within fifteen days at the said office, by the editor.

In case the name of the periodical is changed after the editor or printer has condemned by a Criminal Court, such change must be that of the whole name of the newspaper which new name must be substantially and radically different unless the editor or printer prefer to give a security of one hundred pounds or some other adequate security.

#### FALSE STATEMENT OF INDICATIONS

44. Any false statement in any of the indications require under the provisions of article 42 renders the offender liable to the punishment of imprisonment for a term not exceeding three months.

Whoever shall, for the purpose of the said false statement, lend his name to the true editor of the newspaper or other periodical shall be liable to the same punishment.

Prescription for offences contemplated in articles 41, 42, 43.

45. Criminal sections for offences contemplated in articles 41, 42, and 43 of this Chapter are barred by prescription after the lapse of three months, and the action for the offence contemplated in article 44 shall be bared after the lapse of one year.

Periodicals exempted from certain provisions.

46. Periodical publications originating from the authorities indicated in numbers 2, 3, and 4 of article 54 are exempted from the provisions of this Chapter.

### CHAPTER V Of printing and lithographic and similar presses

#### POLICE LICENCE TO KEEP A PRINTING PRESS

47. No one shall keep printing or lithographic presses or mechanical appliances

capable of producing similar reproductions without a licence of the Police.

#### CONDITIONS FOR THE GRANTING OF THE LICENCE

48. The licence shall be granted on payment of one pound to any person who is a British subject against whom no conviction under this Act has been recorded during the previous twelve months, is of eighteen years of age and resides in these Islands and obtains a certificate of good conduct from the Commissioner of Police. It will be renewed every year on payment of five shillings.

It shall indicate:

- 1) the name and surname, age and residence of the person keeping the printing or lithographic press;
- 2) the name proposed to be given to the printing or lithographic press;
- 3) the place in which it is proposed to keep it.

#### CHANGE OF INDICATIONS

49. Any change in the said indications shall be notified, within fifteen days, to the Commissioner of Police by the Person who keeps the printing lithographic or other establishment for reproducing printed matter or by his heirs or successors.

#### INDICATIONS IN CONTENTS OF PRINTED WRITINGS

50. Every printed writing shall indicate the office of issue and the date on which it was printed.

#### ITINERANT VENDORS OF PRINTED WRITINGS

51. The sale of printed writings by itinerant vendors, without a licence of the Police, is prohibited.

The said licence may be granted to any one over the age of ten years.

The duration of the licence shall not be longer than one year.

No condition shall be imposed which shall be prohibitive restraint of the trade of distributing daily or weekly newspapers.

The forfeiture of such printed writings is a consequence of the contravention against the first paragraph of this article.

#### OFFENCE AGAINST THIS CHAPTER

52. Whoever shall contravene against the provisions of this Chapter, shall be liable to the punishment established for contraventions.

#### PRESCRIPTION

53. Criminal actions for the offences contemplated in this Chapter, are barred by prescription after the lapse of three months.

#### PRINTED WRITINGS EXEMPTED FROM PROVISIONS OF ART 50

54. The following are exempted from the provisions of article 50:

- 1) printed writings intended simply for industrial or commercial purposes, or for domestic purposes;
- 2) the acts of the Civil Authorities and of the several Departments of the

Government, or writings printed by order or by leave of the head of the Government;

3) the Acts of the Naval, Military and Air Authorities, or of any Department under such Authorities, or printed by order or by leave of such Authorities;

4) the Acts of Ecclesiastical Authorities, and those orders or writings permitted by an Ecclesiastical Authority and concerning ecclesiastical matters.

## **CHAPTER VI**

### **Transitory and repealing provisions.**

#### **ORDINANCE NO. XIV OF 1889 REPEALED**

55. Ordinance No. XIV of 1889 entitled "To check abuses in the publication of printed writings" is hereby repealed, except in so far as that Ordinance repeals or amends other laws.



**ORDINANCE NO. V OF 1933**

*An Ordinance enacted by the Governor of Malta in the exercise of powers conferred on him by his Majesty's Letters Patent dated the 14th April, 1921, constituting the office of Governor and Commander-in-Chief of Malta.*

To repeal Ordinance No. XIV of 1889 and to make other provisions regarding the publication of printed matter.

**PREAMBLE.**

Whereas in virtue of Section 12 of the Letters Patent dated the 14th day of April, 1921, constituting the office of Governor and Commander-in-Chief of Malta, the Governor may, from time to time, by an Ordinance to be by him issued, make laws for the peace, order and good Government of Malta with regard to the matters reserved from the Legislature of the Island by the Malta Constitution Letters Patent, and therein defined as "Reserved Matters";

And whereas in terms of Section 41 (1) of the Malta Constitution Letters Patent, matters touching the general interests of His Majesty's subjects residing in Malta, and the preservation and continuation of peace, order and good government therein in the event of such interests and such peace, order and good government being endangered, or the carrying on of responsible Government under the said Letters Patent being prejudiced by reason of any grave emergency which the Secretary of State shall be satisfied has arisen and continues to exist within these Islands are matters reserved from the Legislature;

And whereas the Secretary of State is satisfied that such grave emergency has arisen and continues to exist within these Islands;

And whereas it is expedient in the general interests of His Majesty's subjects residing in Malta and for the preservation and continuance of peace, order and good government therein to repeal Ordinance No. XIV of 1889 entitled "An Ordinance to check abuses in the publication of printed writings" and to make other provisions regarding the publication of printed matter;

It is hereby enacted and ordained by the Governor as follows:-

**CHAPTER I  
GENERAL PROVISIONS**

**SHORT TITLE**

1. This Ordinance may be cited as "The Press Law of 1933".

## COMMISSION OF OFFENCES

2. The offences in Chapter II of this Ordinance, are committed by the publication or distribution in the Island of Malta and its Dependencies of printed matter, from whatsoever place it may originate.

## DEFINITIONS

3. In the construction of this Ordinance, unless there is anything in the subject matter or context repugnant thereto, the several words and phrases hereinafter mentioned shall have the following meaning, that is to say:-

the word "Registrar" shall mean the person as may, from time to time for the time, be appointed to the Office of Press Registrar by notice published in the Government Gazette;

the word "printed matter" shall mean any writing printed in typographical characters or by lithography or any similar device or process on paper or on other substances, and any gramophone records, as well as placards or posters containing signs or script written, printed, painted, embossed or in any other way impressed;

the word "newspaper" shall mean any paper containing news, advertisements, intelligence, or occurrences, or any remarks or observations therein printed for sale or to be distributed free or in any other way and published daily or periodically;

the word "editor" shall mean the person responsible for the publication referred to in the preceding paragraphs or the person who may have complied with the provisions of article 38;

the word "printer" shall mean the person to whom the licence indicated in article 49 has been issued;

the word "publication" shall mean any act whereby any printed matter is or may be communicated to or brought to the knowledge of any person.

## CHAPTER II OF PRESS CRIMES AND CONTRAVENTIONS IN PARTICULAR

### CRIMES AGAINST THE LIFE AND LIBERTY OF THE KING OR HIS REPRESENTATIVE

4. Whoever shall, by the means indicated in article 2, incite others to kill or to restrict the liberty of His Majesty the King, or of the Heir to the Crown, or of the Governor, or Officer Administering the Government, of the Island of Malta and its Dependencies shall for the mere incitement be punished with imprisonment up to nine years.

### USE OF CONTUMELIOUS WORDS ETC., IN CONTEMPT OF HIS MAJESTY

5. Whoever, shall, by the means indicated in article 2, use any contumelious, insulting, or disparaging words, or signs, in contempt of the person of His Majesty the

King or his Royal Dignity or whoever shall censure or disrespectfully mention or represent His Majesty the King or Members of the Royal Family by words, signs, or visible representations, or by any other means or shall attribute to His Majesty the King blame or responsibility for the Acts of the Government, shall be punished with imprisonment up to three months and with the payment of a fine (multa).

Whoever shall, by the means indicated in article 2, incite a person to commit the offence contemplated in the preceding paragraph shall, for the mere incitement, be liable to the same punishment laid down in that paragraph.

#### IMPUTATION OF ULTERIOR MOTIVES TO THE ACTS OF THE GOVERNOR AND REVILEMENT OF THE PERSON OF THE GOVERNOR

6. Whoever shall, by the means indicated in article 2, impute ulterior motives to the acts of the Governor of Malta and its Dependencies or the Officer Administering the Government of Malta and its Dependencies, or the Officer Administering the Government or the Bishops of Malta and Gozo shall be punished with the imprisonment up to three months and with a fine (multa).

#### CONTEMPT TOWARDS THE FLAG

7. Whoever shall, by the means indicated article 2, insult or show contempt towards the white and red flag or emblem of Malta or the flag of other emblem of the United Kingdom, British Dominions or Colonies, shall be punished with imprisonment up to three months and with a fine (multa).

#### INCITEMENT TO DISLOYALTY

8. Whoever shall, produce or publish any printed matter likely to incite any person to disloyalty to His Majesty's Sovereignty in and over the Island of Malta and its Dependencies or to promote disaffection against the Crown, shall be punished with imprisonment up to three months and with a fine (multa).

#### SALE OF PUBLICATIONS WHEREBY CRIMES ARE COMMITTED

9. Whoever shall knowingly sell or offer for sale, distribute or import for sale or distribution any publication whereby any of the offences contemplated in this Ordinance are committed shall be deemed an accomplice and punished in the same way as the principal offender.

Malice shall be presumed in default of evidence to the effect that the offender had taken adequate steps to ascertain the tenor of the incriminated printed matter.

#### REVILEMENT OF THE SUPREME PONTIFF OR SOVEREIGN OF A FOREIGN STATE

10. Whoever shall, by the means indicated in article 2, insult or ridicule the Supreme Pontiff or the Sovereign or President or other Head of the State in a country in amity with His Majesty the King, or shall insult the Government of such foreign country or shall insult or show contempt towards the flag or other emblem shall be punished with a term of imprisonment not exceeding three months and with a fine (multa).

#### OFFENCES AGAINST PUBLIC MORALITY

11. Whoever shall, by the means indicated in article 2, directly, indirectly or by

using equivocal expressions offend against public morality or morals, modesty or decency shall be punished with imprisonment up to three months or with the payment of a fine (multa) or with both.

Any printed matter that, under any pretext whatsoever, directly or indirectly, divulges the means or explains the ways of preventing impregnation or of stopping pregnancy, or of causing miscarriage, and any printed matter that directly encourages, justifies or excuses suicide, shall be deemed to offend against public morality.

#### DEVULGATION OF PROFESSIONAL SECRETS

12. Any member of a profession or any other individual who by reason of his position or of the profession exercised by him, is depository of secret matters confined to him shall, by the means indicated in article 2, divulge the same, shall be punished with a fine (multa).

#### SPREAD OF FALSE NEWS

13. Whosoever shall maliciously, by the means indicated in article 2, spread false news which is likely to alarm public opinion or disturb public good order or public peace shall be punished with imprisonment up to three months or with a fine (multa).

If any disturbances ensues in consequence of the offence mentioned above the punishment shall be imprisonment from one to three months or with a fine (multa).

Malice, in terms of paragraph 1 of this article is presumed in default of evidence showing that the accused had taken adequate steps to investigate the truth of the assertion before its publication.

#### PUBLICATION OF FALSE NEWS

14. Whoever, by the means indicated in article 2, through the omission of ordinary diligence publishes false news which is likely to alarm public opinion or to disturb public good order, shall be liable to the penalties incurred by committing a contravention and may be required to disclose in a Court of Law the source of such information and in default of compliance with an order of the Court to make such a disclosure to the satisfaction of the Court he shall incur a penalty up to twenty pounds.

#### DEFAMATION

15. Whoever shall, by the means indicated in article 2, saving the cases provided for in the other articles of this Ordinance, be guilty of defamation, shall be punished as follows:-

If to any person shall be imputed determinate facts with the object of attacking his character and reputation, or to hold him up to public contempt or derision, with imprisonment up to three months or with the payment of a fine (multa), or with both.

In any other case, the punishment shall be imprisonment up to one month or the payment of a fine (multa).

#### EVIDENCE OF TRUTH

16. Evidence of truth of the facts attributed to any one in contravention of article 15 shall be admitted provided the accused, in the preliminary stage of the cause, shall

assume full responsibility thereof and declare in his defence that he wishes to prove the truth of the facts attributed by him to the offended party and only if the person attacked:

- 1) is a public officer or other person employed by the Government, and the facts attributed to him refer to the exercise of his functions; or
- 2) is a candidate for a public office and the facts attributed to him refer to his honesty, capacity or ability to fill that office; or
- 3) habitually exercises a profession, an art, or a trade, and the facts attributed to him refer to the exercise of such profession, art or trade; or
- 4) takes active part in politics and the facts attributed to him refer to such part taken by him in politics; or
- 5) occupies a position of trust in a matter of general public interest.

No evidence of the truth of facts attributed shall be admitted when such allegations refer to the domestic life of the offended party.

If the truth of the imputations is substantially proved the defendant shall not be liable to punishment, provided the Court is satisfied that the proof of the truth has been in the public interest, in this case he shall be entitled to the refund by complainant or plaintiff, of the judicial costs, criminal or civil, incurred by him.

Such evidence does not exempt the person accused from any punishment for the insults, imputations or assertions which the Court shall consider to have been unnecessary in attributing to the person injured the facts the proof whereof has been admitted.

#### PUBLICATION OF MATTER WITH INTENT TO EXTORT MONEY

17. If any person shall, by the means indicated in article 2, publish or threaten the publication of any matter touching any other person with intent to extort any money or any valuable consideration, such person shall be liable to a term of hard labour not exceeding two years.

#### INSTIGATION OF CRIMES

18. Whoever shall, saving the cases specially provided for in other articles of this Ordinance, and by the means indicated in article 2, directly instigate the perpetration of a criminal offence, shall, for the mere fact of such instigation, be liable to the following punishments, viz:-

- 1) with hard labour for a period not exceeding eighteen months in the case of an offence liable to a heavier punishment than hard labour or imprisonment for three years;
- 2) with hard labour or imprisonment for a period not exceeding six months in the case of an offence liable to hard labour or imprisonment for a term exceeding one year but not exceeding three years;
- 3) with multa or with detention in the case of any other offence.

#### JUSTIFICATION OF CRIMES

19. Whoever shall, by the means indicated in article 2, justify or excuse the perpetration of any crime, shall be punished with imprisonment up to three months or with a fine (multa).

## INCITEMENT TO DISOBEY THE LAW

20. Whoever shall, by the means indicated in article 2, incite any person to disobey the law shall, for the mere incitement, be punished with imprisonment up to six months.

## IMPORTATION OF PUBLICATIONS

21. If any printed copy is imported into these Islands of matter which has previously been knowingly sent for publication abroad by any person within these Islands and in respect of which were it published in these islands he would be guilty of any of the offences contemplated in this Chapter, such person shall be punished as if the publication had taken place in these Islands.

## MISINTERPRETATIONS

22. Any person whose actions or intentions have been misrepresented in a newspaper shall be entitled on demand and forthwith to have published free of payment in the same newspaper, and with the same prominence and with the same type, a contradiction or explanation. Any manager of a newspaper who shall delay beyond the next two issues after due notice received, in causing the said contradiction or explanation to appear, shall be liable to fine not exceeding twenty pounds.

In case such contradiction or explanation exceeds double the length of the article or the part thereof relative to the offended party, the excess shall be charged to the sender of such contradiction or explanation at the rate payable for insertions in that newspaper; provided the manager shall not be bound to publish such contradiction or explanation, if it is defamatory, or if it is not written in the language of the newspaper or if the person asking for it fails to advance, on request, the payment of the cost chargeable for the excess contemplated in the preceding paragraph of this article.

The publication of any such contradiction or explanation, or the punishment incurred by the manager for refusing or delaying such publication, shall not be a bar to the exercise of any other action contemplated in this Ordinance.

The publication of any contradiction or explanation, or the punishment incurred by the manager for refusing or delaying such publication, shall not be a bar to the exercise of any other action contemplated in this Ordinance.

## CONVICTION IN THE TERMS OF ARTICLE 15

23. In the case of a conviction in terms of article 15 of this Ordinance, the Court shall, in the judgment, at the request of the offended party, order, in the case of a newspaper, that in a subsequent issue thereof not later than the next but one, the judgment itself or a comprehensive summary thereof be published in the language of the newspaper free of charge and in the case of newspapers which at the time of judgment or immediately after shall cease to be published and in the case of all other printed matter, the Court may order such publication in any newspaper at the expense of the accused within a period not exceeding one month, In default of compliance with such order the defendant shall be liable to the payment of a fine not exceeding fifty pounds to the complainant. The action for the

recovery of the fine shall be exercised by the complainant before the same Court which has given the order.

#### APPLICATION OF OTHER LAWS

24. Where any act committed by the means indicated in article 2 constitutes in terms of the Criminal Laws or of any other law a crime which is not provided for in this Ordinance or a graver crime in terms of such laws, such other laws shall apply.

#### CASES WHERE INCITEMENT HAS PRODUCED ITS EFFECT

25. Where the incitement by the means indicated in article 2 to commit any offence has produced its effect, the persons responsible for the incitement shall be liable to the punishments contemplated in the Criminal Laws for the offence so committed diminished by one degree.

### CHAPTER III OF ACTIONS ARISING FROM PRESS OFFENCES

#### PERSONS AGAINST WHOM ACTION MAY BE INSTITUTED

26. In the criminal action for the offences contemplated under Chapter II may be instituted against each of the following persons:-  
the author of the writing, if he shall have composed it for the purpose of its being published, or if he shall have consented thereto;  
the printer;  
the editor of the newspaper in which the writing was published;

#### PROOF THAT THE WRITING IS A COPY NOT TO BE ALLOWED

27. None of the persons indicated in the foregoing article shall be allowed to prove, in his defence, that the writing is a copy, or an extract, or abridgment, or a translation of another writing which has been otherwise printed and published.

#### PRESUMPTION OF KNOWLEDGE

28. The persons indicated in article 26 shall be deemed to have acted knowingly in default of evidence to the contrary.

The editor, and printer of a newspaper, or any other printed matter shall be deemed to have acted knowingly when having been aware of the contents thereof at any time before its publication, they did not prevent its proposed publication.

#### PUNISHMENT FOR PRINTER OR EDITOR WHO MAY NOT HAVE ACTED KNOWINGLY

29. The printer or the editor of a newspaper, or any other printed matter, who may not have acted knowingly, shall be liable to the punishment established for contraventions.

#### CRIMINAL ACTION INDEPENDENT OF CIVIL ACTION

30. Criminal action is independent of the civil action. Either may be instituted at the same time or separately.

#### DAMAGES FOR DEFAMATION

31. In the case of defamation, by the means indicated in article 2, the object of which is to destroy or lessen the reputation of any person, the competent Civil Court may, besides the damages really sustained and which may be due according to the laws in force, grant to the person offended a sum not exceeding four hundred pounds.

#### DAMAGES TO BUSINESS CONCERNS BY DEFAMATION

32. Whoever, by the means contemplated in article 2, shall divulge any news which he knows or which with the exercise of due diligence he could have known to be false and which is likely to damage any business concern or other property, shall be liable to pay, in lieu of the damages really sustained and which may be due according to the laws in force, a sum not exceeding four hundred pounds to be determined at the discretion of the competent Court.

#### SEPARATE ACTION IN RESPECT OF SEPARATE ACCUSATIONS

33. It shall be lawful to take action in respect of each and every accusation in the same article against the persons responsible either jointly or severally provided that the amount of damages or penalties recoverable in regard to the same article shall not exceed four hundred pounds.

#### ACTION TO BE INSTITUTED ON COMPLAINT OF THE PERSON OFFENDED

34. The criminal action established in articles 15 and 22 shall only be prosecuted by the Police on a complaint by the person offended or by the persons indicated in article 518 of the Criminal Laws.

#### PRESCRIPTION

35. The criminal actions established in Chapter II and the civil actions arising out of articles 31 and 32 are barred by prescription after the lapse of one year.

#### EXEMPTIONS

36. The following are not applicable:-

- 1) publications made in pursuance of an Act of the British Parliament or of any authority from His Majesty or from the Head of the Government of these Islands;
- 2) publications of official Acts of the Episcopal Authorities;
- 3) publications made by a public officer in the exercise of his functions;
- 4) bona fide reports of debates of Parliament, provided that the relevant portion of the debate is published and that the defence of an accused person is not suppressed or maliciously or recklessly curtailed or modified.
- 5) publications of reports of any proceeding in a Court of Justice in these Islands, provided such reports shall be fair statement of the proceedings, and provided the publication of such proceedings or reports shall not be prohibited by law or by the Court.

Nevertheless the publication of any proceedings or of any report of such proceedings of cases of libel, when evidence of the truth of facts attributed is not admitted by law, is prohibited.



## CHAPTER IV OF NEWSPAPERS

### EDITOR

37. Any person who is a British subject and against whom no conviction under this Ordinance has been recorded during the previous twelve months, is of twenty one years of age and resides in these Islands may undertake the editing of any newspaper, provided he complies with the provisions of article 38.

### REQUIREMENTS TO EDIT A NEWSPAPER

38. Whoever intends to edit a newspaper shall deposit with the Treasurer a sum of two hundred pounds and produce at the Office of the Registrar:

- 1) a certificate of good conduct from the Commissioner of Police;
- 2) a declaration, supported by the requisite documents containing:
  - a) his name and surname, age and place of residence, and
  - b) the name and nature of the publication, the name of the office in which the printing thereof is to be done, the name surname and residence of the printer; and his place of residence;
- 3) a certificate from a Board, composed of two Magistrates and the Registrar, whose decision shall be taken by a majority of votes, to the effect that the declarant is a fit and proper person to edit a newspaper;
- 4) a declaration by the Treasurer that the deposit prescribed by the first paragraph of this article has been effected.

### REGISTER OF NEWSPAPERS

39. The Registrar shall enter into a register, kept for the purpose, any newspaper, as soon as the provisions of Article 38 shall have been compiled with and shall notify the editor of such registration.

The Registrar shall cancel from the register any newspaper either at the request of its editor or by the Court.

The editor of any newspaper shall furnish to the Registrar, the Public Prosecutor and the Commissioner of Police, free of charge, a copy of every issue of such newspaper, not later than the following day of its publication, and in default thereof, he shall be liable to a penalty of five shilling for each issue not furnished as above.

### PUNISHMENTS FOR EDITING NEWSPAPERS NOT ENTERED ON THE REGISTER

40. Whoever shall edit or print any newspaper which is not entered on the register of before being notified that it has been entered shall be punished with a fine (multa) of five pounds for each publication, and the Court shall order the cessation of such publication. In default of compliance therewith, the offender shall be liable to a fine of one hundred pounds, and, moreover, the Court may order the confiscation of the plant and machinery.

### SUSPENSION AND CANCELLATION OF NEWSPAPER

41. On a first conviction of anyone of the persons mentioned in article 26 for any of

the offences contemplated in articles 4, 5, 6, 7, 8, 10, 17, 18, and 24 the Court, besides awarding the punishment to which the offender may have become liable, shall order the suspension of the publication of the incriminated newspaper for a period of two months and the forfeiture of the deposit referred to in article 38 or any part thereof, in no case less than twenty pounds in favour of the Crown, although the editor has not been a party to the proceedings; and on a second conviction the Court shall order the cessation of the publication and the cancellation from the register of such newspaper and the forfeiture of the deposit.

It shall be lawful for the editor, who is not a party in the proceedings, to be assisted by an Advocate or Legal Procurator, and to submit his reasons why the provision of the preceding paragraph should not be applied.

In default of compliance with the order of the Court as to the suspension or cessation of the publication of a newspaper the offenders shall, saving the punishment to which they may have become liable for any infringement of the provisions of this Ordinance be subject to the punishments laid down in article 40.

Whoever shall, on the expiration of the period for which the newspaper has been suspended, resume the publication of such newspaper, before making a fresh deposit or replenishing the original deposit referred to in article 38 as the case may be, shall be deemed to have contravened the provisions of that article.

Upon the order of the Court for the suspension or the cancellation of any newspaper from the register, the Registrar shall not, while such order is in force, register any other newspaper under any name which is not radically and substantially different from that of the newspaper which has been cancelled or suspended nor shall the Registrar register any other newspaper which is directly or indirectly or presumably under the control, editorship or administration of the same owner or of the registered editor of the offending newspaper.

#### APPLICATION OF ARTICLE 23 OF CRIMINAL LAWS TO BE DEEMED CONVICTION

42. For the purpose of this Ordinance the application by the Court of the provisions of article 23 of the Criminal Laws shall be deemed to be a conviction.

#### CHANGE IN THE INDICATIONS REQUIRED UNDER ARTICLE 38

43. Any change in the indications prescribed by article 38 as to the name and residence of the editor, and the name and residence of the printer, shall, subject to the punishments prescribed by the Criminal Laws for contraventions, be notified to the Registrar within three days of such change.

#### FALSE INDICATIONS

44. Any false statement in any of the indications required under the provisions of article 38 renders the offender liable to the punishment of imprisonment for a term not exceeding three months.

#### WITHDRAWAL OF DEPOSIT

45. The editor shall have the right to withdraw the deposit contemplated in article 38 except in so far as it may have been forfeited, after the lapse of three months, to be reckoned from the date of the cancellation of the newspaper from the register.

#### SEIZURE OF PRINTED MATTER BY THE COMMISSIONER OF POLICE

46. It shall be lawful for the Commissioner of Police to order the seizure of any printed matter, which, in his opinion, is published in contravention of the provisions of this Ordinance.

The editor and printer who, consequent upon the order of the seizure contemplated in the preceding paragraph, shall not cause the immediate suspension of the further publication of such printed matter, shall, in infringement of any of the provisions of this Ordinance, be punished with a fine (multa) up to twenty pounds.

#### PRESCRIPTION FOR CRIMINAL ACTIONS

47. Criminal sections for offences contemplated in this Chapter are barred by prescription after the lapse of three months, with the exception of the action for the offence contemplated in article 44 which shall be barred after the lapse of one year.

#### EXEMPTIONS

48. Periodical publications originating from the authorities indicated in numbers 2, 3, and 4 of article 60 are exempted from the provisions of this Chapter.

### CHAPTER V OF PRINTING AND LITHOGRAPHIC AND SIMILAR PRESSES

#### LICENCE FOR KEEPING A PRINTING PRESS

49. No one shall keep printing or lithographic presses or mechanical appliances capable of producing similar reproductions without a licence of the Police.

#### CONDITIONS FOR THE GRANTING OF LICENCE

50. The licence shall be granted to any person who is a British subject and against whom no conviction under this Ordinance has been recorded during the previous twelve months, provided,

- a) he is of good conduct;
- b) he is eighteen years of age;
- c) he resides in these Islands;
- d) he makes a deposit of twenty pounds with the Treasurer for the purpose of this Ordinance.

The licence shall be renewed on the 1st of January of each year.

The licence shall indicate:

- 1) the name and surname, age and residence of the person keeping the printing or lithographic press;
- 2) the name proposed to be given to the printing or lithographic press;
- 3) the place in which it is proposed to keep it.

## PRINTING PRESS NOT TO BE REMOVED WITHOUT PREVIOUS NOTICE TO THE COMMISSIONER OF POLICE

51. The printing, lithographic or other press may not be removed from the place indicated in the licence without the printer having given a previous notice to the Commissioner of Police.

Any other charge in the particulars contemplated in the preceding article shall be notified, within three days, to the Commissioner of Police by the person who keeps the printing lithographic or other establishment for reproducing printed matter or by his heirs or successors.

## SUSPENSION OR CANCELLATION OF THE PRINTER'S LICENCE

52. On a first conviction of any of the persons mentioned in article 26 for any of the offences contemplated in articles 4, 5, 6, 7, 8, 9, 10, 17, 18 and 24, the Court, besides awarding the punishment to which the offenders may have become liable, shall order the suspension of the licence granted to the printer under article 49 for a period of one month and the forfeiture of the deposit indicated in article 50 or any part thereof although the printer has not been a party to the proceedings; and on a second or subsequent conviction the Court shall order the cancellation of the said licence and the forfeiture of the above deposit.

The provisions of the second paragraph of article 41 shall apply also in the case where the printer has not been a party to the proceedings.

## PUNISHMENT IN CASE OF DISOBEDIENCE OF THE ORDER OF THE COURT

53. Whoever, notwithstanding the order of the Court as the suspension or cancellation of the licence in terms of the preceding article, shall continue to produce printed matter with the same plant and machinery in respect of which the licence indicated in article 49 was originally granted, shall, saving the punishment to which he may have become liable for any infringement of any provision of this Ordinance, be subject to a fine of five pounds for every publication, and the Court may order the confiscation of such plant and machinery.

## REPLENISHMENT OF DEPOSIT

54. Whoever, on the expiration of the period of suspension of the licence in terms of article 52, shall not take good the deposit forfeited, shall be deemed to have contravened the provisions of article 49.

## WITHDRAWAL OF DEPOSIT

55. The printer shall have the right to withdraw the deposit contemplated in article 50 except in so far as it may have been forfeited, after the lapse of three months, to be reckoned from the date of the cancellation of his licence by order of the Court or from the date of the surrender of the licence.

## PRINTED MATTER TO SHOW OFFICE AND DATE OF ISSUE

56. Every printed matter shall indicate the office of issue and the date on which it was printed.

## **ITINERANT VENDORS**

57. The sale of printed matter by itinerant vendors, without a licence of the Police, is prohibited.

The said licence may be granted to any person over the age of twelve years and it shall be renewed on the 1st January of each year.

The forfeiture of such printed matter is a consequence of the contravention of the provision of the first paragraph of this article.

## **PUNISHMENT FOR OFFENCES AGAINST THIS CHAPTER**

58. Whoever shall contravene the provisions of this Chapter, shall, saving the punishments for the offences contemplated in articles 52 and 53, be liable to the punishment established for contraventions.

## **PRESCRIPTION**

59. Criminal actions for the offences contemplated in this Chapter, are barred by prescription after the lapse of three months.

## **EXCEPTIONS**

60. The following are exempted from the provisions of article 56:

- 1) printed writings intended merely for industrial, commercial, domestic or social purposes;
- 2) the acts of the Civil Authorities and of the several Departments of the Government, or matter printed by order or by leave of the Head of the Government;
- 3) the Acts of the Naval, Military and Air Authorities, or of any Department under such Authorities, or printed by order or by leave of such Authorities;
- 4) the Acts of Ecclesiastical Authorities, and those orders or writings permitted by an Ecclesiastical Authority and concerning ecclesiastical matters.

## **PARTICULAR PROVISIONS**

### **SUSPENSION OF NEWSPAPER AND WITHDRAWAL OF LICENCE CONTEMPLATED IN ARTICLE 49**

61. Where a charge for any of the offences contemplated in articles 4, 5, 6, 7, 8, 10, 13, 18, and 24 is preferred against any of the persons indicated in article 26, it shall be lawful for the Governor, by Warrant under his signature, to order, under the penalties contemplated in articles 40 and 53 respectively, that pending the proceedings, the publication of the incriminated newspaper be suspended and that the licence referred to in article 49 be withdrawn.

### **RIGHT OF APPEAL**

62. The decision of the Court of Judicial Police in respect of offences contemplated in this Ordinance may, in all cases, be appealed against by the Public Prosecutor and by the party convicted.

### **MAXIMUM OF FINE**

63. In the case of a conviction for any of the offences referred to in articles 5, 6, 7, 8

and 10, the maximum of the fine which the Court may award shall be one hundred pounds.

#### POWER OF GOVERNOR TO MAKE REGULATIONS

64. It shall be lawful for the Governor to make, and when made, amend or repeal regulations for the carrying out of the provisions of this Ordinance and in particular, but without prejudice to the generality of this provision, for varying or dispensing with the amount of the deposit contemplated in articles 38 and 50 respectively.

Transitory and repealing provisions.

#### REPEAL OF ORDINANCE XIV OF 1889

65. Ordinance No XIV of 1889 is repealed.

#### TRANSITORY PROVISION

66. In regard to newspaper already declared to the Registrar under any previously existing law and in regard to licences already granted to printers under any such law on the day of the promulgation of this Ordinance, it shall be lawful for the Governor to fix the time within which editors and printers are to make the deposit referred to in articles 38 and 50 respectively.

Passed, 9th November, 1933

Edw. R. Mifsud  
Clerk of the Nominated Council

## Appendix E

### PRESS LAW 1933 REGULATIONS

His Excellency the Governor in virtue of the powers vested in him by article 64 of the Press Law of 1933 has been pleased to make the following regulations:

1. Newspapers already registered under any previously existing law or which shall be so registered under the Press Law of 1933 and which have suspended or which shall suspend publication for a period exceeding one month in the case of daily newspapers, or for a period of three months in the case of other newspapers, shall be cancelled from the Register.
2. Newspapers cancelled from the Register in accordance with Regulations 1 shall not resume publication before complying with the provisions of the Press Law of 1933.
3. The Registrar shall publish in the Government Gazette a list of newspapers cancelled from the Register in virtue of Regulation 1 or of any other provisions of the Press Law of 1933 together with the names of the registered editor and printer.
4. The Registrar shall notify in the Government Gazette the suspension of any newspaper which has been ordered either by Warrant of His Excellency the Governor in terms of article 61 of the Press Law of 1933 or by the Court.
5. The Registrar of any Court by which an order of suspension or cancellation has been given shall notify such order to the Press Registrar within twenty four hours.
6. The Registrar shall in the month of December of each year publish in the Government Gazette a list of all newspapers borne on the Register together with the names of the registered editor and printer.

13th November, 1933.

By Command,  
H.C. Luke,  
Lieutenant- Governor.

Lieutenant-Governor's Office,  
The Palace, Valletta.

## Appendix F

### MEMORANDUM by the Institute of Journalists (Malta Branch) on the Malta Press Law

The Institute of Journalists (Malta Branch) holds that Malta's Press Law (Ordinance V of 1933) is restrictive, repressive and outdated.

In 1949 the Government of the day set up a Press Commission "to examine legislation in force concerning the Press and to suggest amendments that may be considered desirable in the public interest". Several interested persons were called to give evidence and the Empire Press Union (now the Commonwealth Press Union) had submitted a Memorandum in which Malta's Press Ordinance was roundly and soundly condemned. Unfortunately that Commission lapsed with the prorogation of the Legislative Assembly in 1950 and has never been revived.

The Institute of Journalists (Malta Branch) holds that the time has come for re-examination of the whole question and for a drastic revision of the Press Law as it now stands. It calls on all journalists and others interested in Newspapers and Press Freedom to make their voice heard in a matter of fundamental importance to the individual.

Together with free journalists everywhere the Institute of Journalists (Malta Branch) believes that the Press should be free of Government control; that the Courts under the rule of Law and not the Executive should judge alleged Press Offences; that in time of peace, the Courts should not be given powers to suppress Newspapers and Printing Presses; and, because the Institute of Journalists stands for freedom of expression and not for licence, as well as for high professional standards, it believes that the present Press Ordinance does not give sufficient protection to the individual citizen against moral murder committed by the irresponsible and the scurrilous.

We now turn to examining what we consider the worst aspects of the Press Law in Malta.

Section 47 gives the Commissioner of Police power to order the seizure of any printed matter which, in his opinion, is published in contravention of the provision of the Ordinance. In the words of our Legal Advisor "This is particularly totalitarian in outlook and is crushing in its possible extensive interpretation".

Section 62 gives power to the Governor, by warrant under his hand, to order that, pending proceedings against a newspaper for certain Press offences, the publication of the newspaper charged be suspended and that its printer's licence be withdrawn. We consider this a highly improper power in the hands of the Executive which conflicts with what has been described as the golden thread that runs through the web of English (and Maltese) criminal law - the cherished principle that every man is presumed to be innocent until he is proved guilty.



These powers in the hands of the Executive are entirely arbitrary and despotic. They tend to intimidate editors from commenting fearlessly on events of public importance and are not conducive to a healthy public opinion which is essential prerequisite for the survival and growth of democracy.

Except during war, power to suppress a newspaper or a printing press, even in the hands of an independent judiciary, is clearly unwarranted in the Free World. Over-severe punishments can result in the creation of a docile Press for fear of any prosecution which could lead to the suspension or suppression of a newspaper.

Under Section 42, a newspaper is automatically suspended for two months on a first conviction under any one of nine sections of the Ordinance - which refer to some of the so called "Press offences in particular": on a second conviction, the Court has no option but to order the cessation of the publication and the cancellation from the register of such newspaper. Section 42 (4) makes it illegal for a newspaper to resume publication (after the period of compulsory suspension) unless it deposits £200: if it does not comply, its editor and printer shall be liable to a fine of £5 for each publication and the Court shall order the cessation of such publication: "in default of compliance with any such order, the offender shall be liable to a fine of £100, and, moreover, the Court may order that the plant and machinery forfeited".

Under Section 53 the printer's licence is automatically suspended for one month on a first conviction under the above-named sections of the Ordinance: on a second or subsequent conviction, the Court must order the cancellation of the said licence. And whosoever, (notwithstanding an order for the suspension or cancellation of the licence), continues to produce printed matter with the same plant and machinery, shall be liable to a fine of £5 for every publication and the Court may order the forfeiture of such plant and machinery.

It is clear that the Press in Malta labours under a considerable and unjustified handicap which becomes especially acute after a first conviction under any of the nine sections listed in Sections 423 and 53 of the Ordinance.

The provisions of the Law which affect the printing presses are certainly those which hold the greatest menace for the press: they mean, in effect, not only loss of work and wages to the workers employed in the Press, but also the suppression of other newspapers and journals (unconnected with the offending newspaper) which happen to be printed at that particular printing press. From a commercial point of view also the suspension of the printer's licence involves grave financial hardship through loss of goodwill and advertisement to the owners of newspapers who may have had nothing to do with the publication of the 'incriminated' article.

In the opinion of our Legal Advisor, "the deposit of £200 required by law before a newspaper resumes publication (after a period of compulsory suspension) savours of a second penalty for the same offence in contradiction to the general principle of common law that 'nemo debet bis vexari'".

We hold that any penalty imposed by the Court should be inflicted on the offending editor or writer only and the Courts should be deprived of any power to suppress, even temporarily, a newspaper or a printing press - except as already stated, at a time of extreme national emergency.

We submit that Sections 42, 47, 53, and 62, should be repealed.

A liberalization of the Press Law in the direction indicated, should, in our view, be accompanied by a review of the penalties which are intended to serve as a deterrent against damage to the honour and reputation of the individual.

As the law stands, a person convicted of defamatory libel, shall - if the libel contains specific imputations against the complainant tending to injure his character and reputation, or to expose him to public ridicule or contempt - be punished with imprisonment for a term not exceeding three months or with a fine of from £5 to £20 or with both such imprisonment and fine: in any other case, with imprisonment for a term not exceeding one month or with the said fine.

Section 31, which refers to the civil action for libel, says that where the object of defamation is to take away or injure the reputation of any person, the competent Civil Court may, in addition to actual damages, award moral or general damages to the person libelled in a sum not exceeding £400. Section 32 extends this action for moral or general damages in respect of slander of title and trade libel.

We are informed by our Legal Advisor that "Persons libelled in Malta do not look favourably on a civil action for defamation, which necessarily takes time and is unduly costly, and prefer to have a speedy decision from the trial Magistrate in criminal proceedings. But it is a moot point whether the comparative small sums involved (the Courts have never inflicted a punishment restrictive of personal liberty for a criminal libel and are not likely to do so in the future) really give any sort of effective sanction against those who indulge in the assassination of other people's character."

In our view there should be no fixed maximum for the pecuniary punishment and at the same time the power to imprisonment for libel should be abolished.

Our Legal Advisor holds, and we concur, that "There appears to be no valid reason for fixing the maximum of general damages in a civil action for defamation at £400. Besides being derisory, this amount prevents an appeal as of right to Her Majesty's in Council from the judgment of H.M. Court of Appeal, because, in terms of the obtaining Order and Council of November 22, 1909, an appeal to the Judicial Committee of Privy Council shall only lie as of right from any final judgment of the Court of Appeal where the matter in dispute on the appeal amounts to or is of the value of £500 or upwards, or where the appeal involves directly or indirectly, some claim or question to or respecting property or some civil right amounting to or of the value of £500 or upwards".

The very small sums inflicted or which may at present be inflicted, on a conviction for a criminal libel and the amount, which as the law stands, can reasonably be expected as general damages in a civil action for defamation are no deterrent against "gutter journalism". They are indirectly responsible for the large number of criminal actions for libel coming before the Malta Courts. (See Appendix "A").

There will be those who maintain that the maximum damages for defamation cannot be increased so long as the maximum damages awarded to the heirs of a victim killed through the culpable negligence of another is fixed at £1,200 (Section 1088 of

the Civil Code).

Our Legal Advisor states: There is a considerable body of opinion which would favour an early amendment to Section 1088 of the Civil Code and Her Majesty's Court of Appeal has lately expressed the view that 'the time has come to do away with the maximum of damages awarded for a quasi-tort so As to allow enough discretion to the Courts to enable them to award adequate compensation, having regard to the circumstances of the case and the current value of money'".

There are equally strong arguments for amending Sections 31 and 32 of the Press Ordinance.

We submit further that the time has come to amend Sections 9 and 14.

Section 9 makes it an offence "knowingly to sell or offer for sale, distribute or import for sale or distribution" any publication contravening the Ordinance, and imposes the same punishment as that provided for the "principal offender". In such a case, the offender shall be presumed to have acted knowingly, unless he can prove that "he took reasonable measures to verify the contents of the incriminated publication". A possible effect of this provision is to discourage the importation of newspapers and other literary matter from outside Malta. It is submitted that sub-section (2) of this section should be repealed, and that the accused should be entitled to acquittal if he proves that he had disseminated the work without knowing that it contravened the provisions of the Ordinance and that there was nothing in the work or in the circumstances in which it came to him or was disseminated by him which should have led him to suppose thAt it contravened any of the provisions of the Ordinance.

Sections 13 and 14 are directed against "spreading false news likely to alarm public opinion or to disturb public good order", but while Section 13 refers to the malicious publication of such news, Section 14 contemplates the negligent publication of such news. Recent case-law (v.Appeal case "The Police -vs- Anthony Micallef 26th June, 1957) has explained the apparent clash between the two sections and has allayed some of the fears previously felt arising from the general terms in which the two sections are couched. Nonetheless the provision is arbitrary. This is clearly an attempt to deal with a hypothetical offence instead of one proved by events. We submit that this section should either be repealed altogether or amended so as to penalise only those newspapers whose reports have in fact disturbed public good order.

There is also in our view a need to remove the power which the Courts enjoy, under Section 14 to require the offender "to disclose in a Court of Law the source of his information" under an additional penalty not exceeding £20.

Rather than forcing them to reveal their sources, the Law should recognize the right of journalists to professional secrecy.

The remedy provided by Section 22 should be the only remedy open for what is known as "unintentional defamation": in these cases, the lack of any intention to defame, coupled with the absence of any negligence on the part of the defendant, should, in fairness, constitute a bar to further proceedings. In this way, the innocent

victim of the defamatory statement would have the means of clearing his name publicly, but would be debarred from bringing any further section against the defendant in respect of the same words.

The same matters in respect of which the Press in Malta enjoys “privilege” call for comment.

Section 36 of the Ordinance says that: “No action shall lie in respect of the following publications:

- a) publications made in pursuance of an Act of the Imperial Parliament or by authority of Her Majesty or the Governor of these Islands;
- b) publications of Official Acts of the Episcopal authorities;
- c) publications made by a public officer in the exercise of his functions;
- d) publications of bona fide reports of debates of the Legislative Assembly, provided the relevant part of the debate is published, and the defence of any person against whom any charge is made is not suppressed or maliciously or negligently curtailed or altered;
- e) publications or reports of any proceedings in a Court of Justice in these Islands, provided such reports are fair reports of the proceedings, and the publication of such reports or proceedings is not prohibited by law or by the Court.

Provided also that it shall not be lawful to publish the proceedings or any report of the proceedings in any case of defamation, in which evidence of the truth of the matters charged is not allowed by law.”

An extension of the categories of cases in which “qualified privilege” subsists would in our view be justified to cover publication of reports of public meetings (i.e. of any meeting bona fide and lawfully held for a lawful purpose and for the furtherance or discussion of any matter of public concern whether the admission to the meeting is general or restricted) and of the proceedings of ad hoc or special tribunals (as for example, Arbitration Tribunals) which, semble, could not be included under the denomination of “Courts of Justice” in para (c) of Section 36, or the meetings of bodies or conferences, such as the Malta Football Association, Political Parties’ Conferences or Congresses, Trade Union Conferences or Councils, etc.

As the law stands, the publication of such reports is made at the newspaper’s peril and it looks as if in an action for defamation, the editor or reporter may not be able to claim “privilege” but would have to rely of the defence of justified or of fair comment on a matter of public interest both of which require that the allegations of fact be proved to the hilt.

It can now be said to be accepted that a recorded broadcast amounts to libel while a live broadcast amounts only to slander. In view of our Legal Advisor “There can be little justification for so artificial a distinction and it is felt that all defamatory broadcast statements, whether recorded or live, should be treated as libels and as ‘published’ by the person making them and by the Company responsible for their broadcasting over the air.”

Under sections 37 and 38, it is a condition for the obtainment of permission to edit a newspaper that the applicant must produce a certificate from the Press Board composed of two independent Magistrates of Judicial Police and the Press Registrar to the effect that the applicant is a fit and proper person to edit a newspaper.

It is submitted that the opinion of the Board (which is an administrative and not a judicial one), arrived at in camera and often without hearing the applicant, is not necessarily the surest guide as to whom is or is not "a fit and proper person to edit a newspaper". The position leaves too much discretion in the hands of the Board to make or unmake an editor. The least that could be demanded is to limit the discretionary power of the Board to instances specified in the Law.

In our view the Board should in all cases inform applicant of the reason or reasons which might have prompted them to disallow his application: a right of appeal to H.M. tribunals might also be considered from the decision of the Board rejecting an application to edit a newspaper.

In conclusion we wish to emphasize that the Press is not above the Law. But the laws must be good laws. It is certain that freedom of the Press must be exercised within certain limitations. These limitations should be clearly defined in the Law and should not be a muzzle on the freedom of expression.

The Press is often an inconvenience and an embarrassment to those in power but it is also, and often, the means whereby injustices are righted and public scandals exposed.

Freedom of the Press is often the private individual's best guarantee against the whims or injustices of the State.

John A. Manduca  
Chairman

H. Scorey  
Secretary.

September 1959

#### APPENDIX "A"

(1) There were 94 persecutions under the Press Ordinance before the Courts of Magistrates of Judicial Police from 1st January, 1947, to the 15th December, 1958. Of these cases, 20 were instituted on a complaint by the police and 74 as a result of a private complaint.

(2) Eighty-six cases were for defamatory libel.

Two for offences under Section 6 of the Ordinance (imputation of ulterior motives to acts of the Governor or vilification of the Governor).

One for an offence under Section 13 (malicious publication of false news).

One for an offence under Section 14 (negligent publication of false news).

Three for offences under Section 22 (failure to publish a rectification or denial) and

One for an offence under Section 23 (failure to publish summary of judgment convicting defendant).

(3) The highest fine imposed was £14 and the lowest 10s. (In the case of an Editor convicted of vilifying the Governor, four days imprisonment and a fine of £35 were imposed. In this case the Court also ordered the suspension of the newspaper for a period of two months and the printer's licence for a period of one month. The same editor was also found guilty under the Seditious Propaganda (Prohibition) Ordinance. He was fined £20 and his newspaper suspended for two months; the printer was fined £5 under Section 8 of the Press Ordinance - incitement to disloyalty).

(4) In two cases for civil actions in respect of defamatory libel the Court awarded £30 costs in one case and £25 plus costs in the other. In the second case the judgment was reversed on appeal and leave to appeal to the Privy Council was rejected.

## Appendix G

### Ordinance No. XXVII of 1960

#### TITLE

An Ordinance further to amend the Press Ordinance, Cap.117

#### COMMENCEMENT

[16.12.60]

#### ENACTMENT

Be it enacted by the Governor of Malta as follows:-

#### SHORT TITLE

1. This Ordinance may be cited as the Press (Amendment) Ordinance, 1960, and shall be read and construed as one with the Press Ordinance, hereinafter referred to as "the principal Ordinance".

Substitution of new section for section 14 of the principal Ordinance,

2. For section 14 of the principal Ordinance there shall be substituted the following section:- "Negligent publication of false news.

14. Any person who, by the means mentioned in section 2, through the omission of ordinary diligence, spreads false news which is likely to alarm public opinion or to disturb public good order or the public peace shall be guilty of an offence and shall be liable on conviction to the punishments established for contraventions."

#### AMENDMENT OF SECTION 15 OF THE PRINCIPAL ORDINANCE

3. In paragraph (a) of section 15 of the principal Ordinance, immediately after the words " or with a fine (multa)", there shall be inserted the words " not exceeding one hundred pounds."

#### AMENDMENT OF SECTION 38 OF THE PRINCIPAL ORDINANCE

4. In paragraph (b) (ii) of subsection (1) of section 38 of the principal Ordinance, immediately after the words "newspaper" , there shall be added the words "including the intervals at which it is to be published,".

#### SUBSTITUTION OF NEW SECTION FOR SECTION 39 OF THE PRINCIPAL ORDINANCE

5. For section 39 of the principal Ordinance there shall be the following section:-  
"Newspaper register.

39. (1) Subject to the provisions of subsection (2), the Registrar shall, as soon as the provisions of section 38 have been complied with, enter the title of the news-paper in a register kept for that purpose and shall notify the editor of such registration.

(2) The Registrar shall not enter the title of any newspaper in the register if such title so resembles -

(a) that of any other newspaper on the register;

or

(b) that of any other newspaper in respect of which an application for registration is pending, as is likely to cause confusion.

(3) The Registrar shall remove the title of a newspaper from the register and shall notify the editor of such removal -

(a) when he receives a request in writing from the editor that the title of his newspaper be removed;

(b) when he receives an order from a competent court directing him to remove the title of a newspaper;

(c) when a newspaper which is published at intervals not exceeding one month is not published for any period exceeding three months, or in the case on any other newspaper, when it is not published for a period exceeding one year;

(d) when a newspaper is not published for the first time within three months from the date of registration or, in the case of a newspaper registered before the 16th day of December, 1960, within three months from such date."

#### AMENDMENT OF SECTION 41 OF THE PRINCIPAL ORDINANCE

6. In section 41 of the principal Ordinance for the words "which has not been entered" there shall be substituted the words "which is not entered".

#### AMENDMENT OF SECTION 51 OF THE PRINCIPAL ORDINANCE

7. Subsections (1) of section 51 of the principal Ordinance shall be amended as follows:-

(a) in paragraph (d) immediately after the words "years" there shall be inserted the word "and";

(b) in paragraph (e) the word "and" shall be deleted; and

(c) paragraph (f) shall be deleted.

#### AMENDMENT OF SECTION 59 OF THE PRINCIPAL ORDINANCE

8. In section 59 of the principal Ordinance the words "Saving the punishments for the offences referred to in sections 53 and 54" shall be deleted.

#### SUBSTITUTION OF NEW SECTION FOR SECTION 65 OF THE PRINCIPAL ORDINANCE

9 For section 65 of the principal Ordinance there shall be substituted the following section:-

"Regulations.

65. It shall be lawful for the Governor to make, and when made, to amend or repeal, regulations for carrying out the provisions of this Ordinance."

#### REPEAL OF CERTAIN SECTIONS. CH.117 OF LAWS OF MALTA, 1942 ED., I.E. THE PRESS ORDINANCE 1933

10. Sections 42, 46, 47, 53, 54, 55, 56, 62, and 66 of the principal Ordinance are hereby repealed.



## Appendix H

### PRESS ACT 1974

*To make provision, in place of the Press Ordinance, in respect of printed matters, and in respect of broadcasting.*

(23rd August, 1974)\*

#### ARRANGEMENT OF ACT

##### Sections

Part I. 1-2	Preliminary
Part II. 3-22	Press Offences
Part III. 23-33	Actions arising from Press Offences
Part IV. 34-41	Newspapers
Part V. 42-49	Printing Presses
Part VI. 50-53	Miscellaneous

---

#### PART I PRELIMINARY

##### SHORT TITLE

1. This Act may be cited as the Press Act.

##### INTERPRETATION

2. In this Act, unless the context otherwise requires -  
“broadcast” means broadcast of words or of visual images by means of wireless telegraphy or wire or both, whether or not such words or images are in fact received by any person;

---

\* Repealed by this Chapter.

“editor” means the person responsible for the publication of any printed matter and in respect of a newspaper includes any person complying with the provisions of section 35 of this Act

“Malta” has the same meaning as is assigned to it by section 124 of the Constitution of Malta;

“newspaper” means any paper containing news, advertisements, intelligence, occurrences, or any comments or observations thereon, printed for sale or to be distributed free or in any other manner, and published daily or periodically;

“person” includes a body of persons, whether it has a distinct legal personality or not;

“printed matter” means any writing printed in typographical characters or by lithography or any similar device or process on paper or other substance, as well as any bill, placard or poster containing any sign or script written, printed, painted, embossed or in any other manner impressed, and includes any record, tape, film or other means whereby words or visual images may be heard, perceived or reproduced;

“printer” includes any person who prints a newspaper and any person licensed under section 43 of this Act;

“publication” means any act whereby any printed matter is or may be communicated to or brought to the knowledge of any person or whereby any words or visual images are broadcast;

“Registrar” means such person as the Prime Minister may, from time to time by notice in the Government Gazette, designate as Press Registrar for the purposes of this Act.

## PART II PRESS OFFENCES

### MEANS WHEREBY OFFENCES UNDER THIS ACT ARE COMMITTED

3. The offences mentioned in this Part of this Act are committed by means of the publication or distribution in Malta of printed matter, from whatsoever place such matter may originate, or by means of any broadcast.

### INCITEMENT TO TAKE AWAY LIFE OR LIBERTY OF THE PRESIDENT ETC

4. Whosoever, by any means mentioned in section 3 of this Act, shall incite others to take away the life or the liberty of the President of Malta or any Minister, shall for the mere incitement be liable on conviction to imprisonment for a term not exceeding nine years and to a fine (*multa*) not exceeding five hundred liri.

### IMPUTATION OF ULTERIOR MOTIVES TO ACTS OF PRESIDENT OF MALTA

5. Whosoever, by any means mentioned in section 3 of this Act, shall impute ulterior motives to the acts of the President of Malta, or shall insult, revile or bring into hatred or contempt or excite disaffection against, the person of the President of Malta, shall be liable on conviction to imprisonment for a term not exceeding three

months and to a fine (*multa*) not exceeding two hundred liri.

#### CONTEMPT TOWARDS THE FLAG

6. Whosoever, by any means mentioned in section 3 of this Act, shall insult or show contempt towards the National Flag of Malta shall be liable on conviction to imprisonment for a term not exceeding three months and to a fine (*multa*) not exceeding two hundred liri.

#### OBSCENE LIBEL

7. Whosoever, by any means mentioned in section 3 of this Act, directly or indirectly, or by use of equivocal expressions, shall injure public morals or decency, shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine (*multa*) or to both such imprisonment and fine.

#### DIVULGING PROFESSIONAL SECRETS

8. Whosoever, by any means mentioned in section 3 of this Act, shall divulge any secret matter confided to him by reason of his profession or calling, shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine (*multa*) not exceeding two hundred liri or to both such imprisonment and fine.

#### MALICIOUS PUBLICATION OF FALSE NEWS

9. (1) Whosoever shall maliciously, by any means mentioned in section 3 of this Act, spread false news which is likely to alarm public opinion, or disturb public good order or the public peace, or to create a commotion among the public or among certain classes of the public, shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine (*multa*) or to both such imprisonment and fine:

Provided that, if any disturbance ensues in consequence of the offence, or if the offence has contributed to the occurrence of any disturbance, the offender shall be liable to imprisonment for a term of not less than one month but not exceeding six months and to a fine (*multa*)

(2) For the purposes of this section, malice shall be presumed in default of evidence showing that prior to publication, the accused took reasonable measures to verify the truthfulness of the news.

#### NEGLIGENT PUBLICATION OF FALSE NEWS

10. Whosoever, by any means mentioned in section 3 of this Act shall, through the omission of ordinary diligence, spread false news which is likely to alarm public opinion, or to disturb public good order or the public peace, shall be liable on conviction to a fine (*multa*).

#### DEFAMATORY LIBEL

11. Save as otherwise provided in this Act, whosoever shall, by any means mentioned in section 3 of this Act, libel any person, shall be liable on conviction -  
(a) if the libel contains specific imputations against such person tending to injure his

character and reputation, or to expose him to public ridicule or contempt, to imprisonment for a term not exceeding three months or to a fine (*multa*) not exceeding two hundred liri or to both such imprisonment and fine:

(b) in any other case, to imprisonment for a term not exceeding one month or to a fine (*multa*)

#### PLEA OF JUSTIFICATION

12. (1) In any action for a defamatory libel under section 11 of this Act, the truth of the matters charged may be enquired into if the accused, in the preliminary stage of the proceedings, assumes full responsibility for the alleged libel and declares in his defence that he wishes to prove the truth of the facts attributed by him to the aggrieved party.

Provided that the truth of the matters charged may be enquired into only if the person aggrieved -

(a) is a public officer or servant and the facts attributed to him refer to the exercise of his functions; or

(b) is a candidate for a public office and the facts attributed to him refer to the exercise of his functions; or

(c) habitually exercises a profession, an art or a trade, and the facts attributed to him refer to the exercise of such profession, art or trade; or

(d) takes an active part in politics and the facts attributed to him refer to his so taking a part in politics; or

(e) occupies a position of trust in a matter of general public interest;

Provided further that the truth of the matters charged may not be enquired into if such matters refer to the domestic life of the aggrieved party.

(2) Where the truth of the matters charged is enquired into in accordance with the foregoing provisions of this section -

(a) if the truth of the matters charged is substantially proved, the defendant shall not be liable to punishment if the court is satisfied that the proof of the truth has been for the public benefit and he shall be entitled to recover from the complainant or plaintiff the costs sustained by him in any criminal or civil proceedings;

Provided that the proof of the truth of the matters charged shall not exempt the defendant from punishment for any insult, imputation or allegation which the court shall consider to have been unnecessary in attributing to the person aggrieved the facts the proof of the truth whereof shall have been allowed;

(b) if the truth of the matters charged is not substantially proved, the accused shall be liable to imprisonment for a term not exceeding six months or to a fine (*multa*) not exceeding five hundred liri or to both such imprisonment and fine.

#### PUBLICATION OF MATTER WITH INTENT TO EXTORT MONEY.

13. Whosoever, by any means mentioned in section 3 of this Act publishes or threatens to publish any matter touching any other person with intent to extort money or money's worth or any other advantage, shall be liable on conviction to imprisonment for a term not exceeding two years and to a fine (*multa*) not exceeding five hundred liri.

#### INSTIGATION TO COMMIT OFFENCE

14. Save as otherwise provided in this Act whosoever shall, by any means mentioned in section 3 of this Act, directly instigate the perpetration of an offence shall, for the mere fact of such instigation, be liable -

(a) to imprisonment for a term not exceeding eighteen months and to a fine (*multa*) not exceeding three hundred liri, in the case of an offence liable to a punishment higher than imprisonment for three years;

(b) to imprisonment for a term not exceeding six months and to a fine (*multa*) not exceeding two hundred liri, in the case of an offence liable to imprisonment for a term exceeding one year but not exceeding three years;

(c) to a fine (*multa*) not exceeding two hundred liri or to detention in the case of any other offence.

#### JUSTIFICATION OF CRIMES

15. Whosoever, by any means mentioned in section of this Act, shall justify or excuse the perpetration of any crime shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine (*multa*).

Incitement to disobey the law

16. Whosoever, by any means mentioned in section 3 of this Act, shall directly incite any person to disobey the law shall, for the mere incitement, be liable on conviction to imprisonment for a term not exceeding six months.

#### WHERE INSTIGATION OR INCITEMENT HAS PRODUCED EFFECT

17. Where the instigation or the incitement by any means mentioned in section 3 of this Act to commit any offence has produced its effect, the persons responsible for the instigation or incitement shall be liable to the punishment established for the offence so committed diminished by one degree.

#### IMPORTATION OF PRINTED MATTER

18. If any person imports into Malta any printed matter being a copy of any matter which has previously been knowingly sent for publication abroad and in respect of which, if it had been published in Malta, such person would have been guilty of an offence under this Part of this Act, such person shall be liable to punishment as if the publication had taken place in Malta.

#### SALE OF INCRIMINATED PUBLICATIONS

19. Any person who knowingly sells or offers for sale or distributes or imports for sale or distribution any printed matter whereby any offence against this Act is committed shall be deemed to be an accomplice and shall be liable to the same punishment as the principal offender.

#### PUBLICATION OF JUDGMENT IN CASE OF CONVICTION UNDER SECTION 11

20.

(1) In the case of conviction under section 11 of this Act, and if so requested by the injured party, the court shall in the judgment order, in the case of a newspaper that a subsequent issue thereof not later than the next but one, and in the case of a broad-

casting medium that on the day immediately following that on which the judgment is given, the judgment itself or a comprehensive summary thereof be published or broadcast, as the case may require, in the same language in which the offence was committed, free of charge; and if at the time of the judgment or immediately thereafter the newspaper has ceased publication or the broadcasting medium has ceased to operate, or in the case of any other printed matter, the court shall, in the judgment or in a subsequent order, order that such summary be published or broadcast at the expense of the party convicted in another newspaper or on another medium within a period not exceeding one month.

(2) In default of compliance with any such order the party convicted shall be liable to pay to the complainant a penalty not exceeding two hundred liri.

(3) The action for the recovery of such penalty shall be exercised by the complainant before the court making the order.

#### DENIAL IN THE CASE OF MISREPRESENTATION

21.

(1) Any person whose actions or intentions have been misrepresented in a newspaper or in any broadcast shall be entitled to demand and have published forthwith, free of charge, in the same newspaper or on the same broadcasting medium, as the case may require, a statement by way of contradiction or explanation:

Provided that this section shall not apply where the misrepresentation occurs in a broadcast of a political nature which is part of a scheme approved by the Broadcasting Authority if the misrepresentation may be contradicted or explained in another broadcast which is part of the same scheme either by the person whose actions or intentions have been misrepresented or by another person entitled to take part in such other broadcast in representation of the party to which the person whose actions or intentions have been misrepresented belongs:

Provided further that no person shall be required to publish a statement by way of contradiction or explanation which is defamatory, or which is not written in the language of the newspaper, or in any of the languages used by the broadcasting medium, where it is requested that it should be published.

(2) In the case of a newspaper, a statement by way of contradiction or explanation shall be published on the same page, in the same type and with the same prominence as the publication about which the statement by way of contradiction or explanation is made and not later than the second issue of the newspaper following the receipt of the request; but if any such statement exceeds double the length of the article or part of the article complained of, the sender shall be liable to pay for the excess at the rate usually payable for insertions in the newspaper in question, and the editor shall not be required to publish such statement if the person requesting its publication fails to pay in advance, if so required. the cost chargeable for the excess.

(3) In the case of a broadcast, a statement by way of contradiction or explanation shall be broadcast not later than the second day following that on which the request

is received; it shall be broadcast in a way and at the time that it reaches as much as possible the same audience and with the same prominence, and the time allowed shall be a time which is twice the time of the broadcast or part of the broadcast complained of but which is not less than ninety seconds and not more than one hundred and eighty seconds.

(4) An editor of a newspaper or the manager or other person responsible for the broadcasting medium who neglects to comply with any of the foregoing provisions of this section shall be liable on conviction to a fine (multa).

(5) The publication at any statement as required by this section or any punishment thereunder shall not be a bar to the exercise of any other action under this Act.

(6) This section shall not apply where the actions or intentions of a person have been misrepresented in any of the publications mentioned in section 33 of this Act but only if no action lies under that section in respect of that publication.

Saving of other laws.

22. Where any act committed by any means mentioned in section 3 of this Act constitutes in terms of the Criminal Code or of any other law an offence which is not provided for in this Act or which is punishable with a higher punishment than that imposed by this Act, such Code or other law shall apply; but in any such case the court shall, in addition to any punishment it may award under that Code or other law, award a fine (multa) not exceeding two hundred liri.

### PART III ACTIONS ARISING FROM PRESS OFFENCES

Persons against whom criminal proceedings may be instituted.

23. Criminal proceedings for any offence under Part II of this Act may be instituted against each of the following persons:

- (a) the author of the writing, if he shall have composed it for the purpose of its being published, or if he shall have consented thereto;
- (b) the printer;
- (c) the editor of the newspaper in which the writing was published;
- (d) the person making or responsible for the broadcast and the manager or other person responsible for the broadcasting medium from which the broadcast was made.

Proof that the writing is a copy not to constitute a valid defence.

24. It shall be no defence for any of the persons mentioned in the last preceding section to prove that the writing is a copy, or an extract, or abridgment, or a translation of another writing which has been otherwise printed and published.

Editor, etc., presumed to have acted knowingly.

25. (1) The persons mentioned in section 23 of this Act shall be deemed to have acted knowingly, in default of evidence to the contrary.

(2) The editor and the printer of a newspaper or other printed matter, and, in the case of a broadcast, the person responsible for the broadcast and the manager or other person responsible for the broadcasting medium from which it is made, shall be deemed to have acted knowingly if, being aware of the contents thereof at any time before its publication, they did not prevent such publication.

#### PUNISHMENT FOR PRINTER AND EDITOR WHO HAS NOT ACTED KNOWINGLY

26. The editor or printer of a newspaper or other printed matter, and, in the case of a broadcast the person responsible for the broadcast and the manager or other person responsible for the broadcasting medium from which it is made, who shall not have acted knowingly, shall be liable to the punishments for contraventions.

#### CRIMINAL ACTION INDEPENDENT OF CIVIL ACTION

27 Criminal proceedings are independent of civil proceedings. Both proceedings may be instituted at the same time or separately.

#### DAMAGES FOR DEFAMATORY LIBEL

28. (1) In the case of defamation, by any means mentioned in section 3 of this Act, the object of which is to take away or injure the reputation of any person, the competent civil court may, in addition to the damages which may be due under any law for the time being in force in respect of any actual loss, or injury, grant to the person libelled a sum not exceeding two thousand liri.

(2) In any case to which this section applies, the defendant may, in mitigation of damages, prove that he made or offered to make an apology to the plaintiff for such defamation before the commencement of the action for damages or, as soon afterwards as he had an opportunity of doing so in case the action shall have been commenced before there was an opportunity of making or offering such apology.

Provided that the defendant shall not be allowed to make such proof in mitigation of damages if he has raised the plea of justification in terms of section 12 of this Act.

#### SLANDER OF TITLE AND TRADE LIBEL

29. Whosoever, by any means mentioned in section 3 of this Act, shall publish any statement which he knows or with due diligence could have known to be false and which is likely to damage any business concern or other property, shall be liable to pay, in addition to damages which may be due under any law for the time being in force in respect of any actual loss or injury, a sum not exceeding two thousand liri to be fixed by the competent court.

#### SEPARATE ACTION IN RESPECT OF SEPARATE IMPUTATIONS

30 It shall be lawful to take action in respect of each and every imputation in the same libel, and the persons concerned in the libel may be sued either jointly or severally;

Provided that the amount of damages or penalties recoverable in regard to the same libel shall not exceed two thousand liri.



## ACTION TO BE INSTITUTED ON COMPLAINT OF INJURED PARTY

31. (1) Criminal proceedings for any offence under sections 11 and 21 may not be instituted except on complaint of the injured party or of the persons mentioned in section 542 of the Criminal Code.

(2) All provisions of the Criminal Code relating to proceedings on private complaint, including in particular the provisions of section 373 of that code, shall, so far as applicable, apply to proceedings on private complaint under this section.

## LIMITATIONS OF ACTIONS AND PROSECUTIONS

32. Criminal action for any offence under Part II of this Act and the civil action under sections 28 and 29 shall be barred by prescription after the lapse of one year.

## PRIVILEGED PUBLICATIONS

33. No action shall lie in respect of the following publications:

- (a) publications made in pursuance of an Act of Parliament or by authority of the President of Malta or of the House of Representatives;
- (b) publications of official acts of episcopal authorities;
- (c) publications made by a public officer in the exercise of his functions;
- (d) publications of bona fide reports of debates of the House of Representatives, provided the relevant part of the debate is published, and the defence of any person against whom any charge is made is not suppressed or maliciously or negligently curtailed or altered;
- (e) publications of reports of any proceedings in court of justice in Malta, provided such reports are fair reports of the proceedings and the publication of such reports or proceedings is not prohibited by law or by the court:

Provided that it shall not be lawful to publish -

Cap 12.

- (a) anything which, by section 994 of the Code of Organization and Civil Procedure, is forbidden to be used or produced, or
- (b) any report of the proceedings in any case of defamation, in which evidence of the truth of the matters charged is not allowed by law.

## PART IV NEWSPAPERS

### WHO MAY BE EDITOR

34. Anyone who is resident in Malta and who has attained the age of eighteen years may edit or print a newspaper.

### Duties of editor and printer.

35. (i) Whosoever is the editor or the printer of a newspaper shall, within ten days of his becoming editor or printer, as the case may be, produce to the Registrar a declaration containing -

- (a) in the case of the editor -

(i) his name and surname, age place of residence; and  
(ii) the title and nature of the newspaper, and the intervals at which it is proposed to be published; and

(b) in the case of a printer -

(i) his name and surname, age and place of residence;  
(ii) the title and nature of the newspaper and the intervals at which it is proposed to be published; and  
(iii) the name and address of the press where the printing is to take place;

and both the editor and the printer of any newspaper shall keep the Registrar at all times informed of his place of residence and shall communicate to the Registrar any change in his place of residence within ten days of such change

(2) If any person fails to comply with any of the provisions of subsection (1) of this section he shall, on conviction, be liable to a fine (multa).

#### REGISTRAR OF NEWSPAPERS

36 (1) The Registrar shall keep a register of newspapers and enter therein the particulars referred to in section 35 and any changes thereto, and shall make such other entries therein and such alterations thereto as may be appropriate or as may be prescribed by regulations made under this Act.

(2) Any person may inspect the register at all reasonable times during normal office hours and may also, against payment of the appropriate fee, require a certified copy of any entry in or any extract from the register kept under this section.

(3) The Registrar shall cancel the registration of a newspaper -

(a) if he is so requested in writing by the editor thereof; or  
(b) if, in the case of a newspaper publish at intervals not exceeding one month, such newspaper is not published for a period exceeding three months, and, in the case of any other newspaper, if it is not published for a period exceeding one year.

#### DELIVERY OF COPIES OF NEWSPAPER

37. Every editor of a newspaper shall deliver, free of charge, to the Registrar, the Attorney General and the Commissioner of Police a copy of every issue of such newspaper, not later than the day following that of its publication, and in default thereof, he shall be liable to a fine (ammenda) of twenty-five cents for each copy not so delivered.

#### FINDING OF GUILTY TO BE DEEMED A CONVICTION

38. For the purposes of this Act, the finding of guilty of any person in respect of any offence under this Act shall be deemed to be a conviction notwithstanding the provisions of the Publication of Offenders Act.

#### FALSE STATEMENTS

39. Where any false statement is made in any of the particulars required under sec-

tion 35 of this Act the offender shall, on conviction, be liable to imprisonment for a term not exceeding three months.

#### LIMITATION OF CRIMINAL PROSECUTION

40. (i) Criminal prosecution for any offence under this part shall be barred by prescription after the lapse of three months.

(2) Nevertheless criminal prosecution for the offence mentioned in section 39 shall be barred after the lapse of one year.

#### EXCEPTIONS

41. The provisions of this Part shall not apply to any periodical publication published by, or for the use of, the authorities mentioned in paragraph (b) of section 49.

### PART V PRINTING PRESSES

#### LICENCE TO KEEP PRINTING PRESS

42. (1) No person shall keep any printing press without a licence from the Police:

Provided that this subsection shall not apply to the keeping of a printing press exclusively for the printing of a newspaper.

(2) The expression "printing press" means and includes any printing and lithographic press and any other mechanical apparatus adapted for making similar reproductions.

#### CONDITIONS FOR THE GRANTING OF LICENCE

43. (1) Where a licence is required under the subsection (1) of section 42 of this Act, such licence shall be granted to any person who -

- (a) is a citizen of Malta;
- (b) has not been convicted for any offence against this act during the previous twelve months;
- (c) is of good conduct;
- (d) has attained the age of eighteen years; and
- (e) resides in Malta.

(2) The licence shall state

- (a) the name, surname, age and place of residence of the printer;
- (b) the name proposed to be given to the printing press;
- (c) the place in which the printing press is to be kept.

(3) The licence shall be renewed on the 1st January of each year.

Printing press not to be removed without previous notice to Commissioner of Police.

44. (1) The printing press may not be removed from the place stated in the licence unless the printer shall have given previous notice of such removal to the Commissioner of Police.

(2) Any other charge in the particulars mentioned in the last preceding section shall be notified to the Commissioner of Police by the Printer or by the heir of successors, within three days of such change.

#### PRINTED MATTER TO BEAR NAME OF PRINTING PRESS AND DATE OF ISSUE

45. On every printed matter there shall be printed the name of the printing press and the date on which the matter was printed.

#### ITINERANT VENDORS

46. (1) The sale of printed matter by itinerant vendors, without a licence from the Commissioner of Police, is prohibited.

(2) Such licence may be granted to any person who has attained the age of twelve years and shall be renewed on the 1st January of each year.

(3) In case of conviction for an offence against this section, the printed matter to which the offence relates shall be forfeited.

#### PUNISHMENT FOR OFFENCES AGAINST THIS PART

47. Whosoever shall contravene the provisions of this Part shall be liable, on conviction, to the punishments established for contraventions.

#### LIMITATION OF CRIMINAL PROSECUTIONS UNDER THIS PART

48. Criminal prosecution for any offence under this Part shall be barred by prescription after the lapse of three months.

#### EXEMPTIONS

49. The following are excluded from the operation of section 45:

(a) printed matter intended merely for industrial, commercial, domestic or social purposes;

(b) acts of any authority or of any department of the Government of Malta or of the House of Representatives and any matter printed by order or leave of such authority or departments;

(c) acts of episcopal authorities, as well as orders or writings permitted by any such authority and concerning ecclesiastical matters.

## PART VI MISCELLANEOUS

#### RIGHT OF APPEAL

50. Every decision of the Court of Magistrates of Judicial Police in respect of an

offence under this Act may, in all cases, be appealed against by the Attorney General or by the complainant, as the case may be, and by the party convicted.

#### OFFENDERS BY BODIES OF PERSONS

51. Where any offence under this Act is committed by a body of persons, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body of persons or was purporting to act in such capacity shall be guilty of that offence and shall be liable on conviction to the punishment for that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence.

#### REGULATIONS

52. It shall be lawful for the Prime Minister to make, and when made, to amend or repeal, regulations for carrying out the provisions of this Act and in particular, but without prejudice to the generality of the foregoing, to prescribe anything that is to be or may be prescribed under this Act.

#### SAVING

53. (1) For the purposes of this Act, any person who, while the Press Ordinance\* was in force, compiled with section 38 thereof shall be deemed to have compiled with section 35 of this Act and the Registrar shall be deemed to have compiled with the requirements of section 36 of this Act if he enters in the register the required information as it derives from documents and declarations received under the said section 38 and from the register kept under section 39 of the said Ordinance.

(2) Any licence granted under section 51 of the Ordinance aforesaid shall, notwithstanding the repeal of that Ordinance, continue in force for the unexpired time and shall be deemed to be a licence issued under section 42 of this Act.

## Appendix I

### MEMORANDUM BY THE INSTITUTE OF JOURNALISTS

#### (MALTA BRANCH)

#### MALTA PRESS ACT 1974

The Institute of Journalists (Malta Branch) has studied the Bill entitled the Press Act 1974, introduced in the House of Representatives by the Hon. Minister of Justice and Parliamentary Affairs on May 29, 1974. The branch committee sought and obtained legal advice.

The Malta Branch has the following observations to submit for your consideration.

It will be recalled that in July 1959, the Malta Branch of the Institute of Journalists had presented a memorandum to the Government of the day, following which the Press Ordinance (Chapter 117 of the Revised Laws of Malta) was drastically amended. The amendments in question removed some of the obnoxious provisions of the principal law which had earlier been roundly and soundly condemned by the Institute and by other quarters who held dear the principles of a free Press.

The representations made by the Malta Branch of the Institute of Journalists followed a comprehensive review of the principal law and Ordinance XXVII of 1960 accepted *in toto* a number of suggestions, some of which were of outstanding importance. These included proposals for the repeal of provisions for the seizure of printed matter, the suspension of newspapers and the withdrawal of a printer's licence in arbitrary circumstances. Unjustified handicaps were removed.

A major step forward, which puts the Press in Malta in advance of some countries, was made with the removal of the power hitherto enjoyed by the Courts requiring an offender "to disclose in a Court of Law the sources of his information" under a special penalty. It is a matter for satisfaction that there is no proposal to whittle down these gains.

In 1959, the Malta Branch of the Institute had suggested a review of the penalties "which should serve as a deterrent against damage to the honour and reputation of the individual". The Government of the day could see no reason to disturb 'relativity' in the scale of punishment. The position is being remedied in the the draft Bill now before the House, and this step is welcomed by the Malta Branch in the belief that the very small sums inflicted, or which may at present be inflicted, on a conviction for a criminal libel and the amount, which as the law stands, can reasonably be expected as general damages in a civil action for defamation are no deterrent against "gutter journalism".

The Malta Branch of the Institute of Journalists has been advised, and we concur, that the extension of the provision of the law to broadcasting is a welcome innovation. This had been suggested in the 1959 memorandum. The law will now afford a legal remedy, as distinct from the 'administrative' remedy available under the Broadcasting Ordinance of 1961, to the victim of defamatory statements on the air.

In 1959, the Malta Branch had suggested the repeat of sub-section 2 of Section 9 of the principal law which shifted on to the accused the burden of proof of lack of 'criminal intent'. The Branch Committee had submitted that a possible effect of this provision would be to discourage the importation of newspapers and of literary matter from outside Malta. It was submitted that sub-section 2 be repealed and that the accused be entitled to acquittal if he proved that he had disseminated the work without knowing that it contravened the provisions of the law and that there was nothing in the work or in the circumstances in which it came to him, or was disseminated by him, which should have led him to suppose that it contravened any of the provisions of the law.

Unfortunately, it is proposed to retain Section 9 verbatim as Section 20 which reads as follows:

"1. Any person who knowingly sells or offers for sale or distributes or imports for sale or distribution any printed matter whereby any offence against the Act is committed shall be deemed to be an accomplice and shall be liable to the same punishment as the principal offender,

"2. The accused shall be presumed to have acted knowingly unless he proves that he took reasonable measures to verify the contents of the incriminative printed matter".

It is submitted that sub-section 2 of this section should be repealed and that the accused should be entitled to acquittal if he proves that he had disseminated the work without knowing that it contravened the material of the law and that there was nothing in the work or in the circumstances in which it came to him or was disseminated by him which should have led him to suppose that a contravention of the law was involved.

The Government also proposes to retain in Sections 10 and 11 of the present Bill provisions relating to the malicious publication of false news and the negligent publication of false news. The Malta Branch of the Institute of Journalists would like to draw a distinction between a hypothetical offence and one proved by events. It is not fair that anyone should be found guilty of spreading false news "which is likely to alarm public opinion or to disturb public good order or the public peace". "Likelihood" carries justice to the realms of "speculation".

In 1959, the Malta Branch of the Institute of Journalists suggested a remedy for what it termed "unintentional defamation". This was not taken up by the Government of the day and has been only partially taken up in the present Bill. Under Section 29 (2), the defendant is being given the right to prove, in mitigation of damages, "that he made or offered to make an apology to the plaintiff for such defamation before the commencement of the action for damages or, as soon afterwards as he had an opportunity of doing so in case the action shall have been commenced before there was an opportunity of making or offering such "apology".

The Malta Branch wishes to submit that this provision should not be limited as a defence to a civil action for damages but should also be extended to criminal proceedings: in other words, the making or offering of an apology, in the case of unintentional defamation, should be a complete bar to any proceedings, whether civil or criminal.

Finally, Section 34 of the Bill reproduces verbatim the provisions of Section 36 of the Press Ordinance. The Institute pleads for an extension of the categories of cases in which "qualified privilege" subsists to cover publication of reports of public meetings, or ad hoc or special tribunals (which are not included under the definition of 'courts of justice') and of meetings of bodies or conferences in which the public has an interest (e.g. meetings of political parties, shareholders' meetings, trade union conferences, congresses or a football association, etc.)

As the law stands, the publication of such reports is made at the newspaper's peril and it looks as if, in an action for defamation, the editor or reporter may not be able to claim 'privilege' but would have to rely on the defence of justification or of fair comment on a matter of public interest both of which require that the allegations of fact be proven conclusively. It may be worth pointing out that this submission has been advanced in other countries where the principles of Press freedom are held in high regard.

In conclusion we wish to emphasise that the Press is not above the law. We have submitted this memorandum in the spirit of making a valid contribution to make our Press law as good as possible in the circumstances, allowing the Press to exercise its right of fair criticism and comment and of publication without fear from any quarter and without being muzzled by restrictive legislation. We subscribe to the view that freedom of the Press must be exercised within reasonable limitations. We are submitting that these limitations should be clearly defined in the law and that the Press should not be subjected to unnecessary restraint.

J. G. Vassallo  
Chairman

V. Aquilina  
Secretary

26 June 1974



## Appendix J

### A SELECTIVE CHART SHOWING REGISTRATION OF MALTESE NEWSPAPERS

#### **L-Alternattiva** Political-Fortnightly/Maltese

Registered: 27/4/89

Editors: Dr Harry Vassallo 27/4/89  
Stephen Cachia 19/6/92

Printers: Carmel Hili  
Mark Borg  
Mario Attard

Bonnici Press, Valletta

#### **L-Asp** (formerly L-Ass 1927-29) Politico-Humorous/Weekly/Maltese

Registered: 23/5/29 cancelled 24/12/34

Editor: Giuseppe Degiovanni 23/5/29  
Asses Printing Press, 35, Sta Reale, Valletta

Printer: Giuseppe Degiovanni

#### **Il-Berqa** Political/Daily/Maltese

registered: 28/5/30 last issue 30/11/68

Editors: Joseph Pace 28/5/30  
Dr John Bugeja 28/3/35  
Anthony Zammit 5/10/46  
Anthony Montanaro 21/5/50  
Dr Carmelo Testa

Printers: Capt. H.E. de Trafford  
Hon E. Vassallo  
Victor F. Denaro

Progress Press, 343, Sta S. Paolo, Valletta

Allied Malta Newspapers Ltd, 341, St Paul Str, Valletta

#### **The Bulletin** Political/Daily/English

Registered: 31/1/44 cancelled 4/5/84

Editors: Joseph James Scorey 31/1/44  
Anthony Micallef 11/11/52  
Carmel (Lino) Micallef 6/4/68

Printers: Anthony Micallef  
Joseph James Scorey  
Anthony Micallef  
Carmel (Lino) Micallef

Lux Press, 561, High Str, Hamrun

The Bulletin Press, 69, Abela Str, Hamrun

Lux Press, Hamrun

#### **Il-Currier** Periodici Varji/Weekly/Maltese

Registered: 17/5/33 cancelled 24/4/34

Editor: Giuse Belli 17/5/33  
Ellul Press, 47, Sta S. Cristoforo, Valletta

Printer: Antonio Ellul

**The Dawn** Political/Weekly/English

Registered: 9/3/45 cancelled 30/12/49

Editors: Dr Arthur Colombo 9/3/45

Dr John Raimondo 21/6/47

Roger Ellul 23/3/49

The New Art Press, 154/5 South Str, Valletta

Lux Press, Hamrun

Printers: Anthony Ellul

Anthony Micallef

**The Democrat** Political/Weekly/English

Registered: 10/11/75 cancelled 18/12/90

Editors: Michael Falzon 10/11/75

Tony Mallia 14/3/80

Mario Schiavone 6/7/89

National Press, Our Lady of Sorrows Str, Pietà

Independence Print, Our Lady of Sorrows Str, Pietà

Printer: Paul Spiteri

**Id-Dija** Humorous/Irregular/Maltese

Registered: 19/1/32 cancelled 27/12/34

Editor Giuseppe De Giovanni 19/1/32

Asses Printing Press, Valletta

Printer: Giuseppe De Giovanni

**Dottor Brombos** Humorous/Forthnightly/Maltese

Registered: 8/5/33 cancelled 30/12/49

Editor: Carlo Satariano 8/5/33

Printers: Antonio Zahra

Paolo Abela

Antonio Micallef

New Art Press, Valletta

Abela Press, Valletta

Lux Press, Hamrun

**Dottor Xecchec** Humorous/Weekly/Maltese

Registered: 25/4/25 cancelled 21/12/34/

Editor: Giuseppe Tagliaferro 25/4/25

Popular Printing Press, 142, Sta Stretta, Valletta

Printer: Giuseppe M. Azzopardi

**Eco Di Malta E Gozo** Political/Weekly (irregular) /Italian

Registered: 20/12/33 cancelled 21/5/37

Editor: Dr Giuseppe Mizzi 20/12/33

Malta [press], 46, Sta Zecca, Valletta

Printer: Dr Enrico Mizzi

**Il-Hajja** Religious/Daily/Maltese

Registered: 8/11/69 last issue 15/9/87

Editors: John Inguanez 8/11/69

Chev Salvatore Gatt 17/12/69

Rev Angelo Seychell 15/7/70

Henry Frendo BA(Hons) 30/10/70

Charles Buttigieg 2/10/71

John Zammit 30/11/71

Charles Buttigieg 1/6/72

Empire Press, Catholic Institute, Floriana

Stamperija Il-Hajja, Blata l-Bajda

Printer: Fr Aronne Abela

**Il-Helsien** Political/Daily/Maltese

Registered: 6/11/58 cancelled 29/12/67

Editor Ernest Laviera 6/11/58

Printer: J. Attard Kingswell

Union Press, Workers Memorial Building, South Str, Valletta

**Il-Helsien** Political/Weekly/Maltese

Registered: 3/9/80 cancelled 24/4/81

re-registered 22/3/84

cancelled 28/10/85

re-registered 12/2/87

Editors: Raymond Vassallo 3/9/80

Harold Walls 22/3/84

Dr Alfred Sant 12/2/87

Evarist Bartolo 2/8/88

Printers: Anton Cassar

Marie-Louise Coleiro

Stephen Ciantar

Victor Mifsud

Union Press, Valletta

Marsa Press, Marsa Industrial Estate, Marsa

Union Press, Valletta

Marsa Press, Marsa

**Il-Hmara** Serio-Comico/Semi-Weekly/Maltese

Registered: 5/12/26 cancelled 31/12/37

Editor: Joseph Arena 5/12/26

Printer: Anthony Micallef

Lux Press, Hamrun

**Il-Kotra** Socio-Political/Monthly/Maltese

Registered: 15/5/54 cancelled 11/3/55

Editor: Guseppi Pugliesevich 15/5/54

Printer: Michael J. Cuschieri

Universal Press, Gzira

**Lehen Is-Sewwa** Socio-Religious/Weekly/Maltese

Registered: 3/11/33

Editors: Dr Herbert Ganado 3/11/33  
Michael Caruana 9/9/39  
Rev S. Bartoli Galea  
Mgr C. Xuereb 2/2/73  
Paul Saliba 18/9/73

Printers: Mgr P. Galea  
Mgr A.V. Pantalleresco  
Mgr E. Bonnici  
F.X. Bianco  
Rev Aronne Abela  
Charles Buttigieg  
Alfred P. Camilleri  
Dr Austin G. Bencini

Empire Press, 266, Sta S. Paolo, Valletta  
Telegrafica Casa S. Giuseppe, Sta Reale, Hamrun  
Empire Press, Floriana  
Il-Hajja Press, Blata l-Bajda  
Progress Press Company Ltd, Valletta

**Malta** Political/Daily/Italian

Registered: 15/5/28 suspended 15/12/33 pending proceedings  
suspended 29/12/33 for 2 months-quashed by appeal  
resumed 20/1/34  
cancelled 9/7/40

Editor Dr Enrico Mizzi 15/5/28  
Malta [press], Valletta

Printer: Dr Enrico Mizzi

**Malta Chronicle and Imperial Services Gazette** Socio-Political/Daily/English

Registered: 9/5/30 cancelled 23/12/47

Editors: Joseph Bartolo 9/5/30  
Anth L. Bartolo 5/4/35  
Stuart A.D. McLean 13/8/38  
Anth L. Bartolo 13/4/39

Printers: Joseph Bartolo  
Anth L. Bartolo  
Charles Bartolo  
Albert Falzon

30, Victory Sqr, Valletta  
38, St Andrews Bastions, Valletta  
Malta Chronicle, 'The Old Raquel Court', Valletta

**The Malta Independent** Socio-political/weekly/English

Registered: 7/5/92

Editors: Martin Galea 7/5/92  
Ray Bugeja 7/1/93

Printer: Martin Galea  
Ray Bugeja

Union Press, Valletta  
Independence Print, Pietà

**Malta News** National-Independent/Daily/English

Registered: 13/3/64

Editors: Paul Carachi 13/3/64  
Francis Camilleri 15/11/66  
Lino Spiteri 23/8/67  
Charles Bezzina 7/10/68  
Frederick Muscat 24/1/72  
Joe A. Vella 7/6/72

Printers: Joe Attard Kingswell  
Anton Cassar

Union Press, Valletta

**Malta Taghna** Weekly/Political/Maltese

Registered: 26/1/56 cancelled 18/5/63  
re-registered 12/5/66  
cancelled 27/12/66

Editors: Dr Carmelo Caruana 26/5/56  
Dr J. Desira Buttigieg 6/4/58  
G.M. Vella Gatt 12/5/66

Printer: Anthony Micallef

Lux Press, Hamrun

**Mercurius** Commercial/Daily/English

Registered: 12/10/25 cancelled 21/5/37

Editor: Alexander Mizzi

Printers: Francesco Seisun  
Albert Mizzi LP

Mercurius Press, 17, Sta Zaccharia, Valletta

**Mid-day Views** (formerly **Mid-day News** 1927-29) Political/Daily/English

Registered: 5/4/29 suspended 19/1/36  
cancelled 19/12/36

Editor: Alexander Mizzi 5/4/29

Printer: Albert Mizzi LP

Mercurius Press, Valletta

**Militia Christi** Ecclesiastical/Forthnightly/Maltese

Registered: 9/1/34 cancelled October 1970

Editors: Fr Gerard L. Paris OP 9/1/34  
Fr Gaetano Xerri OP 16/4/36  
Rev Paul Galea OP 18/1/38  
Rev E. Galea Balzan  
Fr Gerard Paris OP 5/4/60  
Fr A. Frendo 19/1/65

Printers: Fr Robert Calleja  
Mgr E. Bonnici DD BL(Can)  
Anthony Micallef

Holy Name Press, Via Dingli, Rabat

St Joseph's Institute, Hamrun

Lux Press, Hamrun

Giov. Muscat Co, St Ursola Str, Valletta

**Il-Mument** Weekly/Political/Maltese

Registered: 28/12/71

Editors: Dr. Michael Refalo 28/12/71

Michael Schiavone 11/3/80

Carmel Callus 6/7/89

Victor Camilleri 7/4/91

Printers: Emanuel Bonello

Nicholas Debono

Paul Spiteri

National Press, Pietà

Independence Print, Pietà

**The Nation** bi-weekly/English

Registered: 17/4/47 cancelled 29/12/50

Editor Joseph Munro Olivieri 17/4/47

Printers: Anthony Micallef

Joseph Cuschieri

Lux Press, Hamrun

Universal Press, Gzira

**In-Nazzjon** weekly/Maltese

Registered: 17/4/47 suspended January 1948

cancelled 30/12/48

Editor Joseph Munro Olivieri 17/4/47

Printers: Micallef Anthony

Lux Press, Hamrun

**In-Nazzjon Taghna** Political/Daily/Maltese

Registered: 2/7/70

Editors: Michael Schiavone 2/7/70

Victor Camilleri 11/3/80

Dr Eddie Fenech Adami 5/11/86

Victor Camilleri 14/1/87

Joseph A Cachia 1/4/91

Hector Bruno 29/7/92

Mario Schiavone 24/9/92

Hector Bruno 29/9/92

Mario Schiavone 29/10/92

Joe Zahra 4/11/93

Printers: Nicholas Debono

Paul Spiteri

Dr Louis Galea

Paul Spiteri

National Press, Pietà

Independence Print, Pietà

**L-Orizzont** Independent/Daily/Maltese

Registered: 29/9/62

Editors: Anton Cassar 29/9/62  
Carmel Micallef 23/8/67  
Peter Bartolo 19/7/78  
Felix Agius 18/9/81  
Frans Ghirxi 12/7/93

Printers: J. Attard Kingswell  
George Agius  
Anton Cassar  
Karmenu Micallef  
Harold Walls  
Carlo Mizzi  
Mario Cutajar

Union Press, Valletta

**Patria** Political/Weekly/Maltese

Registered: 21/5/47 cancelled 26/7/56

Editors: Dr. Riccardo Farrugia 21/5/47  
Paul Pace 21/6/48  
Dr Carmelo Schembri 3/11/50  
Dr J. Desira Buttigieg 30/10/52  
Dr Philip Saliba 26/3/54  
Giuseppe Pace 20/3/56

Printers: Antonio Ellul  
Anthony Micallef  
Michael Cuschieri  
Joseph Cost Chretien

New Art Press, Valletta

Lux Press, Hamrun

Universal Press, Gzira

**Il-Poplu** Political/weekly/Maltese

Registered: 22/8/29 cancelled 21/5/37

Editor: Alexander Mizzi 22/8/29  
Mercurius Press, Valletta

Printer: Albert Mizzi LP

**Il-Poplu** Political/weekly/Maltese

Registered: 25/6/58 cancelled 10/12/74

Editors: Oscar Rizzo 26/6/58  
Giuseppe Pace 12/3/59  
Dr B. Camilleri 5/9/63  
Dr E. Fenech Adami 5/2/66

Printer: Anthony Micallef

Lux Press, Hamrun

**Is-Sebh** Political/Tri-Weekly (Daily)/Maltese

Registered: 27/6/49 suspended for 2 months 9/1/59  
cancelled 30/3/61

Editors: Nestu Laviera 27/6/49  
Dr J. Micallef Stafrace 7/12/55

Printers: Anthony Micallef  
R. G. Miller  
J. Attard Kingswell

Lux Press, Hamrun

Union Press, Valletta

**Sunday Times of Malta** Socio-political/weekly/English

Registered: 19/1/33

Editors: Hugh E.P. Burns 19/1/33

Dr John Bugeja

Hon Mabel Strickland

Thomas Hedley

George Sammut

Manuel Gauci

Anthony Montanaro 9/8/66

Lawrence Grech

Printers: Capt. H. E. De Trafford

Hon Edwin Vassallo

Victor F. Denaro

Joseph P. Busuttill LP

Austin Bencini LLD

Progress Press, Valletta

Allied Malta Newspapers, Valletta

Independence Print, Pietà (16/10/79 to 3/11/79)

Allied Malta Newspapers Ltd, Valletta

**Times of Malta** Socio-political/daily/English

Registered: 6/8/35

Editors: Mabel Strickland 2/9/35

Thomas Hedley 7/7/50

Charles Grech Orr 9/2/65

Raymond Bugeja 9/5/90

Printers: Hon Edwin Vassallo

Victor F. Debono

Joseph P. Busuttill LP

Austin Bencini LLD

Progress Press, Valletta

Allied Malta Newspapers, Valletta

Independence Print, Pietà (16/10/79 to 3/11/79)

Allied Malta Newspapers Ltd, Valletta

**The Torch/It-Torċa** Trade-Unionistic/Weekly/Maltese (bi-lingual up to 1959)

Registered: 17/6/44

Editors: Reginald Miller 17/6/44

J. Attard Kingswell 23/10/58

Francis Camilleri 23/8/67

Anthony Farrugia 20/2/68

Joseph A. Vella 30/8/89

Louis Cauchi 27/7/93

Printer: Anthony Ellul

Reginald Miller

J. Attard Kingswell

Anton Cassar

Karmenu Micallef

Harold Walls

Charles Mizzi

Mario Cutajar

Union Press, Valletta



## Appendix K

### CODE OF ETHICS

Issued by the Press Club (Malta) and the Institute of Broadcasters in 1989

This Code of Ethics, jointly adopted by Press Club (Malta) and by the Institute of Broadcasters, is to serve as a guide to all journalists.

The right to information is one of the fundamental human rights in a free and democratic society. For this reason, in both print and broadcast journalism, journalists should carry out their duties with a great sense of responsibility and should be guided by the public's right to information.

#### **1. Balance, Accuracy and Fairness**

In their work, journalists must see that the information given is correct, coming from a source best qualified to give it, balanced and fair, and obtained without.

#### **2. Confidentiality of the source of information**

Journalists respect confidentiality of the source of information, when this is requested. Confidentiality must be promised only with the intention to honour that promise. In the absence of a clear and urgent need to observe confidentiality, every source of information should be identified. Journalists should also ensure the truth, as far as possible of information given in the supreme public interest.

#### **3. Verification of facts**

Journalists must always verify facts, acknowledge mistakes and correct them immediately. Every correction should be given due prominence according to each case. Journalists should clearly distinguish between news and opinion.

#### **4. Pressure and conflicting interests**

Journalists must not suppress information for personal interests or under pressure from someone having personal, commercial or other interests of whatever kind, which could be against the general public interest, or, alternately, which could be seeking only undeserved publicity. In this context, journalists should see that membership of other societies would not hamper their work.

#### **5. Grave offences against the profession**

Plagiarism, malicious distortion of facts, slander, and the publication of libellous allegation and/or of false and baseless allegations, bribery in money or in some other way to give or withhold information, should be considered as grave offences against the profession of journalism and a betrayal of public trust in the profession.

#### **6. Respect for the individual**

In carrying out their duties, journalists must respect the right of all citizens to a fair trial in court, and the dignity, privacy and health of persons in the news.

### **7. Against discrimination**

Journalists should be the defence shield of all fundamental human rights. They should not, therefore, help to introduce in society discrimination based on sex, race, religion or differences of political opinion. They should always defend freedom of expression and of fair comment.

### **8. Observance of this code of Ethics**

Journalists must observe this code and condemn its infringement. They should promote the observance of this Code by all journalists whether they are members or not of any organisation.

### **9. Ethics Council**

There shall be at all times an Ethics Council to protect and decide on the observance of this Code for the profession's own prestige. The Council should be made up of a retired magistrate or judge and two members conversant with journalism but no longer active in the profession. The Council should appoint an honorary secretary without the right to vote and would have the power to regulate its own procedure.

## A short select bibliography for further reading

**Borg Cardona Andrew:** “The law of Criminal Libel, a Comparative Study” [UM, LL.D. thesis, 1974]

**Farrugia Tonio:** “Defamatory Libel in the Press Act 1974” [UM, LL.D. thesis, 1977]

**Fiorentini Bianca:** “Il giornalismo a Malta durante il Risorgimento Italiano” in V. Bonello, B. Fiorentini & L. Schiavone: **Echi del Risorgimento a Malta** [1st ed Societa Dante Alighieri; Valletta, 1963; 2nd ed Cisalpino-Gioldardica, Milan pp. 23 - 177].

**Frendo Henry:** “Milestones in the Development of Mass Communications in Malta”, in Gunther von Lojewski [ed]: **Manipulation of the Mass Media** [AZAD, Sliema, 1978, pp. 19 - 30] and other articles by von Lojewski, J. G. Vassallo, P. Serracino Inglott, E. Bezzina and F. Zammit Dimech.

**Frendo Henry:** “Australia’s Maltese Language Press”, in Abe Ata & Colin Ryan [eds]: **The Ethnic Press in Australia** [Academia, Melbourne, 1989, pp. 125 - 136], and other chapters in this anthology.

**Grima Joseph F:** “The History of Printing in Malta from 1642 to 1839” [RUM B.A. History dissertation, 1968, pp. 109, rev. ed. Valletta Publishing Co; Valletta, 1991]

**Mallia Catherine:** “The Role of the Press in Malta, 1948 - 1959” [UM B. A. History dissertation, 1980, pp. 95]

**Masini Franco:** “L-Iżvilupp tal-Liġi ta’ l-Istampa f’Malta” [RUM Maltese dissertation, 1964, pp. 26]

**Mifsud Reginald J:** “The Historical Development of the Press Laws in Malta” [RUM LL.D. thesis, 1958, pp.91]

**Mintoff Dionysius:** “Journalism in Malta” [RUM M.A. History thesis, 1971] voluminous but including many annexes, texts, etc.

**Sapienza A. F:** **A Checklist of Maltese Newspapers & Periodicals** [MUP, 1977] and Ninette Camilleri & Romaine Petrocchino: **Supplement to “A Checklist of Maltese Newspapers & Periodicals”** covering the years 1974 - 1989 [MUP, 1991]

## Name Index

### A

Abela, G.F., 5  
Abela, Toni, 5  
Abyssiman Ivar, 25  
*Afrique Maltaise, L'*, 21  
Agius, E.J., 28  
Air Malta, 38,  
Alf. Mizzi & Sons, 40,  
*Alternattiva*, 5, 39,42  
Amato Gauci, Josephine, 18  
*Animal Farm*, xi  
Aquilina, A. C, vii  
Aquilina, Victor, 113  
Arena, Guglielmo, 24  
*Areopagitica*, 6  
*Athanaeum Maltese*, 22  
Attard Kingswell, Joe, 34  
Austin, John, 9  
Avignon, 2  
A.Z.A.D., 35  
Azzopardi, Francesco, x

### B

Balucci, Tessa, 37  
*Bandiera tal-Maltin, Il-*, 21  
Barbaro Sant, Tony, 29  
Bartoli Galea, Salvino, 28  
Bartolo, Antonio, 18, 22  
Bartolo, Joseph, 18  
Bartolo, Augustus, 18  
Belgium, 8  
Bencini, Austin, 41  
*Berka (Berqa), Il*, 22, 28,35  
Bertoldu, 11  
Bezzina, Emy, 45  
*Biricchino al Teatro, Il*, 21  
Boffa, Paul, 27  
*Bollettino della Societa' Economico Agraria*, 22  
Bologna, 2  
*Bon Pastur, Il-*, 21  
Bonaparte, Napoleon, 8  
Bonavia, Kevin, x

Bonello, Vincenzo, 124  
Bonnici, Antonio, 28  
Bonnici, Enrico, 28  
Borg Cardona, Andrew, viii, 124  
Borg Olivier, George, 30, 36, 37  
Borg, Sir George, 22  
Borodino, Battle of, 8  
Bourbons, 14  
Bouverie, Henry, 47  
Brighella, 11  
Britain, 8  
Bruges, 2  
Bugeja, Ray, 40  
*Bulletin, The*, 31, 32, 34  
Busuttill, Salvino, 29  
Buttigieg, Charles, 30  
Buttigieg, Rene', 41

### C

Cable Television, 40  
*Calcio, Il*, 22  
'Campus News', 35  
*Candide*, 3  
Capaci, Niccolò 6  
Carachi, Pawlu, 34  
*Cartaginese, Il*, 10  
Caruana, Karmenu, 37  
Caruana, Michael, 30  
Caruana, Mikiel, 28  
Cassar, Anton, 34, 35, 42  
"Cato", 32  
Catholic Action, 28, 29,  
Caxton, William, 2  
China, 4  
Chircop, John, 24  
*Chitarra, La*, 21  
Cirillo, Renato, 29  
Constitutional Party, 26  
Cornwall Lewis, George, 9  
Coster, Laurens Janszoon, 2  
*Cotra, Il*, 24,32  
Cumbo family, 24

**D**

*Daily Malta Chronicle, The*, x, 17, 18,  
22, 23, 24, 31  
*Daily News*, 35  
*Dawn, The*, 34  
De Petri, Emilio, 61  
de Fiore, Pomeo, 6  
Debono, Nardu, 28  
*Democrat, The*, 37  
Democratic Action Party, 27  
*Descrittore di Malta*, 5  
Dickens, Charles, 5  
Dimech, Emmanuele ('Manwel'), 21,  
30, 31  
Dimech, Joe, 30  
Diderot, Denis, 3  
Don Basilio, 11  
*Dr Xecchec*, 24  
Dumas, Alexandre, 3  
Duranty, Walter, xi

**E**

*Eco di Malta e Gozo, L'*, 22  
*Economista di Malta, L'*, 21  
Ellul Mercer, Guze', 31  
Empire Press, 31  
*Enterprise, The*, 21

**F**

Faber & Faber, xi  
Farrugia Louis, 40  
Farrugia, Tonio, viii, 124  
Farrugia Randon, Robert, 10  
Farrugia, Remig, 39, 42  
Farsons, 40  
Fenech Adami, Eddie, 36  
Fenech Cikku, 35  
*Finanza e Commercio*, 21  
Fiorentini, Bianca, 14, 124  
Flammarion, 3  
France, 8, 9  
Frendo, Henry, 30, 31, 35, 42, 4  
Friggieri, Joe, 39  
Friggieri, Oliver, 30

**G**

Ganado, Herbert, 27, 28, 37  
Garibaldi, Giuseppe, 14  
Gatt, Salvu, 30  
General Workers Union, 31, 34, 36,  
37, 38  
*Gens, Il-*, 29, 30, 31, 40  
Germany, 9  
*Ghafrit, Il-*, 21  
Għakda Socialista Maltija, 24  
*Għallis, ta' l-* (murder trial), 28  
*Għannej, Il-*, 21  
Ghigo, J., 39  
*Giahan*, 11, 22  
Gide, Andre', xi  
Giga murder case, 35  
*Giornale d'Italia, Il*, x  
Goethe, Johann, 3  
Gonzi, Michael, 31, 35  
Great Siege (1565), 32  
Grech, Lawrence, 28  
Greece, 8  
Greenpeace, 3  
Grey, Earl, 8  
Grieg, H., 47  
Grima, Godfrey, 29  
Grima, J.F., 6  
Gutenberg, Johannes, 2, 3  
*Gwida, Il-*, 39

**H**

*Habbar Għawdxi, Il-*, 22  
*Habib, Il-*, 21  
*Haddiem, Il-* (The Worker), 22  
*Haddiem, Il-* (Z.H.N.), 29  
*Hajja, Il-*, vii, 29, 30, 31  
Hammurabi, 1  
*Harlequin, The*, 12, 15  
Hedley, Tom, 30  
*Helsien, Il-*, 34, 39  
Herzen, Alexander, xi  
*History of England From the  
Accession of James II*, 3  
Hitler, Adolf, 4  
*Hmar, Il-*, 22, 24  
Hugo, Victor, 3

*Humanae Vitae*, 35

## I

*Illum*, 39

Independence Print, 36, 37, 40

*Indipendente, L'*, 9

*Indipendente, L*, 22

Inguanez, John, 30

Institute of Journalists (Malta  
Branch), 41

Ioanian Islands, 8

Italy, 8

## J

*J'accuse*, 3

Jesuits, 15

*Journal de Malte, Le*, 12

## K

Kazin Malti, 22

Klabb Kotba Maltin, 32

Koestler, Arthur, xi

Kontzi, Reinhold, 12

*Kullhadd*, 39

## L

*La Presse Entre Les Lignes*, 3

*Labour Opinion*, 22, 24

Laiviera, Nestu, 34

*Lega Lombarda, La*, 14

Levanzin, Agostino, 21

Levin, Bernard, 3

*Lehen is-Sewwa*, 28, 29, 37

Library Association, 37

*Lil Hbiebna*, 39

*Lil Hutna*, 39

Lippmann, Walter, 7

*Lloyd Maltese*, 24

Lojewski, Gunther von, 124

Luke, H.C., 88

Lux Press, 31, 32, 40

## M

Macaulay, T.B., 3

Maitland, Thomas, 8

Mallia, Catherine, xi, 124

Mallia, Tony, 37

*Malta (Rome)*, 27

*Malta (Valletta)*, x, 17, 18, 23, 24,  
26, 36

*Malta Army and Navy Gazette*, 21

Malta Broadcasting Authority, 40

*Malta Economist, The*, 39

*Malta Football Record Book*, 22

*Malta Government Gazette, The* 12

*Malta Ghada Taghna*, 21

*Malta Herald, The*, 22

*Malta Independent, The*, 40

Malta Labour Party, 5, 24, 27, 31, 32,  
34, 37, 38, 40

*Malta Letteraria*, 22

*Malta Maltia*, 21

*Malta News*, 35, 38

*Malta Taghna (Ganadian)*, 28, 37

*Malta Taghna (Savonian)*, 28

*Malta Times, The*, 12, 15, 24

*Maltese Journalism*, vii, viii, x

*Maltese Observer, The*, 30

Manduca, John A., 94

Manzoni, Alessandro, 3

Masini, Franco, viii, 124

McKinsey's, 30

Media Centre, 30, 31, 40

*Mediterraneo, Il-*, 12, 14

Mercieca, Arturo, 32

Mercieca, Hector, 10

*Mhux, Il-*, 11

Micallef Stafrace, Joe, 34

Micallef, Anthony, 31

Micallef, Lino, 31, 40

Miceli-Farrugia, Nini, 40

*Mid-Day Views*, 24, 37

Mifsud Bonnici, Carmelo  
("Il-Gross"), 24, 37

Mifsud Bonnici, Ugo, 36

Mifsud Edward R., 87

Mifsud Tommasi, Ludovico, 10

Mifsud, Reginald John, viii

Miller, Reggie, 34

Milton, John, 7  
Mintoff, Dionysius, viii, 45  
Mintoff, Domenic, 27, 30, 35, 36  
Mintoff, Wenzu, 5  
Mintoffism, 39, 42  
Mitrovich, Giorgio, 9, 10  
Mizzi, Alec, 40  
Mizzi, Bertie, 40  
Mizzi, Enrico (Nerik), x, 18, 22, 27,  
Mizzi, Fortunato (Dr.), x, 18  
Mizzi, Fortunato (Fr.), 39  
Mizzi, Giuseppe, x, 18  
Montanaro, Anthony, 23, 35, 40  
Mountbatten, Edwina, 25  
MTV, 31  
Muggeridge, Malcolm, xi  
*Mument, II-*, 35, 37  
Muscat Azzopardi, Gino, 24  
Muscat, Richard, 6  
Mussolini, Benito, 4  
Musu', Alfred, 30

## N

Naples, 14  
National Press, 36  
Nationalist Party, 21, 24, 26, 32, 37,  
38, 40  
*Naturalista Maltese, II*, 22  
*Nazzjon Taghna, In-*, viii, 30, 36, 38  
*Nazzjon, In-*, (After Mar. 1994), 42  
*Nahla, In-*, 21  
*New York Times, The*, xi  
*Niggieza, In-*, 11  
*Nouvelle Revue de Paris, La*, 3  
*Nuova Antologia, La*, 3

## O

Oakes, Hildebrand, 8, 9  
*Orizzont, L-*, viii, 35, 38  
Orwell, George, xi

## P

Panzavecchia, Fortunato, 11  
Panzavecchia, Ignazio, 22  
*Patria*, (Mizzian), 27, 36

*Patria, II* (Panzavechian), 22  
*Philatelic*, 22  
Pius IX, 14  
Plato, 7  
*Point, Le*, 3  
*Poplu Malti, II-*, 21  
*Poplu, II-* (Magazine), 39  
*Poplu, II-*, 32, 36, 37  
*Portafoglio Maltese, II*, 9, 12  
*Pravda*, 4  
Press Club (Malta), vii  
*Problemi ta' Llum*, 39  
Progress Press, 22, 24, 27, 28, 31, 36,  
39  
*Progress, II*, 22, 23  
*Propagazzjoni tal-Fidi*, 22  
*Public Opinion* (Book), 7  
*Public Opinion* (Newspaper), 7  
Pullicino, Lawrence, 28

## Q

*Qawmien, II-*, 39  
*Quccata, II-*, 39

## R

Radio 101, 38  
Radio Free Europe, 6  
Ragonesi, Victor, 37  
Raufenstal, Reni, 4  
Rediffusion, 25  
Refalo, Michael, 37  
*Republic, The*, 7  
Reuter, 18  
*Rivista Medica, La*, 21  
*Rusariu Inkaddes, Ir*, 22

## S

Salafia, Antonio, 24  
*Salib, Is-*, 21  
Saliba, Paul, 28  
*Salute Publica, La*, 22  
*San Paul*, 21  
Sant, Lorry, 31, 41  
Sapienza, Tony, viii, 124  
Savona, Sigismondo, 7, 21

Sceberras, Camillo, 10  
Schiavone, Lorenzo, 45  
Scorey, Harold, 31, 94  
Scorey, J.J., 31  
*Sebh, Is-*, 34  
Serracino Inglott, Peter, 29, 124  
Sette Giugno (1919), vii, 22  
Sicily, 14  
Sim, William, 56  
Smith, Ted, 41  
Societa' Dante Alighieri, 45  
*Spettatore Imparziale, Lo*, 9, 11  
Spiteri, Lino, 30, 35  
Spiteri, Piju, 35  
Stamp Act, 3  
Strasbourg, 2  
Strickland, Gerald, x, 21, 24, 25, 26,  
28, 61  
Strickland, Mabel, 18, 27  
*Struggle, The*, 34  
*Studente, Lo*, 21  
Sun Yat Sen, 31  
*Sunday Times (of Malta), The*, vii,  
23, 24, 28, 40  
Super 1 T.V. (M.L.P.) 40

## T

Taiwan, 31  
Tchaikovsky, Piotr Ilyich, 8  
*Teacher, The*, 22  
Terribile, Edgar, 30  
Thackeray, W.M., 3  
*Times of Malta u Il-Progress*, 23  
*Times of Malta Weekly*, 23  
*Times of Malta, The*, viii, 23, 24, 28,  
30, 34, 39  
*Times, The*, 3  
Tolstoy, Leo, 3  
*Torça, It-*, 34, 40  
*Torch, The*, 34  
Torrens, Henry, 61  
*Tribuna, La*, x  
*Triumph of the Will*, 4  
Tübingen, 12

## U

Uganda, 27  
Ukraine, xi  
Union Press, 34, 36, 38, 40  
U.S.S.R., 4  
Ustinov, Peter, 3

## V

Valletta Publishing, 6  
Vassalli, M.A., 15  
Vassallo, J.G., 45, 113  
Veritas Press, 29  
Voltaire, Francois, 3

## W

Watergate, 3  
*Weekend Chronicle, The*, 35  
Wellington, Duke of, 8  
Werther, 3  
Winterton, Paul, xi  
Wouts, Bernard, 3

## X

*Xemx, Ix-*, 22  
*Xewka, Ix-*, 11

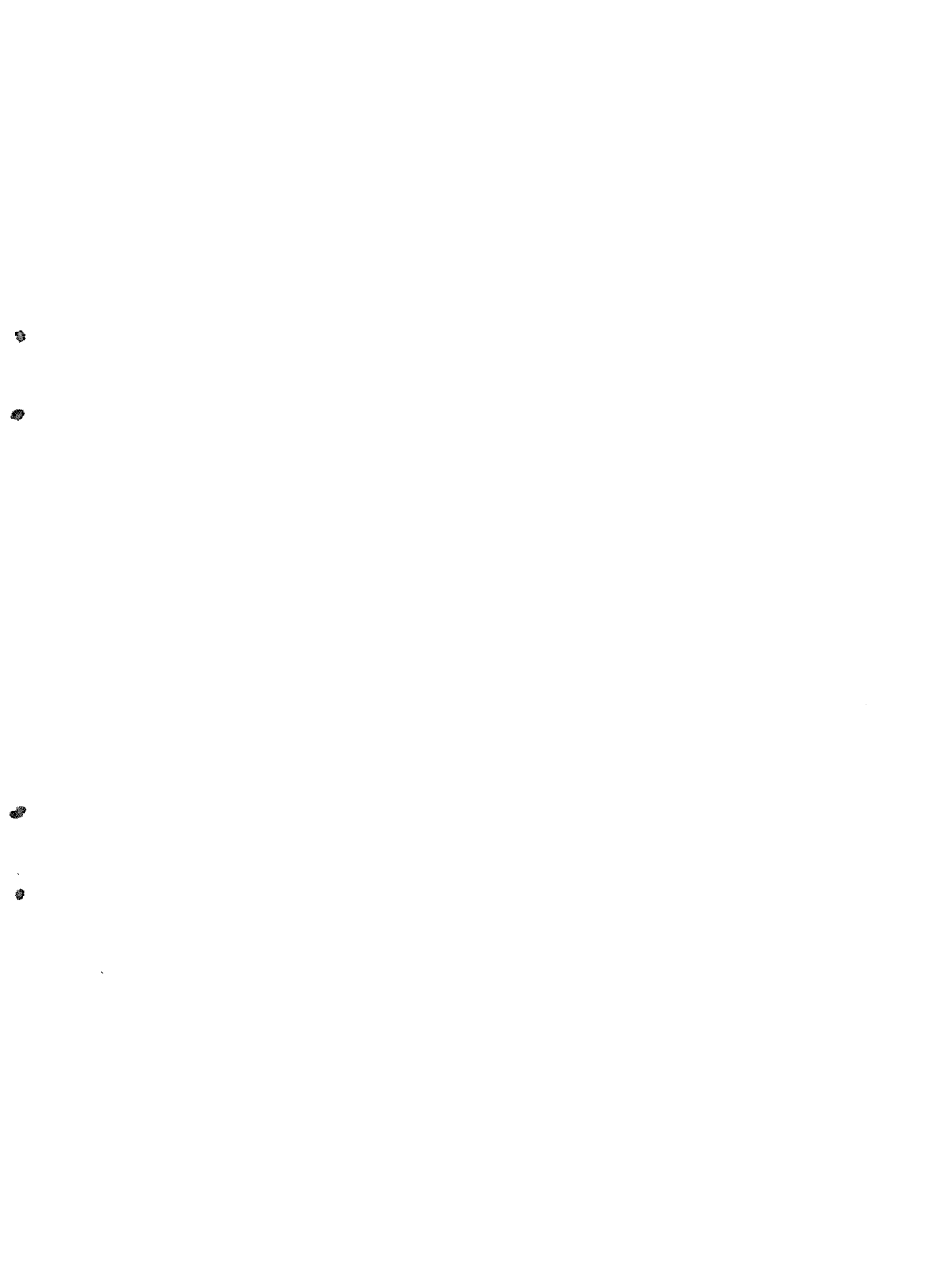
## Y

*Youth*, 22

## Z

Zahra, Joe, 37  
Zammit Dimech, Francis, 39, 124  
Zammit, Manuel, 39  
Żgħażaġh Haddiema Nsara, 29  
*Zmien, Iz-*, 39  
Zola, Emile, xi, 3







# MALTESE JOURNALISM 1838-1992

## An Historical Overview

### HENRY FRENDO

In *Maltèse Journalism 1838-1992* Henry Frendo looks critically at newspapers as these originated and developed in Malta. A former daily newspaper editor and UN information officer in Geneva, Professor Frendo directs the University of Malta's history seminar on Maltese journalism, which he started in 1990. Since 1968 Henry Frendo has been a columnist or features writer in *Malta News*, *Il-Haddiem*, *Il-Hajja*, *The Bulletin*, *It-Torca*, *Illum*, *Il-Mument*, *The Sunday Times* and *In-Nazzjon*, and has taken an active part in radio and television programmes.

The author of several books on Maltese history, his general academic interests relate to modern and contemporary Europe and the Commonwealth.

*"Frendo is solely interested in the facts, and he has the courage to call a spade a spade"*

— Dr Geoffrey Hull,  
'The roots of national identity',  
*The Sunday Times*, Valletta, 5 July 1992

Sponsored by



Press Club Publications  
(Malta)