

The Evolution of the Maltese Constitution

Historical Development and Constitutional Change Over Time



A Living Document: How Social Needs Shape the Supreme Law

By Emily Micallef & Jun Zhang

JOU 5.1



What is the Maltese Constitution?

- The Constitution is Malta's highest legal framework
- It protects rights and sets out how power is exercised
- It defines the structure of the state

It's more than a legal text

It reflects how Maltese society is organized and governed.

CONSTITUTION

OF THE

REPUBLIC OF MALTA

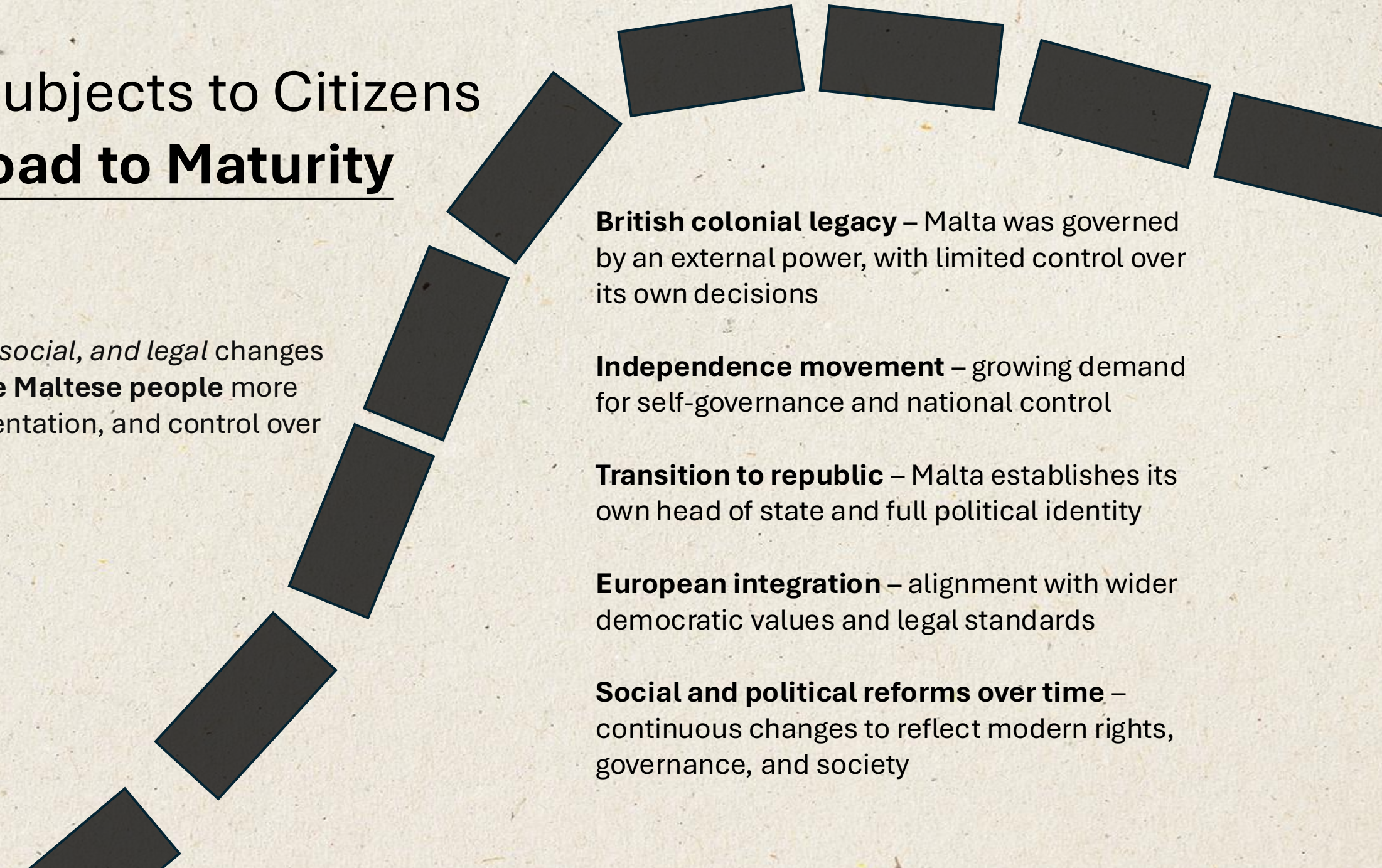


A Department of Information Publication

From Subjects to Citizens

The Road to Maturity

how *political, social, and legal* changes gradually **gave Maltese people** more rights, representation, and control over their country.



British colonial legacy – Malta was governed by an external power, with limited control over its own decisions

Independence movement – growing demand for self-governance and national control

Transition to republic – Malta establishes its own head of state and full political identity

European integration – alignment with wider democratic values and legal standards

Social and political reforms over time – continuous changes to reflect modern rights, governance, and society

Key Stages of Development

- **1964 Independence: The Birth of Sovereignty**
Transitioning from British colonial legacy to an independent state
- **1974 Republic: Defining Our Own Identity**
Moving beyond the British Monarchy to establish a self-determined Republic
- **2004 EU Accession: Modernization & Global Standards**
Integrating into the European framework to align Maltese laws with international democratic norms



How the Constitution Works



Parliament House in Valletta, Malta

Parliament – makes laws and represents the will of the people



Myriam Spiteri Debono

President – formally approves laws and safeguards the Constitution



Courthouse in Valletta, Malta

Courts – interpret the law and ensure justice is applied fairly

These institutions **do not work in isolation**; they **check and balance each other** to protect democracy.

Government clears way for judicial standards constitutional reform

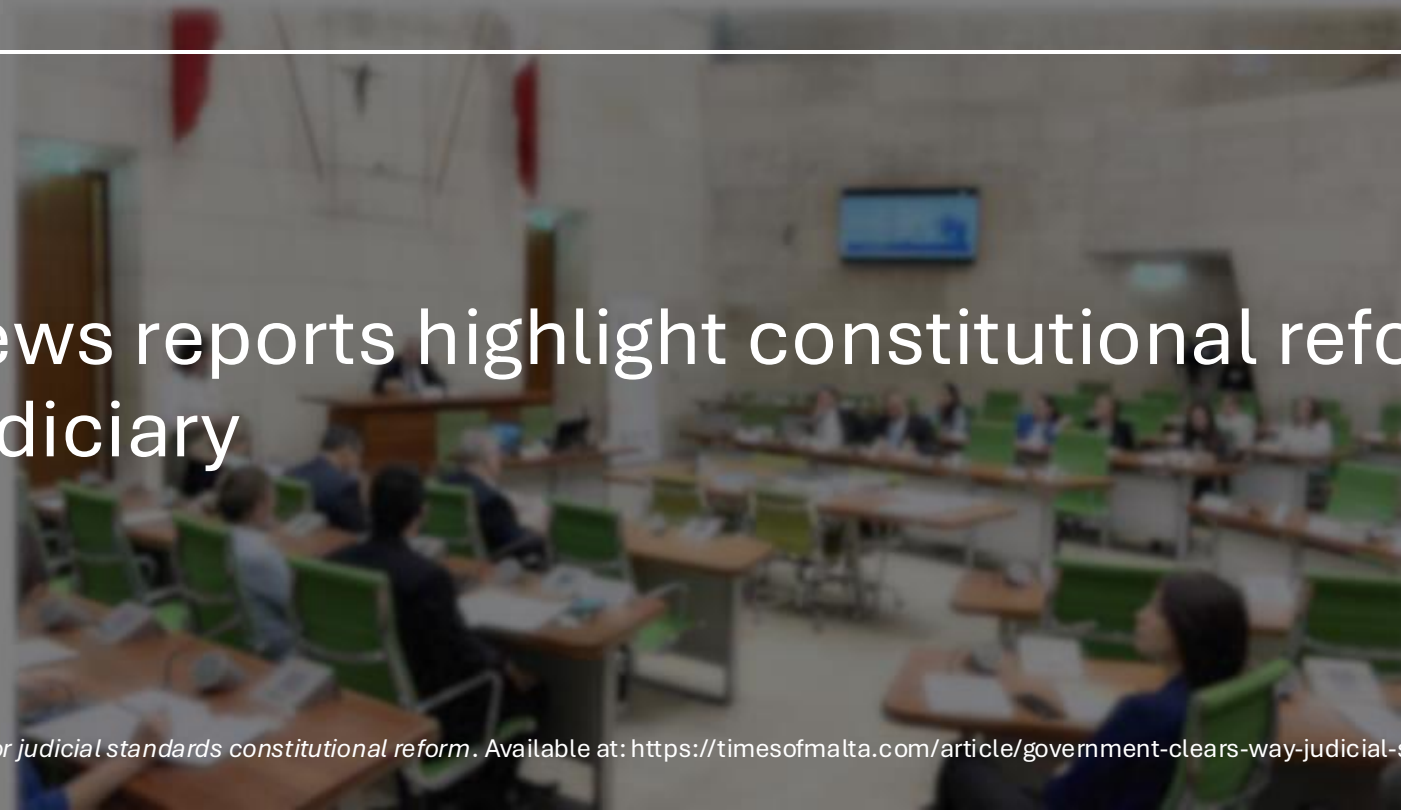
Changes to government's procedure for appointing judges to separate chambers of a court are within the remit

by [Name]



Example 1: Judicial Reform and Constitutional Change

Recent news reports highlight constitutional reforms in Malta's judiciary



Parliament controversially approves constitutional amendments

Example 1: Judicial Reform and Constitutional Change

What happened?

A new office, the Commissioner for Standards of the Judiciary, was introduced



Example 1: Judicial Reform and Constitutional Change

These changes would:

Why it happened?

This reform aimed to improve transparency and accountability

(i) remove the impediment of former members of the judiciary from being appointed as President of the Court, blurring the lines between the executive and the judicial branches of the state.

(ii) amend the appointment procedure of the Chief

19. 05. 2025

MALTA

Example 1: Judicial Reform and Constitutional Change

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

Constitutional impact

It shows how public pressure and governance issues can lead to constitutional change

ABBOZZ ta' Liġi mressaq mill-
għall-Ġustizzja u r-Riforma tas-
Kostruzzjoni, u moqri għall-Ewwel darba
fis-Seduta tat-13 ta' Mejju 2025.

ATT sabiex jemenda l-Kostituzzjoni ta'
Malta.

A BILL introduced by the Honourable
Justice and Reform of the Construction
Sector, and read the First time at the
Sitting of the 13th May 2025.

AN ACT to amend the Constitution of
Malta.

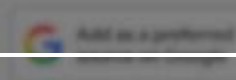
Opposition votes against constitutional amendments bill

PN opposes "bicameral" amendments to the constitution; government insists it has the support of the

Example 2: Parliamentary Debate on Constitutional Reform

2025/07/20 | Matthew Bonanno | 1074

4 min read



Overview

News reports show disagreement between government and opposition on constitutional changes



CURRENT AFFAIRS

Parliament debates controversial judicial reforms

May 28, 2025

Example 2: Parliamentary Debate on Constitutional Reform

Political disagreement
Some reforms required a two-thirds majority but failed to pass

You are reading: News / Voices from the Field

Example 2: Parliamentary Debate on Constitutional Reform



Early Constitutional Reforms, Constitutional Constitutional Reforms, Constitutional Amendments, Political System, Regulation and Accountability, Europe, Malta

By Victor Paul Borg, 17 July 2025

Failed reforms

Some reforms required a two-thirds majority but failed to pass

Related resources

Analysis
Annual Review of Constitution-Building 2023
by IDEA

Report
Malta: A Review of The Constitution of Malta at Fifty: Rectification or Redesign?
by external source

Analysis
Annual Review of Constitution Building 2024
by IDEA

Commissions Final Report

Constitutional Committee (2023)

Bill No. 134

Constitution of Malta (Amendment) Bill

[Back to List](#)

Example 2: Parliamentary Debate on Constitutional Reform

Constitutional limitation

This shows that constitutional change depends on political agreement

Debated in	1st Reading	2nd Reading	Committee	Recommittal	3rd Reading
Sitting No. 341 - 13 May 2025 <i>Plenary Session</i>	*				
Sitting No. 347 - 27 May 2025 <i>Plenary Session</i>		*			
Sitting No. 348 - 28 May 2025 <i>Plenary Session</i>		*			
Sitting No. 039 - 09 Jun 2025 <i>Adjunct Committee for the Consideration of Bills</i>			*		
Sitting No. 358 - 23 Jun 2025 <i>Plenary Session</i>					*

Example 3: Constitutional Issues in Judicial Appointments

Overview

Recent news reports highlight disputes over appointing the Chief Justice

Example 3: Constitutional Issues in Judicial Appointments

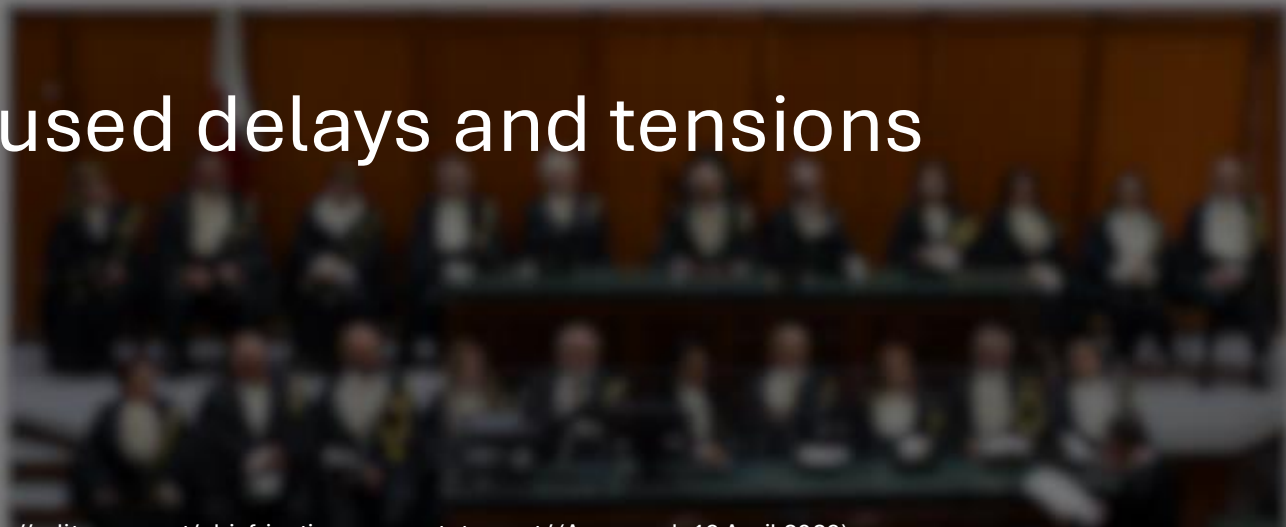
Constitutional requirement

The Constitution requires political consensus for such appointments

Example 3: Constitutional Issues in Judicial Appointments

Political deadlock

Disagreements caused delays and tensions





Example 3: Constitutional Issues in Judicial Appointments

Real-world impact

This shows how constitutional rules affect real political situations

The Journalistic Watchdog

- Journalists play an **important role** in monitoring how **the Constitution is applied in practice**
- By reporting on **Parliamentary debates** and **Court rulings**, we transform '**dry law**' into '**public awareness**'
- Our role: *Ensuring the Constitution remains a 'Living Document' through scrutiny*
- These examples were researched using **Times of Malta archives, MaltaToday, The Malta Independent, and Parliamentary Bill 134 documents**

Conclusion

- The Maltese Constitution is **shaped by Malta's history** and **political development**
- It sets out the **structure, powers, and principles of the state**
- Recent examples **show how it operates** in **real political and legal situations**
- Any **constitutional** change **requires** formal **legal** and **political processes**
- It remains a **key foundation of democracy in Malta**