



# The Greatest Right of Them All: The Debate on the Right to Petition in the Netherlands from the Dutch Republic to the Kingdom (c. 1750–1830)

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[journals.sagepub.com/home/ehq](http://journals.sagepub.com/home/ehq)**Joris Oddens***Leiden University, The Netherlands***Abstract**

Between 1750 and 1830 the Dutch state developed from an oligarchic republic into an enlightened autocratic monarchy via a brief experiment with representative democracy. During this period, there was an ongoing debate about the right to petition. Political actors and opinion-makers addressed the questions to what and to whom this right extended, and what it meant to have such a right. While theorists of the different types of government had sharply contrasting views on the place of the people in the political process, ideas about petitioning, which throughout the period under discussion remained the principal instrument for popular involvement in politics, stayed remarkably stable. Through an investigation of the debate on the right to petition in the crucial transitional phase from the Dutch Republic to the Kingdom of the Netherlands, this article contributes to bridging the divide between petition research of the early modern period and that of the modern era.

**Keywords**

Dutch Republic, Kingdom of the Netherlands, political petitioning, political representation, public opinion, right to petition

**Introduction**

The historiography on petitioning in Europe has long been subject to geographical and chronological divisions. Around the year 2000 the Swiss historian Andreas Würzler and his Italian colleague Cecilia Nubola published a number of

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groundbreaking edited volumes about various aspects of the phenomenon of petitioning in late medieval and early modern times, mostly in Central Europe.<sup>1</sup> Two of the themes they covered, petitioning as a form of political communication and petitioning in times of political crisis, were also central to the work of several historians interested in seventeenth-century England.<sup>2</sup> David Zaret, who identified innovations in the practice of petitioning as the prime mover of the rise of a public sphere during the English Revolution, is perhaps best known outside of Great Britain.<sup>3</sup> Zaret's views have been both thought-provoking and controversial.<sup>4</sup>

Recently an effort was made to merge the British and continental traditions in the study of the history of early modern petitioning.<sup>5</sup> Brodie Waddell, an English historian who took the initiative to unite scholars from both traditions, broadened the agenda of petitioning research even further by suggesting that premodern and modern petitioning merit more comparison as well.<sup>6</sup> A similar call for an international, comparative history of petitioning from the medieval period to the present comes from the side of modernists, most notably Henry Miller and Richard Huzzey. Their project on petitioning in England during the 'long nineteenth century' builds on earlier research on petitions to nineteenth-century Parliament.<sup>7</sup> Whereas this literature previously made up a historiographical strand of its own, mostly focusing on specific campaigns, Miller and Huzzey are more interested in petitioning 'as a general phenomenon'.<sup>8</sup>

It is perhaps no coincidence that recent proposals to remove chronological barriers have come from Great Britain, where the political and societal ruptures between the eighteenth and nineteenth centuries are deemed less sharp.<sup>9</sup> In continental Europe, particularly in those countries that have gone through an age of revolution, the institutional divide between early modern and modern history research is generally stronger. As a result, practices that continued to exist after 1800 have been studied by modernists as if they were entirely different phenomena. This has certainly been the case for petitioning because the revolutionary phase that links the early modern to the modern has remained surprisingly understudied.<sup>10</sup> In this contribution I wish to focus on the debate on the right to petition in the Netherlands during the crucial transitional phase from the Dutch Republic to the Kingdom of the Netherlands. The modest body of scholarship on Dutch petitioning discusses either the Republic or the Kingdom.<sup>11</sup> Historians of the early modern and nineteenth-century Netherlands, following contemporary usage, even tend to refer to petitions with different words – *request* and *petitie* respectively.<sup>12</sup> In reality, as will become clear, it is possible to identify an ongoing debate about petitioning before and after 1800, changes in vocabulary and scholarly traditions notwithstanding.

It has often been observed that in early modern and nineteenth-century Europe the right to petition was considered a self-evident right.<sup>13</sup> If elsewhere in Europe it was problematic to categorically deny the right to petition, in the early modern Dutch Republic this would have been virtually impossible, as it would have amounted to condemning the behavior of the founding fathers of Dutch independence.<sup>14</sup> The boundaries of the early modern Dutch debate on the right to petition

were delineated by the idea that the Dutch quest for independence from the Spanish empire had started with the Petition of Compromise, a petition against the Inquisition presented in Brussels by some two hundred Dutch nobles to Margaret of Parma, governor of the Netherlands on behalf of Philip II, in 1566.

The central place attributed to petitioning in the foundational story of the Dutch Republic did not prevent the development of a debate about the nature and scope of the right to petition between the mid-eighteenth century, when the Dutch Republic was shaken by political upheaval following a French invasion, and the year 1830, when a revolt in the Belgian provinces effectively ended the United Kingdom of the Netherlands. Whereas most historical scholarship on petitioning starts from the assumption that the right to petition was unquestioned, a more detailed look at the Dutch debate shows that below the surface of the common acceptance, to at least some degree, of a right to petition, political actors and opinion-makers greatly differed on the questions regarding to what and to whom this right extended, and what it meant to have such a right. As well as analyzing the debate on the right to petition under the different regimes in the period under discussion, I shall show that while the Dutch state adopted in this period different types of government whose theorists had sharply contrasting views on the place of the people in the political process, there were significant continuities of opinion over time with regard to the right to petition.

## **Views on the Right to Petition from the Dutch Republic to the Kingdom**

In the early 1780s a period of conflict began in the Dutch Republic, which is known in Dutch historiography as the Patriot Era (*Patriottentijd*). Reformist citizens who referred to themselves as ‘Patriots’ challenged the ruling oligarchic coalition of the quasi-monarchic stadtholder, William V of Orange, and a limited number of families that supplied the ‘regents’ or patrician rulers. The Patriot movement was diverse and consisted both of patricians without access to government positions and ordinary citizens. The Patriot project started off as a political campaign to address abuses within the system but evolved into an attack on the oligarchy itself.

From the outset of the conflict, petitions were the principal instruments. There had been previous peaks of petitioning in the Dutch Republic, most notably around the political crises of 1672 and 1747–1748, but the Patriots made use of the instrument on an unprecedented scale.<sup>15</sup> A first Patriot petition was circulated in cities throughout the republic and presented to different levels of government in the spring of 1782. The petitioners attempted to intervene in the course of the Fourth Anglo-Dutch War by requesting that a peace treaty with the United States be negotiated and John Adams be recognized as US envoy.<sup>16</sup> In the following years the Patriots accompanied every step in their political campaign with petition drives: their requests became bolder as the conflict deepened and dealt with numerous local and supra-local issues including the need for a treaty with France, the abolition of seigneurial privileges, and the right to form citizen militias.<sup>17</sup>

The Patriot petitions often bore the signatures of large proportions of urban communities. Their Orangist opponents responded with petitions in which they defended the status quo and expressed their support of the regime.<sup>18</sup>

The petitioning craze among the Patriots went hand in hand with the mass production of political periodicals that gave local events nation-wide publicity and popularized new ideas about popular sovereignty and representative democracy.<sup>19</sup> An early example of such a periodical is *De Staatsman* (1779–1784) by L.T. van Nassau la Leck, who became a more outspoken advocate of the Patriot project over the years. Towards the end of 1782 Nassau la Leck formulated his position on the right to petition in response to the first wave of mass petitions. He asserted that even under the most arbitrary type of power subjects had the right to petition their sovereign to advance their private interests or those of their country, as the seigneurial right to grant favors could be exercised only if the sovereign was informed of what his subjects desired. If this was so, then the people certainly had the right to petition in the Dutch Republic, where governments claimed a representative status. According to Nassau la Leck, however, the right to petition was not unlimited: citizens should not present petitions unless it was strictly necessary; petitions needed to be phrased in the most humble manner; and they should always be the result of a voluntary act.<sup>20</sup>

Formulated in the Patriot Era, Nassau La Leck's view on petitioning echoes ideas that had been common among Dutch elites throughout the history of the Dutch Republic. This is certainly true of his distinction between petitioning about private interests and petitioning about matters of state or government, public affairs or affairs with regard to the general interest, as contemporaries variously called the category that we would label public or political petitioning.<sup>21</sup> While there was little fundamental discussion about the right to present private petitions (request for jobs, financial support etc.), the politicization of the instrument of petitioning during the 1780s gave rise to a debate about the legitimacy and desirability of petitions with the goal of influencing the political process.

The different camps in this debate were not neatly divided along Patriot and Orangist lines. Nassau la Leck's view that both private and political petitioning should in principle be permitted was shared, for instance, by Elie Luzac, a member of a Leiden family of Huguenot origins and a supporter of the oligarchic regime, who maintained that for a government to advance the general interest it should be informed of the interests and grievances of its subjects, and there was no better way to achieve this than through petitions. Writing in 1788, after the Patriot movement had been suppressed, Luzac criticized the Patriots not for having petitioned but for having used the petition as a means to exert pressure on authorities.<sup>22</sup> He primarily attacked the manifesto that historians have often seen as the principal confession of political faith of the Patriot movement. The Leids Ontwerp (Leiden Draft), as this reform program is usually called, was the collaborative product of representatives of citizen militias from various cities in the province of Holland, who gathered in Leiden in 1785.<sup>23</sup> Though the Leids Ontwerp was never officially adopted by the provincial assembly of citizen militias for which it was intended, it was published and became one of the most widely read writings of the Patriot Era.<sup>24</sup>

The authors of the Leids Ontwerp asserted that under oligarchic rule the right to petition was the only constitutional instrument available for the people to influence their government. Therefore the right should be seen as 'a way to exercise legislative power or sovereignty' and a wide use was to be made of it: the people were to exert influence on the deliberative process with bold requests or even, if necessary, demands.<sup>25</sup>

Whereas Elie Luzac accused his opponents of violating the convention that petitioners needed to be humble, others criticized the Patriots on the grounds that they broke the rule that signing a petition had to be a conscious and voluntary act. This was, for example, the line of reasoning followed by the States of Gelderland in a publication that effectively prohibited political petitioning in 1786. This edict was issued in response to the presenting of petitions signed by several thousands of citizens from the Quarters of Zutphen and Veluwe at the Diet of the States of Gelderland the previous year. The petitioners requested a number of drastic measures, including the revision of the Governmental Regulations of 1750 from which the stadtholder derived his quasi-monarchic powers.<sup>26</sup> The States argued that most petitioners had not themselves been driven by an illicit desire to mingle in matters of state but that they had been tricked into signing by duplicitous individuals. To make it clear that such actions would no longer be tolerated they placed a ban on soliciting signatures on petitions, and the States would receive only petitions that were signed by up to six people and bore the signature of a legal practitioner.<sup>27</sup>

While there were in the Patriot Era more attempts to restrict the right to petition, none have had a greater impact on the conflict than this publication, which in Patriot circles was commonly compared to the edicts against heresy in the sixteenth century. The Patriot-dominated governments of Hattem and Elburg, two small Veluwe towns, refused to post or enforce the restrictions; the municipal council of Hattem protested that 'a free people... is gagged and muted by its representatives... to suppress its complaints'.<sup>28</sup> The decision of the States of Gelderland, in the summer of 1786, to ask William V in his capacity as military commander to call these two rebellious towns to order was to a large extent inspired by their reluctant attitude on this issue. The attacking and plundering of Hattem and Elburg by the troops of the stadtholder plunged the country into a civil war that culminated in an invasion by the army of the Prussian king, the stadtholder's brother-in-law, and the defeat of the Patriots in 1787.

In the first years of the stadtholderian restoration the Patriots avoided the public sphere. In the mid-1790s, however, the political balance seemed to tilt again in their direction. In early 1793 the stadtholder joined the ranks of the counter-revolutionary coalition against France, and in the second half of 1794 a French invasion in the Dutch Republic seemed imminent. Under these circumstances 12 commissioners attempted to present a petition against the stationing of English troops, signed by 3600 citizens, to the Amsterdam city government. While the commissioners waited to be received by the city's mayors, a publication against petitioning was read from the city hall, after which the mayors refused to receive the petition.<sup>29</sup>

Four days later, this publication was followed by a publication of the States of Holland, which is arguably the most far-reaching restriction of the right to petition in Dutch history. The States banned all petitions that intervened in matters of state or city administration, which would be taken for 'illegal impediments to the free deliberations of the respective governments and violations of the laws of order and subordination'. They consequently prohibited the writing, printing, copying, signing and presenting of petitions.<sup>30</sup> Six of the commissioners were imprisoned, and the Patriot revival was suppressed for the time being.

Three months later, in January 1795, the advance of the French army induced the flight of the stadtholder to England and the collapse of the oligarchic regime. On its ruins the Patriots, who had started calling themselves Batavians (*Bataven*) after a legendary Germanic tribe, founded the Batavian Republic. The Batavians continued the project, started during the 1780s, of introducing a type of government based on actual instead of virtual representation: representatives were elected by the people and served limited terms. Whereas in the Patriot Era this early form of representative democracy had been envisioned and in some places implemented on the local level, the Batavians scaled up to the provincial and the national levels. This institutional transformation was completed in March 1796 with the founding of a National Assembly, a representative assembly with legislative and constituent powers.<sup>31</sup>

During its first month in session, this assembly issued a publication confirming the right of every Dutch citizen to petition about state affairs.<sup>32</sup> This publication, which sanctioned a practice that was already in place at the lower levels of government, was welcomed by Jan Konijnenburg in *De Republikein*, one of many political periodicals that were founded in the Batavian Republic. Konijnenburg, an ardent supporter of the new regime, rejoiced that the liberty of the people was guaranteed by the proclamation of the right to petition, 'the greatest right of them all in a free society of citizens'. He considered it the duty of all petitioners to make sure that their petitions were useful and important so that the people's representatives were not unnecessarily disturbed, and that they were worded in appropriate language and with respect for the sovereignty of the people as it was represented by their elected officials.<sup>33</sup> Konijnenburg's position on the right to petition was in every respect a return to the old regime consensus. With the introduction of representative democracy the idea that petitioning was a way of exercising sovereignty and that petitioners should therefore claim the right to make demands instead of humble requests was no longer promoted, at least not in the circles of the new Batavian establishment.

In the years of the Batavian Republic the right to petition was rarely questioned; the constitution of 1798, the first in the history of the Netherlands, confirmed that each inhabitant could address his governments with petitions.<sup>34</sup> Meanwhile, the system of representative democracy rapidly lost support. Toward the end of the century, many of its erstwhile supporters had become dissatisfied with the ongoing discord in the parliament and between the different powers, which in their eyes paralyzed the political process and impeded the much-needed implementation of the constitution. In 1801 these critics staged a coup and introduced a new constitution; the executive was given the exclusive right of initiative; the new Legislative

Body had only the right to approve or reject proposed legislation. Its first members were appointed by the executive in anticipation of an electoral law that reduced the representative element to a minimum.<sup>35</sup>

Between 1801 and 1815, the Dutch state again went through a series of transformations. Displeased with its military and financial contribution to the revolutionary wars, Napoleon tightened his grip on the Batavian Republic and first installed, in 1805, the former Patriot Rutger Jan Schimmelpenninck as the head of state in a presidential system; a year later he made his brother Louis Napoleon king of Holland. From 1810 to 1813 the Netherlands were incorporated in the French Empire, until the defeat of the Napoleonic army led to the return to power of the Orange family in the person of King William I, the son of the deposed stadtholder, and the Congress of Vienna decided that the new Dutch restoration monarchy was to merge with the territories of the former Austrian Netherlands. In the United Kingdom of the Netherlands, sovereignty was believed to reside with the monarch and not with the people; the members of the new bicameral parliament, named after the old States-General, had a representative status only in the sense that they were assumed to represent the interests of the people *vis-à-vis* the king.

Every stage in this early nineteenth-century process of state formation (with the exception of the years of incorporation) was accompanied by a new Dutch constitution, but the formulation of the right to petition was modified to some extent only in the constitution of 1801 and then preserved in 1805 and 1806.<sup>36</sup> The first constitution of the Kingdom of the Netherlands (1814), by contrast, did not mention the right at all. This did not mean that it was not recognized by Gijsbert Karel van Hogendorp, the new monarch's minister whose constitutional draft was taken as a starting point for discussion by a constitutional committee. As the chairman of this committee, Van Hogendorp affirmed that every citizen had the right to petition.<sup>37</sup> Like most committee members he believed that the right to petition was self-evident and therefore did not need to be expressed in the constitution; this view was in part motivated by the idea, as the former Batavian and Napoleonic administrator C.Th. Elout admitted the following year in the constitutional committee that was to frame a constitution for the new United Kingdom of the Netherlands, that drawing attention to the right in the constitution would only attract petitioners and unnecessarily burden the national parliament. When it became clear that most committee members from the Southern Netherlands nevertheless wished to record the right to petition in the constitution, Elout successfully proposed adopting the article from the 'constitution of Louis Napoleon,' which in reality originated in the 1801 Batavian constitution.<sup>38</sup> The fact that the article was deliberately tucked away in the chapter on the Provincial States did not prevent it from becoming the subject of further debate on the nature and limits of the right to petition over the course of the nineteenth century.

### **Who were Considered to have the Right to Petition?**

If from the Dutch Republic to the United Kingdom most Dutch political actors and opinion-makers agreed that petitioning was in principle a lawful instrument,

this does not imply agreement about the question of who was eligible to make use of this instrument. In the Dutch Republic the right to petition was understood to belong to the body of customary law and little was written down about it.<sup>39</sup> As a consequence, there were few regulations that explicitly excluded specific (groups of) citizens. Nevertheless, among the regents of the Republic, there was a common understanding that the writing and presenting of petitions to political ends was not equally appropriate for all.

In the middle of the eighteenth century this consensus was voiced by Jan Wagenaar, a citizen of Amsterdam who is mostly known for his monumental history of the Dutch people. Wagenaar was the anonymous author of a political weekly that was published in 1747–1748 and commented on the political events of those years. Following a French invasion in the Dutch Republic, the office of stadtholder was reinstated after a stadtholderless period that had lasted, in most of the provinces, for almost half a century. In the wake of the installation of William IV of Orange a pro-stadtholder protest movement erupted against oligarchic city governments in which regents affiliated with the anti-stadtholder States party still exerted control.<sup>40</sup> In the riotous atmosphere that ensued from the presenting of a petition to the Amsterdam city council in November 1747, Wagenaar, a moderate supporter of the States party, published an essay about petitioning in which he included a list of rules that citizens should take into account before taking part in a petition.<sup>41</sup> These rules ‘codified’ the old regime regent consensus and became a future point of reference.<sup>42</sup>

Wagenaar considered it beyond dispute that citizens had the right and the liberty to present petitions for the purpose of making their grievances known or giving advice to the government, but for a petition to be taken into consideration by the authorities, at least some of the signatories would, in his view, have to be among the most distinguished merchants of a given community. By contrast, he urged his readers to steer clear of petitions that were signed only by incompetent and common folk, as they had never seen from up close what governing entailed and they were unfamiliar with the history of the country.<sup>43</sup>

During the Patriot Era, this distinction between eligible and ineligible citizens resonated among both Patriots and Orangists, who routinely accused each other of mobilizing the ignorant rabble for their petitions in exchange for money or alcohol or under the threat of loss of their jobs or clientele.<sup>44</sup> The States of Gelderland justified their ban on political petitioning in 1786 by arguing that petitions presented to them had been signed by children, deserving poor, servants and ‘some of the least competent among our inhabitants’, while the issues that were raised in the petitions required considerable knowledge of government affairs, ‘the obtaining of which these petitioners can have had neither the time nor the opportunity for’.<sup>45</sup> In a similar vein, a Patriot pamphlet from 1787 commented on the activity at an Orangist club, where minors, women, and commoners who could neither read nor write and signed by mark were induced to sign a petition by a drink or some pocket money.<sup>46</sup>

The counter-argument that could be made against such accusations was equally employed by all parties. An Orangist periodical maintained that in a republic the

wealth or status of petitioners was not relevant when it came to the 'matter of liberty'.<sup>47</sup> The Patriot periodical *De politieke snapper* took the view that every citizen, whether he was rich or poor, had the absolute right and even the moral obligation to participate in petitions about matters of general interest.<sup>48</sup> The latter position was taken in the context of a conflict that had arisen in the city of Leiden primarily between patrician Patriots who dominated the city council and Patriot citizens united in a citizen militia in favor of more reforms. *De politieke snapper* responded to an anonymous author who under the pseudonym E.L.I. (Een Leids Ingezetene = An Inhabitant of Leiden) defended the step, taken by the council, of confiscating a petition that had been available at the militia's meetinghouse.<sup>49</sup> E.L.I. stated that the petition bore the signatures of minors and outsiders as well as uninformed and illiterate people.<sup>50</sup> None of these groups met the criteria that a citizen would have to meet in order to qualify as a petitioner: a personal interest in the welfare of the society (possessing property of real estate or land); the independent position that was required to form a proper opinion (an appropriate age, no relationship of dependency); and sufficient understanding of matters of government. E.L.I. borrowed these criteria from a treatise that was published in the same year by the young Patriot Rutger Jan Schimmelpenninck. The latter had introduced these criteria to determine which citizens should have the right to vote in a system of representative government, but E.L.I. considered them equally applicable with regard to the right to petition.<sup>51</sup>

The pamphlet of E.L.I. was part of an ongoing polemic with Pieter Vreede, who served on the board of the Leiden Patriot militia.<sup>52</sup> Vreede was also a member of the editorial committee that drafted the final version of the Leids Ontwerp, and indeed the take on political petitioning in this manifesto was partly formulated in response to E.L.I. With the Leiden city council in mind, it developed the argument that under the present system of oligarchic government citizens could not be excluded from the right to petition on the grounds that they lacked the capacity to participate in this practice since the regents did themselves not govern by merit of their capacities. The Leids Ontwerp did not, however, reject all restrictions to participation in political petitioning altogether: if a system of representative democracy was in place, verifiable criteria such as age, place of birth, citizenship status and membership of a militia could be introduced; in practice this would mean that the right to petition would be linked to the right to vote, for which the same criteria were to apply.<sup>53</sup> Here the Ontwerp betrays the influence of Schimmelpenninck, one of the two other members of the committee responsible for the draft.

When the representative system was introduced in the 1790s, the idea to link the right to petition to the status of citizenship that defined the right to vote was never carried out; the 1798 constitution granted the right to 'every inhabitant' and not to citizens alone. Their ideal of equality made the representative assemblies of the Batavian Republic reluctant to propose or openly discuss criteria of eligibility, though many of them held the view that inhabitants who openly supported the previous regime should be excluded from *all* political rights. As far as the right to

petition was concerned, members of the National Assembly did agree that children did not have this right because they ‘had yet not learned to think as humans’ and ‘just followed the advice of their parents’, and one deputy proposed that the marks of those who didn’t know how to read or write would have to be validated by two witnesses.<sup>54</sup> The assembly did occasionally accept and even grant an ‘honorable mention’ to political petitions addressed to them by female petitioners, at least implicitly extending the right to petition on matters of government also to women.<sup>55</sup>

## The Debate on Corporate and Collective Petitions

In 1784, 1215 Patriot citizens of Utrecht authorized, in the presence of a notary, 24 *geconstitueerden* or delegates to negotiate with the city council in their name; henceforth petitions that were signed by the delegates were to be understood as if they bore 1215 signatures; in this way the Patriots intended to tackle the problem that each petition was subject to the time-consuming and difficult process of mobilizing the Patriot supporters to come and sign it. The Utrecht city council recognized the legality of this innovative construction and thus set a precedent for Patriots in other cities.<sup>56</sup>

In Leiden, where a college of delegates represented more than 700 citizens, this corporative form of political petitioning met with fierce criticism from Orangists, who suggested that the act of authorization contained the signatures of uninformed citizens and outsiders.<sup>57</sup> The Leiden city council was also uneasy about this way of petitioning but like its Utrecht equivalent saw no way of outright forbidding it, as the presenting of (private) petitions on behalf of corporative bodies had been a long-established practice. Two months after the Leiden citizens had authorized their delegates, the council decreed that any future petition signed by authorization would have to be accompanied by signed statements in which each citizen who granted authorization stated that it applied to that particular petition; signatures would now again have to be gathered for every single petition, which was exactly what the method of authorization had sought to avoid.<sup>58</sup>

Ten years later the debate on petitioning by corporation resurfaced during one of the first sessions of the National Assembly. The Batavian deputies could not only draw on the example of their French counterparts who in May 1791 had decreed the prohibition of collective petitions, but their discussions were certainly also shaped by the experiences of the Patriot Era and of the first year of the Batavian Republic, in which the new representative bodies at the lower levels of government had been bombarded with petitions drawn up in sharp language by the leaders of radical Jacobin-style clubs.<sup>59</sup> A majority of the assembly held the opinion that with a system of representative democracy having replaced the oligarchic government the presenting of petitions in the name of others should no longer be tolerated because this practice enabled the political clubs to operate as some sort of shadow government. This view was also motivated by a broader, French-inspired rejection of corporatism. In the publication with which the National

Assembly confirmed the right to petition, it also stipulated that this right extended to citizens and not to associations, which was to say that members of such associations who presented a petition would all have to sign personally. The final draft of this publication was written by Jacob Hahn, a deputy from Leiden who during the Patriot era had still been one of the *geconstitueerden*. Not all deputies had evolved in the same way. Pieter Vreede, who had also been one of the delegates in Leiden, upheld the right of corporations to present petitions because he claimed that every restriction on the right to petition should be considered a restriction on liberty itself.<sup>60</sup>

Vreede would come round only when he served as the officious leader of a repressive regime that assumed power with a coup in January 1798, disgruntled with the slow progress that had been made in adopting a constitution and turning the confederacy into a unitary state. During a brief revolutionary intermezzo that was ended by a moderate countercoup in June, Vreede and his fellow members of a provisional executive government now received critical petitions from the network of political clubs that had overwhelmingly supported their political agenda before the coup. In the 1798 constitution that was a product of this regime, they responded by stipulating that political associations were allowed only insofar as they operated in support of the constitution and could not undertake any public actions in their corporative capacity; the article on the right to petition specified that 'all petitioning is to happen personally and not collectively'.<sup>61</sup>

The administration that replaced the Vreede regime preserved the constitution and instituted a constitutional order. In the Representative Body, the constitutional successor to the National Assembly, not all deputies believed that the constitution had adequately regulated the practice of petitioning. When in 1799 the parliament debated a series of petitions from citizens who complained about various decrees, Cornelis van Foreest, a patrician Patriot from Alkmaar, made a speech in which he denied that in a representative democracy a fraction of the people had the right to question decisions taken by the people's representatives by way of petitions. Van Foreest argued that the representatives alone represented the people at large. He also resurrected the classic argument that many of the petitioners were 'simple farmers who certainly have neither the time nor the ability to critically scrutinize' the acts of their governments.<sup>62</sup> His intervention triggered a great many angry responses. An overwhelming majority of the deputies was strongly opposed to Van Foreest's limited interpretation of the right to petition and criticized his social elitism. Even those members who would later give their consent to the dismantling of the democratic infrastructure of the Batavian Republic now reminded Van Foreest of how their fellow Patriots had in 1794 been persecuted by the Amsterdam government and how horrified they had been by this injustice.<sup>63</sup> Three years after the National Assembly had confirmed the right to petition, the consensus view remained that political petitioning was a sacred right.

In the text of the constitutional article from 1801 that was to determine the right to petition during the first half of the nineteenth century, the ambiguous clause 'all petitioning is to happen personally and not collectively' from the previous

constitution was replaced with the clearer phrasing that petitions were to be 'signed personally and not in name of others'. This formulation once and for all shut the door on such practices as those that had taken place during the Patriot Era but kept alive the option of mass petitions with as many signatures as there were petitioners. It would take more than a quarter of a century before this possibility was explored. Towards the end of 1828 the Second Chamber (lower house) of the bicameral Dutch parliament started to receive petitions signed by thousands of citizens, mostly from the southern provinces of the United Kingdom of the Netherlands.<sup>64</sup> The petitioners expressed their grievances on a number of political issues, such as the lack of press freedom and freedom of education. In February and March 1829 the Second Chamber debated 150 of these petitions; the deputies gave their views on their contents but also revitalized the discussion on the limits of the right to petition. According to a periodical of the time, the lively deliberations on this topic in the usually rather meek parliament captured the attention of the general public.<sup>65</sup>

In the debate the constitution prevented any denial of the right to petition as such, but some deputies demonstrated that old regime views on the extent of this right were still widespread in the northern half of the restoration monarchy. A deputy from Holland declared that the Belgian petitions were mostly signed by people from the lowest class, who 'can be incited to sign petitions the contents of which are completely unknown to them'; a Frisian colleague reported that they bore the signatures of girls, servants, and even of people who had illegally signed in the name of others; and a member for Zeeland doubted whether the majority of the signatories could really be trusted to assess matters of state in their entirety.<sup>66</sup> All of these deputies concluded that the petitions did not deserve the serious attention of the parliament.

The deputy from Utrecht H.A.M.J. van Asch van Wijck argued that the right to petition as stipulated in the constitution of 1815 was to be understood as an individual right; van Asch van Wijck rejected petitions that bore a multitude of signatures because if such petitions expressed dissenting opinions, this would turn the system of representative government into a democracy, the worst of all types of government.<sup>67</sup> In the public debate to which the Belgian petitioning campaign gave rise van Asch van Wijck's position was shared by an anonymous author who claimed that the clause 'personally and not in name of others' could not possibly mean anything other than that mass petitioning was prohibited, as the makers of the constitution would never have inserted an article that endangered order and stability in society.<sup>68</sup> This view was ridiculed by the young jurist Cornelis Star Numan, a commentator from the Northern Netherlands who affirmed the lawfulness of the Belgian mass petitions even if he did not agree with their contents. Star Numan called it incomprehensible that 'personally and not in name of others' appeared to be open to the interpretation that petitions with multiple signatures were forbidden. Clearly unimpressed by the tendency of most of his older contemporaries to disavow the revolutionary roots of much of the restoration monarchy's organic legislation, he correctly pointed out that in 1801 this phrase had been

chosen precisely because the 1798 constitution had caused confusion in this respect.<sup>69</sup> This made him perhaps the only early-nineteenth-century participant in the debate on petitioning who, instead of tacitly using arguments that preceded the founding of the Kingdom, publicly acknowledged that this was a much older debate.

### What Did the Right to Petition Amount To?

To most participants in the eighteenth- and nineteenth-century debate on petitioning, the right of citizens to petition was mirrored by a right of authorities to dispose of petitions as they saw fit. As Jan Wagenaar put it in 1748, denying the authorities this right was the same as saying that they no longer were authorities.<sup>70</sup> During the Patriot Era most commentators agreed that the very word *request* implied by definition that petitioners had no right whatsoever to expect that their petitions would be granted; while supporters of the oligarchic system considered the freedom to take autonomous decisions part of the sovereignty of the regents, Patriots who believed that sovereignty resided with the people wanted to delegate the exercise of this sovereignty to representatives who would likewise be at liberty to take their own decisions.<sup>71</sup> Even those Patriots who claimed that petitions should be bold demands rather than humble requests regarded this as a temporary solution until the oligarchic regime had been replaced. When in the next decade a representative system was put in place, the dominant opinion among the Batavians remained that the elected representatives could freely turn down petitions as they had much more opportunity than petitioners to see the affairs of the country in their entirety.<sup>72</sup>

Yet, for all the belief that those in power were under no obligation to do what petitioners requested of them, there also remained a sense that if petitioners represented what was called 'the voice of the people' (eighteenth century) or 'the public opinion' (nineteenth century) their grievances or desires could not lightly be ignored. Petitioners obviously had this idea in mind when they gathered as many signatures as possible for their petitions, but those who were opposed to the contents of a petition reasoned from the same idea when they argued that the authorities should ignore it because the number of signatories represented only a fraction of the population of a city, a province or the country.<sup>73</sup> Others followed an opposite line of reasoning and disapproved of petitions with many signatures exactly because they might give authorities the feeling that they had no choice but to grant them.<sup>74</sup>

In the first year of the Batavian Republic an anonymous correspondent of *De Republikein* suggested that the new authorities introduce legislation to establish whether a petition represented the voice of the people. If a governmental body received a petition, it should make available a petition that voiced the opposite position, and by counting the number of signatures each petition obtained it would be possible to determine what the people wanted.<sup>75</sup> Conceived in this way the practice of petitioning approached that of the referendum, and indeed throughout the first years of the Batavian Republic referenda were organized by all levels of

government, including ones that were binding, such as two plebiscites in 1797 and 1798 in which the Batavian people were asked to decide about constitutional drafts. Prior to the coup of 1798, 43 radical deputies published a political manifesto in which they demanded, among other things, that if the petitions about an issue exceeded a certain number, the representative assembly would be obliged to call a binding referendum.<sup>76</sup> Giving such a status to petitions was considered several bridges too far by the majority of the representatives: as one of them put it, even if the number of petitioners were to rise to hundreds of thousands, he would continue to form his own opinion 'because he who . . . approves of something because the crowd wants him to, is the most dangerous creature that can be imagined in a popular government'.<sup>77</sup>

The number he mentioned was hardly hyperbolic. The Batavian Era witnessed mass petitioning campaigns that are among the largest in Dutch history, but none was bigger in scale than the campaign that unfolded under the auspices of the Dutch Reformed Church. In October 1797 the National Assembly started to receive petitions with long lists of signatures, totaling an estimated 215,000, 10 percent of the Dutch population.<sup>78</sup> The petitioners warned that if the assembly were to follow through on its intention to abolish the privileged status of the Reformed Church in the draft constitution it was to produce, they would reject this draft in the upcoming referendum. For the members of the National Assembly it was extremely awkward that the objective of this massive petition drive was plainly at odds with one of the foundational ideals of the Batavian Republic, the equality between members of the different churches. The assembly first decided to forward the petitions to its constitutional committee, but when one of the deputies disclosed that the members of this committee had locked earlier petitions of a similar nature away in a large box without paying the slightest attention to them – the petitions, claimed another deputy in defense, had been signed by many women, children, fools, and even in the name of unborn babies – it embarrassedly ruled any future petitions on the matter out of order on the ground that they anticipated the constitution.<sup>79</sup>

Ruling out of order was one of the possible decrees the National Assembly and its constitutional successors could issue in response to the many petitions they were confronted with.<sup>80</sup> They could also dismiss a petition or take note of it, with or without honorable mention for the petitioners. All of these options ultimately came down to taking no action, but this did not stop the representative assemblies of the Batavian Republic from endlessly debating which decree was most appropriate.<sup>81</sup> It is tempting to discard these discussions as quibbles over nothing, but they actually point to the fact that acknowledgement of the grievance or desire voiced in a petition was in itself seen as a form of granting it, at least by the authorities. Three decades later an advice by the principal advisory body of the government on the occasion of the Belgian petition campaign demonstrated that this way of thinking had not withered; the Council of State declared that the lower house of the parliament had the duty to 'get petitions out of the way' by proceeding to the order of the day or by resorting to the '*no less honorable* measure of making

them available at the clerk's office' (my italics).<sup>82</sup> The latter action implied that the deputies could review the petitions when they wanted to make use of their right of initiative, but in the tame political climate of the restoration monarchy this possibility was strictly theoretical.<sup>83</sup>

Whatever the view of the authorities about the instrument of petitioning, its users did not delude themselves about its effectiveness. Contemporary Dutch speakers used expressions that alluded to the practice of petitioning in a less than flattering way: in the Dutch Republic saying that something was 'hanging on a spike' (like petitions in government and court buildings) meant that no action was taken; this led one satirical commentator in 1796 to propose the creation of a Committee of Spikes or Hanging that was to hang all petitions that had been left unanswered in the Batavian Republic on spikes, in neat alphabetical order.<sup>84</sup> In the Kingdom the expression 'to make something available at the clerk's office' was mockingly used instead of saying that something would never be heard of again.<sup>85</sup>

Not all petitions suffered a similar fate. Besides various actions that amounted to taking no action, the National Assembly of the Batavian Republic could decide to assign a parliamentary commission or one of the committees that made up the executive power the task of inspecting the contents of a petition and producing an advice, the plenary debate about which regularly resulted in new legislation. This procedure remained essentially intact after the introduction of the 1798 constitution, which replaced the committees with an executive government modeled after the French Directory and supported by ministries, but confirmed the supreme power of the legislature. At least one contributor to the debate leading up to the constitution of 1801 proposed that the legislative power should be excluded from receiving petitions because the discussion of petitions belonged not to the making but to the execution of legislation, and was as such the exclusive competence of the executive power.<sup>86</sup> This view was not adopted by the makers of the constitution, but foreshadowed the focus of the debate in the decades to come.

During the discussions of the committee that was to produce the constitution of 1815, C.F. van Maanen, a veteran administrator of the Batavian-French era, denied that citizens should have the right to petition parliament about matters that involved executive power on the ground that in a constitutional monarchy the legislature could not call the executive to account, so the parliament would not know what to do with such petitions.<sup>87</sup> The matter was left undecided when the article from the 1801 constitution was adopted, but during one of the first sessions of the lower house of the parliament its chairman J.E.N. van Lynden van Hoevelaken, who in the constitutional committee had supported the position of Van Maanen (and, in the background, that of the king), instituted a commission that was to investigate the matter. When this commission and with it the majority of the Second Chamber asserted its own right not only to receive petitions but also to forward them to the competent ministries, the king reacted in 1820 with a royal edict that ordered the ministers to abstain from receiving anything but laws from the parliament.<sup>88</sup>

In the parliamentary debate following the Belgian petition campaign of 1828–1829, the fact that this edict had effectively made it impossible for the Second Chamber to

respond to petitions in any meaningful way became one of the principal points of controversy. Whereas the deputies from the southern provinces merely pointed out that the grievances expressed by the petitioners were legitimate and most northern members wondered why the petitioners did not address the king directly, a small group of members from the north defended a more principled position. The most compelling argument was made by Lodewijk Caspar Luzac, a deputy for whom being at the forefront of the debate about petitioning ran in the family: his uncle Johan Luzac had been one of the organizers of the petition requesting the recognition of John Adams as US envoy, the first political mass petition of the Patriot era, while Elie Luzac, the foremost interpreter of the Orangist perspective in this debate during the 1780s, was a distant cousin.<sup>89</sup>

Luzac brought to the attention of his fellow deputies that since the royal edict of 1820, the Second Chamber had responded to petitions only by returning to the order of the day or if the petition was recognized to contain legitimate complaints, by making it available at the clerk's office. According to Luzac, these responses did not satisfy the 'wise part of the nation'. He considered the parliament an intermediary power between people and king, and saw it as its responsibility to make sure that the right to petition was more than the 'pathetic permission to fill some pages of stamped paper with complaints and see these being made available at the clerk's office, from where they will never depart again'.<sup>90</sup>

Luzac's proposal to request the government to revoke the edict of 1820 attracted little support. Instead, the Kamer decreed that the contents of the petitions were to be brought to the attention of the king via the constitutional instrument of a formal address, but this was blocked by a veto of the senate. The king in turn issued, in January 1830, a new royal edict in which the interdiction of the accepting by ministers of petitions forwarded by the Second Chamber was renewed.<sup>91</sup> When the Second Chamber received in the following months a new wave of petitions, this time with several hundreds of thousands of signatures, the most notable response came from W.B. Donker Curtius van Tienhoven, a deputy from Holland, who used an abundance of familiar arguments to convince his colleagues that the Belgian petitioners had abused the right to petition: their petitions did not express desires but demands and the large number of signatures was intended to press these demands; most of the petitioners did not understand where their true interests lay and had been misled by their leaders; men had been pushed to sign by women, workers by their masters. Donker Curtius proposed the introduction of a number of restrictive measures, such as the requirement, applicable in Great Britain, that every petition was to be presented through a member of parliament.<sup>92</sup>

The Dutch lower house considered the matter 'too delicate' for the present times and ended the debate by resorting to the usual routine of making the petitions available at the clerk's office.<sup>93</sup> Later that year, the incentive for a more principled discussion about the limits of the right to petition faded when a revolt in the southern provinces de facto resulted in an independent Belgian state. In the remaining Dutch rump state there was little urge to use the petition as a political instrument, for a couple of decades at least.

## Conclusion

In the political history of the Netherlands the period between 1750 and 1830 is seen as an age of great ideological and institutional transformations. From the Dutch Republic to the (rump) Kingdom of the Netherlands, however, petitions remained the principal instrument for citizens to address their authorities; the debate on these citizens' right to petition shows considerable continuity. To most participants in this debate, the right to petition was twofold and included the right to make requests both about matters of interest to specific private individuals and groups and about matters that concerned the general interest of the local, provincial or national community. The distinction between these two categories was implicitly codified in the 1801 constitution – where the right to petition was given the era's most authoritative formulation – that neither used the older word *request* nor the newer *petitie* but instead spoke of *verzoeken* (requests) and *voordrachten* (proposals), which can be read as (the right to) private and political petitions respectively.

The right to present petitions of the second category was rarely downright rejected. Authorities that restricted or banned political petitioning did not do so on principled grounds but argued that this right had been abused. Commentators loyal to the political establishment did certainly not unequivocally welcome the instrument of political petitioning; whereas some merely cautioned that rare and prudent use was to be made of it, others ascribed to the regents a superior capacity of judgment in all matters political and consequently saw no use for the political petition; very few, however, went so far as to categorically deny this right to all.

The view that political petitioning was not for everybody proved persistent throughout the period under discussion. Participation in petitioning by those who were underage and by foreigners was considered illegal, or at best inappropriate, during the entire period, and so was, with a few ad hoc exceptions in the time of the Batavian Republic, petitioning by women. Almost as resilient was the belief in the ineligibility of another category of inhabitants, variously referred to as uninformed, incompetent, dependent, corruptible, or gullible; they were not outright denied the right to petition, but the standard argument ran that their involvement in a petition was an obvious reason for authorities to turn it down because they lacked the opportunity to form a sound opinion. If the Batavian years witnessed the construction of a taboo on explicitly advocating the exclusion of members of society belonging to the lower classes, this did not mean that the ideas nurturing this reflex also disappeared, and in the restoration monarchy the argument made a comeback.

The most notable change in the attitude towards the right to petition took place with regard to collective petitioning. Whereas the Patriot Era had brought forth the innovative practice of citizens supplying delegates with indefinite authorizations to present political petitions in their name, the Batavians shut the door on such corporative forms of political petitioning and established that each petitioner was to sign personally in order to count. While this principle would never again be called into question, attempts to rule out all collective petitioning by proposing that no petition could be signed by more than one petitioner proved unsuccessful.

Throughout the period under discussion, the dominant view remained that the right to present political petitions was essentially a right to provide authorities with advice as to how to address widely felt grievances or advance the general interest. There was a general consensus that petitioners should show proper respect for their lawful governments and that they had no right to expect their petition to be granted. Only during the 1780s did some Patriot theorists maintain that citizens could employ the political petition to pressure authorities into certain decisions. They framed this, however, as an exceptional use of the instrument that was legitimate only as long as citizens did not have the right to choose their own representatives; once representative democracy was introduced, the sovereignty of the people was to be exercised through a system of elections and representation, and the petition would regain its original function of political thermometer. And indeed, in the Batavian Republic and beyond, the majority of the representatives held that petitions always represented the view of only a fraction of the people, and that they, who represented the entire local, provincial or national community, were therefore under no obligation to do as the petitioners requested.

If this analysis of the debate about the right to petition has discussed to which extent attempts to influence the political process through the instrument of petitioning were deemed appropriate and to what degree authorities saw petitions as interventions that were to be taken seriously, it tells us little about the actual effectiveness of political petitions. Considering the vigor with which theorists throughout the period under discussion continued to stress the right of authorities to turn down petitions, this effectiveness may seem to be slight, but one might just as well conclude that the perceived need to continuously emphasize this point reflected a deeper belief – in some cases anxiety – that petitions could not be disregarded if they expressed legitimate concerns; it is perhaps not unreasonable to assume that this belief was also present among the ruling classes of patrician regents and democratic representatives in the time of the Republic. In the Kingdom, where every notion of popular sovereignty was rejected, representatives believed they answered to the king rather than to the people and could therefore put petitions aside with fewer scruples. Under the restoration monarchy, as under previous regimes, however, political petitions not only served the purpose of attempting to obtain a direct positive response on the part of the government, by resorting to the force of numbers, the petitioners also intended to make the conclusion inescapable that, as much as the authorities had every right to ignore them, they could not possibly do this without serious consequences.

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## Notes

1. Cecilia Nubola and Andreas Würgler, eds, *Suppliche e 'gravamina'. Politica, amministrazione, giustizia in Europa (secoli XIV–XVIII)* (Bologna 2002); Cecilia Nubola and Andreas Würgler, eds, *Forme della comunicazione politica in Europa nei secoli XV–XVIII. Suppliche, gravamina, lettere = Formen der politischen Kommunikation in Europa vom 15. bis. 18. Jahrhundert. Bitten, Beschwerden, Briefe* (Bologna and Berlin 2004); Cecilia Nubola and Andreas Würgler, eds, *Operare la resistenza. Suppliche, gravamina e rivolte in Europa (secoli XV–XIX) = Praktiken des Widerstandes. Suppliken, Gravamina und Revolten in Europa (15.–19. Jahrhundert)* (Bologna and Berlin 2006). Much of Würgler's other work also deals with petitioning, most notably *Unruhen und Öffentlichkeit. Städtische und ländliche Protestbewegungen im 18. Jahrhundert* (Tübingen 1995); Andreas Würgler, "'Voices from among the 'Silent Masses': Humble Petitions and Social Conflicts in Early Modern Central Europe', *International Review of Social History*, Vol. 46, No. 9 (2001), 11–34; and the titles cited below.
2. Annabel Patterson, *Reading Between the Lines* (London 1993), ch. 3, 'A Petitioning Society'; Chris R. Kyle and Jason Peacey, eds, *Parliament at Work: Parliamentary Committees, Political Power and Public Access in Early Modern England* (Woodbridge 2002); Mark Knights, *Representation and Misrepresentation in Later Stuart Britain: Partisanship and Political Culture* (Oxford 2005), ch. 3, 'Petitions and Addresses'; Derek Hirst, 'Making Contact: Petitions and the English Republic', *Journal of British Studies* Vol. 45, No. 1 (2006), 26–50.
3. David Zaret, 'Petitions and the "Invention" of Public Opinion in the English Revolution', *American Journal of Sociology*, Vol. 101 (1996), 1497–555; David Zaret, *Origins of Democratic Culture: Printing, Petitions, and the Public Sphere in Early-Modern England* (Princeton, NJ 2000).
4. See for responses to Zaret: Jason Peacey, *Print and Public Politics in the English Revolution* (Cambridge 2013); Michiel Reinders, "'The Citizens Come from all Cities with Petitions": Printed Petitions and Civic Propaganda in the Seventeenth Century', in Femke Deen et al., eds, *Pamphlets and Politics in the Dutch Republic* (Leiden 2011), 97–118; Mark Knights, "'The Lowest Degree of Freedom": The Right to Petition 1640–1800', in Richard Huzzey, ed., *Pressure and Parliament: From Civil War to Civil Society* (Oxford 2017).
5. See Brodie Waddell, 'Addressing Authority: An Online Symposium on Petitions and Supplications in Early Modern Society', <https://manyheadedmonster.wordpress.com/2016/11/01/addressing-authority/> (accessed 1 December 2016); see for an earlier comparative perspective: Beat Kümin and Andreas Würgler, 'Petitions, Gravamina and the Early Modern State: Local Influence on Central Legislation in England and Germany', *Parliaments, Estates and Representation*, Vol. 17 (1997), 39–60.
6. Brodie Waddell, 'Addressing Authority: Some Concluding Thoughts', <https://manyheadedmonster.wordpress.com/2016/11/30/addressing-authority-some-concluding-thoughts/> (accessed 1 December 2016).
7. Peter Fraser, 'Public Petitioning and Parliament before 1832', *History*, Vol. 46 (1961), 195–211; Paul A. Pickering, "'And your Petitioners": Chartist Petitioning in Popular Politics, 1838–1848', *English Historical Review*, Vol. 116 (2001), 368–88; Henry Miller, 'Popular Petitioning and the Corn Laws, 1833–46', *English Historical Review*, Vol. 127 (2012), 882–919; see for a comparative perspective: Benoit Agnès, 'Pétitions

- françaises, pétitions britanniques: Des sources incomparables?', *Revue administrative*, Vol. 61 (2008), 77–85.
8. Henry Miller, 'Petition! Petition! Petition!!! Petitioning and the Organization of Public Opinion in Britain, c. 1780–1850', in Henk te Velde and Maartje Janse, eds, *Organizing Democracy: Reflections on the Rise of Political Organizations in the Nineteenth Century* (Basingstoke 2017), 43–61.
  9. See, for instance, about the decades around 1800: Joanna Innes, 'Legislation and Public Participation, 1760–1830', in David Lemmings, ed., *The British and Their Laws in the Eighteenth Century* (Woodbridge 2005), 102–32.
  10. See, however: Wayne Te Brake, 'Petitions, Contentious Politics, and Revolution in Early Modern Europe', in Nubola and Würigler, eds, *Operare la resistenza*, 17–28; Y.-A. Durelle-Marc, 'Nature et origines du droit de petition', *Revue administrative*, Vol. 61 (2008), 47–60; Andreas Würigler, 'Kontinuität und Diskontinuität zwischen Ancien Régime und Helvetischer Republik am Beispiel der Bittschriften', in Daniel Schläppi, ed., *Umbruch und Beständigkeit. Kontinuitäten in der Helvetischen Revolution von 1798* (Basel 2009), 49–64; Andreas Würigler, 'Existenzielle Not oder Menschenrecht? Argumente in Bittschriften während der Helvetischen Republik (1798–1803)', in Silvia Arlettaz et al., *Menschenrechte und moderne Verfassung. Die Schweiz im Übergang vom 18. Zum 19. Jahrhundert = Droits de l'homme et constitution moderne. La Suisse au tournant des XVIIIe et XIX siècles* (Geneva 2012), 297–314.
  11. The *loci classici* for the Republic and the Kingdom are Henk van Nierop, 'Political Participation in Politics in the Dutch Republic', in Peter Blickle, ed., *Resistance, Representation and Community* (Oxford 1997), 272–90; and J. Talsma, *Het recht van petitie, verzoekschriften aan de Tweede Kamer en het ombudsmanvraagstuk. Nederland, 1795–1983* (Arnhem 1989).
  12. Around 1800, following the French revolutionary adoption of the English term, *petitie* gradually came into use alongside the older *request*, though petitioners would continue to use *request* (also spelled as *rekest* or *rekwest*) throughout the nineteenth century: Talsma, *Het recht van petitie*, 4. There were always a number of synonyms available, such as *smeekschrift*, *verzoek(schrift)*, *voordracht* and *adres*.
  13. Zaret, 'Petitions and the "Invention" of Public Opinion', 1511; Otto Ulbricht, 'Supplikationen als Ego-Dokumente. Bittschriften von Leibeigenen aus der ersten Hälfte des 17. Jahrhunderts als Beispiel', in Winfried Schulze, ed., *Ego-Dokumente: Annäherung an den Menschen in der Geschichte* (Berlin 1996), 152; Lex Heerma van Voss, 'Introduction', *International Review of Social History*, Vol. 46, No. 9 (2001), 1 and 4; Cecilia Nubola, 'Operare la resistenza. Introduzione', in Nubola and Würigler (eds), *Operare la resistenza. Suppliche, gravamina e rivolte in Europa (secoli XV–XIX)* (Bologna 2003), 9–10.
  14. For references to the *Smeekschrift* in discussions of the right to petition, see for example the following texts (all of which are further discussed below): [J. Wagenaar], *De Patriot of politieke bedenkingen over de staat der Vereenigde Nederlanden in 't jaar MDCCLVII* (Amsterdam 1748), 188; *Ontwerp om de republiek door eene heilzame vereeniging der belangen van regent en burger, van binnen gelukkig en van buiten gedugt te maaken* (Leiden 1785), 43–44; [L. van Ollefen], *Gedenkboek van Amsteldam* [...] (Amsterdam 1788), 6–7.
  15. On petitioning around 1672 and 1748: Reinders, "The Citizens Come from all Cities"; Jan A.F. de Jongste, 'The Restoration of the Orangist Regime in 1747: The Modernity of a "Glorious Revolution"', in Margaret Jacob and Wijnand W. Mijnhardt, eds,

- The Dutch Republic in the Eighteenth Century: Decline, Enlightenment and Revolution* (Ithaca, NY 1992), 32–59.
16. Wayne te Brake, *Regents and Rebels: The Revolutionary World of an Eighteenth-Century Dutch City* (Cambridge MA 1989), 47–8; E.H. de Jong, *Weldenkende burgers en Oranjeliefhebbers. Patriotten en prinsgezinden in Leiden, 1775–1795* (Hilversum 2014), 136.
  17. Te Brake, *Regents and Rebels*, 69–71.
  18. Per Backhuis, 'Incidit in Scyllam Cupiens Vitare Charybdin'. *De Oprechte Vaderlandsche Societeiten tussen restauratie en revolutie*, MA Thesis, Radboud University Nijmegen, the Netherlands, 2015, 15–17.
  19. N.C.F. van Sas, *De metamorfose van Nederland. Van oude orde naar moderniteit, 1750–1900* (Amsterdam 2004), 195–221.
  20. [L.Th. van Nassau la Leck], *De Staatsman of onpartijdige redeneringen over de merkwaardigste gebeurtenissen van onze tyd [...]*, Vol. 5 (1782), 658–69.
  21. On this distinction: Griet Vermeesch, 'Professional Lobbying in Eighteenth-century Brussels: The Role of Agents in Petitioning the Central Government Institutions in the Habsburg Netherlands', *Journal of Early Modern History*, Vol. 16 (2012), 101.
  22. [E. Luzac], *De voor- en nadeelen van den invloed des volks op de regeering [...]*, Vol. 3 (Leiden 1789), 139–42. Some five years earlier, in response to the aggressive petitioning campaigns of the early 1780s, Luzac made a plea for a more restricted right to petition: [E. Luzac], *Reinier Vryaarts Openhartige brieven, om te dienen tot opheldering en regte kennis van de vaderlandsche historie [...]*, Vol. 12 (Deventer 1784), 230–40. On Luzac: Wyger R.E. Velema, *Enlightenment and Conservatism in the Dutch Republic: The Political Thought of Elie Luzac (1721–1796)* (Assen 1993).
  23. *Ontwerp om de republiek door eene heilzaame vereeniging der belangen van regent en burger, van binnen gelukkig en van buiten gedugt te maaken* (Leiden 1785).
  24. Stephan Klein and Joost Rosendaal, 'Democratie in context. Nieuwe perspectieven op het Leids Ontwerp (1785)', *De Achttiende Eeuw*, Vol. 26, No. 1 (1994), 84–5.
  25. Leids Ontwerp, 23 and 44.
  26. Hendrik Abraham Weststrate, *Gelderland in den Patriottentijd* (Arnhem 1903), 173–4.
  27. *Nieuwe Nederlandsche Jaerboeken [...]* (1786), I, 427–33.
  28. [C. Rogge], *Beknopte historie der onlusten in de Nederlanden*, Vol. 3 (1792), 169–70, 181–6, 209.
  29. Theod. Jorissen, *De patriotten te Amsterdam in 1794* (Amsterdam 1875), 80–1.
  30. *Nieuwe Nederlandsche Jaerboeken* (1794), II, 1323–9.
  31. On the National Assembly: Joris Oddens, *Pioniers in schaduwbeeld. Het eerste parlement van Nederland 1796–1798* (Nijmegen 2012).
  32. *Publicatie van de Nationale Vergadering, representeerende het volk van Nederland: Over het recht van voordracht, petitie of verzoek* (The Hague 1796).
  33. [Jan Konijnenburg], *De Republikein* (1795–1797), II, 24–9.
  34. *Staatsregeling voor het Bataafsche volk* (1798), art. 17. For the development of the right to petition in all Dutch constitutions from 1798 to the present: [www.denederlandsegrondwet.nl/9353000/1/j9vvihlf299q0sr/vi6cd20td1y9](http://www.denederlandsegrondwet.nl/9353000/1/j9vvihlf299q0sr/vi6cd20td1y9)
  35. Joris Oddens, 'Zoeken naar eendracht. Parlementaire vertegenwoordiging in Nederland tot 1815', in Remieg Aerts et al., eds, *In dit Huis. Twee eeuwen Tweede Kamer* (Amsterdam 2015), 253–77.
  36. *Staatsregeling des Bataafschen Volks* (1801), art. 10; *Staatsregeling des Bataafschen Volks* (1805), art. 7; *Constitutie van het Koninkrijk Holland* (1806), art. 5.

37. Gijsbert Karel van Hogendorp, *Bijdragen tot de huishouding van staat in het Koninkrijk der Nederlanden* [...], Vol. 7 (The Hague 1823), 291 ff.
38. H.T. Colenbrander, ed., *Ontstaan der grondwet: Bronnenverzameling*, Vol. 2 (The Hague 1909), 203 and 478–9.
39. Van Nierop, 'Popular Participation', 284.
40. L.H.M. Wessels, *Bron, waarheid en de verandering der tijden. Jan Wagenaar (1709–1773), een historiografische studie* (The Hague 1997), 292–8.
41. [Wagenaar], *De Patriot*, 185–92; N.J.J. de Voogd, *De Doelistenbeweging te Amsterdam in 1748* (Utrecht 1914), 84–7.
42. They were still endorsed by a supporter of the restored stadtholderian regime forty years later: [Van Ollefen], *Gedenboek van Amsteldam*, 9.
43. [Wagenaar], *De patriot*, 191–2.
44. E.g. *De Haagsche correspondent* (1786), II, 106–111; [Rijklof Michael van Goens], *Brieven van den Ouderwetsen Nederlandschen Patriot* (1782–1783), II, 224.
45. *Nieuwe Nederlandsche Jaerboeken* (1786), I, 428–9.
46. *De Oranjeknip, of straetgesprek tusschen Jaep en Joost* [...] (Rotterdam 1787).
47. *De Hollandsche patriot in twintig vaderlandsche gesprekken* (1784–1786), No. 14.
48. *De politieke snapper* (1785), No. 15 bis.
49. De Jong, *Weldenkende burgers*, 196–8.
50. *Verdediging van de aanspraken door E.L.I.* [...] tegen de aanspraak door den heere Pieter Vreede [...] (Leiden 1785), 3–5.
51. Rutger Jan Schimmelpenninck, *Verhandeling over eene wel ingerigte volksregeering* (Leiden 1785), 18–20.
52. De Jong, *Weldenkende burgers*, 201–2.
53. Leids Ontwerp, 45–9.
54. *Dagverhaal Nationale Vergadering*, VIII, 291 and 299–300.
55. *Ibid.*, VIII, 256–7.
56. A. Van Hulzen, *Utrecht in de patriotentijd* (Zaltbommel 1966), 106 and 110–11.
57. De Jong, *Weldenkende burgers*, 230–4.
58. *Ibid.*, 230–9.
59. On the French prohibition of collective petitioning: Paul Friedland, *Political Actors: Representative Bodies and Theatricality in the Age of the French Revolution* (Ithaca 2002), 270–1; Durelle-Marc, 'Nature et origines'. For examples of radical club activity in the early Batavian Republic: Jacques Kuiper, *Een revolutie ontrafeld. Politiek in Friesland 1795–1798* (Franeker 2002).
60. *Dagverhaal der handelingen van de Nationaale Vergadering representeerende het Volk van Nederland* [...], 9 vols. (The Hague, 1796–1798), I, 49–52.
61. *Staatsregeling* of 1798, art. 17 en 18.
62. *Dagverhaal der handelingen van het Vertegenwoordigend Lichaam*, 13 vols (The Hague 1798–1801), V, 615–24. On the backgrounds of these petitions: Oddens, 'Zoeken naar eendracht', 269–70.
63. *Dagverhaal Vertegenwoordigend Lichaam*, V, 665.
64. On the Belgian petition campaign: Talsma, *Het recht van petitie*, 30–40; L. François, 'De petitiebeweging in het Verenigd Koninkrijk der Nederlanden: balans van het onderzoek', in Coen A. Tamse and Els Witte, eds, *Staats- en natievorming in Willem I's Koninkrijk (1815–1830)* (Brussels 1992), 122–70; Jeroen van Zanten, *Schielijk, Winzucht, Zwaarhoofd en Bedaard. Politieke discussie en oppositievorming 1813–1840* (Amsterdam 2004), 258–64.

65. [E.C. d'Engelbronner], *De Weegschaal* (1818–1832), IX, 219.
66. *Verlag der Handelingen van de Tweede Kamer der Staten-Generaal* (1828–1829), 342, 349, 355.
67. *Ibid.*, 379.
68. *Een woord tot allen die het wel meenen over artikel 161 der grondwet* (The Hague 1829).
69. [Cornelis Star Numan], *Het petitie-regt van ingezetenen aan de Staten-Generaal gehandhaafd* (Utrecht 1830), 56–7.
70. [Wagenaar], *De Patriot*, 188.
71. E.g. [Luzac], *Reinier Vryaarts Openhartige brieven*, XII, 226–32; Schimmelpenninck, *Verhandeling*, 44.
72. [Konijnenburg], *De Republikein*, 246.
73. E.g. [Rijklof Michael van Goens], *De ouderwetse Nederlandsche patriot* (1781–1783), II, 232–3; *Dagverhaal Vertegenwoordigend Lichaam*, II (1798), 784; *Handelingen Tweede Kamer* (1828–1829), 342.
74. *Verdediging van de aanspraken door E.L.I.*, 8.
75. [Konijnenburg], *De Republikein*, I, 179–80.
76. S. Schermer et al., 'Aan de Bataafsche natie', in L. de Gou, ed., *De Staatsregeling van 1798. Bronnen voor de totstandkoming*, Vol. 1 (The Hague 1988) 576.
77. *Dagverhaal Nationale Vergadering*, VIII, 275.
78. J.H. Kompagnie, 'Tekendend de kleine luiden. Een protestactie van 215.000 ingezetenen anno 1797', *Gens Nostra* 40 (1985), 291–2.
79. *Dagverhaal Nationale Vergadering*, VII, 575–8; VIII, 457–9.
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81. E.g. *Dagverhaal Nationale Vergadering* I, 507–9; IV, 116–18; VII, 173–4.
82. Talsma, *Het recht van petitie*, 36.
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85. *Handelingen Tweede Kamer* (1828–1829), 404.
86. L. de Gou, ed., *De Staatsregeling van 1801: Bronnen voor de totstandkoming* (The Hague 2008), 317.
87. Colenbrander, ed., *Ontstaan der grondwet*, 203.
88. Talsma, *Het recht van petitie*, 24–7.
89. De Jong, *Weldenkende burgers*, 125–46.
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92. *Handelingen Tweede Kamer* (1829–1830), 277–81.
93. Talsma, *Het recht van petitie*, 40.

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