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CHAPTER

7 Strategies of Collectiveness: Representative Claims in Dutch Petitionary Practices, c. 1600–1940

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Abstract

This chapter examines the extent that petitioners in the Netherlands since the 17th century have deployed strategies that suggest ‘collectiveness’ to enhance the chances of their petitions being granted by authority. The chapter conceives of petitions as ‘representative institutions’ and, following the work of the political theorist Michael Saward, argues that petitioners chose among at least three different types of ‘representative claims’: self-representation, representation with consent, and representation without consent. Between the early 17th and the mid-20th century, there is no simple linear development towards the idea that all those who it is claimed supported a petition did actively consent as such, as we might expect given the rise of representative democracy over the period. Instead, we are presented with a more complex picture. As well as contributing to our understanding of the development of petitioning as a form of representation over four centuries, the chapter sharpens the conceptualisation of petitions as representative claims. Rather than suggesting a shift from individual, private petitioning to collective, public petitioning, which has often been central to existing scholarship, the chapter emphasises that both types could utilise similar forms of representative claim.

Keywords: petitioning, history of the Netherlands, political history, collective action, political representation, representative claims, political culture

Subject: European History, History of the Americas, Social and Cultural History, Political Methodology

WHOEVER INTENDS to petition an authority needs to make a choice: will they petition alone, possibly with the help of a professional, or petition together with others? There are cases where it may seem obvious that petitioning collectively is the better option: individuals who suffer from the same wrong or who see the same business opportunity, or individuals who share ideas about a change of legislation or political reform, stand stronger when they petition together. When a person requires an individual favour, such as a job, a licence, or an act of grace, an individual petition seems most appropriate, although in such cases as well it

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can be advantageous to petition together. A person who does petition alone may still choose to make clear to the recipient of the petition that there are others who share his or her grievance or desire.

It is possible to think about these choices in terms of 'representative claim-making', following the work of the political theorist Michael Saward. According to Saward, political representation can be studied as a process of claim-making that takes place not only in formal representative institutions such as parliaments but everywhere in society. He suggests that every representative claim involves a 'maker' (the actor producing a claim), a subject (the actor who represents), and an object (the actor or interest that is represented).[1] This scheme can fruitfully be applied to petitions, which Mark Knights has rightfully identified as a 'very important informal representative institution'.[2] Below we identify three p. 143 ↳ strategies that petitioners might deploy to suggest 'collectiveness'. Each of these strategies makes use of a different type of representative claim. It should be noted that these three forms of collectiveness are ideal types; in reality combinations are possible.

1. One or more petitioners claim to represent (the interests of) others, but these others have not signed the petition, nor actively consented to being represented (representation without consent).

> *Example (a)* A professional scribe (maker), petitioning on behalf of a war widow for a law change that would grant this widow a pension, claims that this widow (subject) represents her own interests as well as the interests of other war widows who would also benefit from this law (object);

> *Example (b)* The author of a petition to ban tobacco (maker) claims that the 100,000 subscribers to this petition (subject) represent the interests of themselves and all other inhabitants of the country (object).

2. One or more petitioners claim to represent others who have actively consented to being represented (representation with consent).

> *Example (a)* The secretary of a voluntary association petitioning for royal patronage (maker) claims that s/he and the president of the association, the only signatories of the petition (subject), represent themselves and all the other members of this association (object);

> *Example (b)* A notary, the author and only signatory of a petition for pardon (maker and subject), claims to represent 20 prisoners requesting to be pardoned (object).

3. A petition is signed or presented by more than one petitioner (self-representation).

> *Example (a)* A woman petitioning for poor relief (maker) claims that she and her two sisters, all signatories of the petition (subject), represent themselves (object);

> *Example (b)* An inhabitant of a street petitioning against odour nuisance (maker) claims that s/he and the other 30 inhabitants of said street, all signatories of the petition (subject), represent themselves (object).

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Thinking about petitions in this way invites us to go beyond the dichotomy between individual (private) and collective (public) petitions that is common among historians.[3] For instance, examples 1(a) and 1(b) would p. 144 normally be considered an ↳ individual and a mass petition respectively and thus on opposite sides of the petitionary spectrum. However, they both make use of the strategy of representation without consent, which sets them apart from the other examples.

Michael Saward argues that for a representative claim to be considered democratically legitimate, there should be evidence that those who are claimed to be represented accept this claim, or that they are at least aware of it, so that they can protest if they feel that they are being misrepresented.[4] This is perhaps the case in present-day democratic societies, but we may expect views on what type of claim-making is considered legitimate to have evolved through time. In this chapter we therefore aim to historicise the practice of representative claim-making in petitioning. Did petitioners in the past believe that authorities would find it acceptable if they resorted to representation without consent, did they strive to acquire and demonstrate consent, or did they feel that they had a stronger case if they gathered as many signatures as possible?

In this chapter we will study the occurrence of the above-mentioned types of representative claims in petitioning from a long-term perspective. We will be concerned with key moments in the history of the Netherlands between the early 17th and the mid-20th century. The focus is on petitions addressed to authorities at the level of the (nation) state. We will try to account for changes in the types of claims that were considered legitimate, by linking them to the evolution of norms in other representative institutions at various levels, such as corporations, voluntary associations, and the national Parliament. Our most important conclusion will be that during this period, there is no simple linear development towards an ever-growing perception of the need to demonstrate that all those that are claimed to be represented by a petition have in fact actively consented to this petition – as might perhaps have been expected during the centuries that saw the rise of the system of representative democracy – but that we are presented with a more complex picture.

The 17th-Century Dutch Republic

After the Act of Abjuration and subsequent establishment of the Dutch Republic in the 1580s, the provinces in the northern Low Countries governed themselves. The sovereignty formally belonged to the people of the provinces, but de facto the highest authority in each province was exercised by a collegiate board of representatives: the provincial states.[5] Delegates of the provincial states met several times a week in The p. 145 Hague during meetings of the States General. This was an ↳ intergovernmental body of deliberation rather than a centralised government. The seven provinces of the Dutch Republic each had one vote.[6]

Petitions could thus be submitted to at least three different political levels: the local level (cities and seigneurial lords), the provinces, or the States General. Within cities, collectives could be organised in different corporations such as guilds, civic guards, or religious organisations. With 20 to 30 per cent of the urban households involved in some sort of corporation, it has been argued that the role of these corporations in presenting petitions became increasingly important during the early modern period.[7] It should be noted, however, that inhabitants (*ingezetenen*) who were not citizens (*poorters*) of a city could not be guild members, but did have the possibility of petitioning urban governments. Moreover, any increasing importance of corporations for petitioning should be considered concomitant to the growing accessibility of city citizenship from the second half of the 17th century onwards: more access to citizenship meant more access to guilds, meant more petitions through corporations.

The most important innovation for petitioning in the beginning of the 17th century was the introduction of signature drives before submitting the petition. Groups of urban citizens and members of church congregations were among the first to organise such drives.[8] Initially signatures seem to have served to

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demonstrate the support of those petitioners who could not be physically present when the petition was submitted. The signatures were not always written on the petitions themselves. Petitioners could also carry a letter of credence on behalf of others whose interest they represented.[9] Keeping the signatures on a separate letter of credence allowed the delegated petitioners to use them for multiple petitions. An important benefit of collecting signatures instead of relying on corporations or associations to represent p. 146 collective interests was that signature drives allowed inclusion beyond the adherent ↳ group; it created interest alliances that transcended traditional borders of ethnicity, religion, language, gender, or the city or province.[10]

Petitions with no signature whatsoever continued to be submitted as well. By 1623, the States General introduced legislation that required all petitions presented to them to have at least one signature. Clearly this did not have the desired effect, because resolutions confirming this requirement had to be passed in 1628 and 1646.[11] As late as August 1650, the States of Zeeland refused to resolve on a particular petition until the petitioners signed their request.[12] Resolutions mandating signatures not only served to make the bureaucratic process more uniform, but also had the important consequence that someone could be held accountable for the contents of each petition by authorities.

Most petitions submitted to the States General in the 17th century were presented by individuals. In 1670, for instance, individuals were responsible for 71 per cent of all petitions submitted in that year (mainly regarding individual problems), against 22 per cent from corporations. These corporations included local religious and urban corporations, as well as national corporations such as the Dutch East India Company. The remaining petitions submitted in 1670 were mainly presented by two or three individuals, or by groups that were not corporations.[13] Petitions of that last category came both with and without signatures. For instance, one petition by 'several merchants from the city of Amsterdam having a commission from their friends in England' contained no signatures, whereas another petition by 'merchants from the city of Amsterdam trading to Spain' was signed by 32 individuals.[14] With regard to this category, there had been little development since the early 17th century, because in 1601 as well, one petition was submitted on behalf of 'the common merchants of Amsterdam, and some other in the province of Holland, that are trading to Königsberg', while another petition by 'common merchants of Amsterdam was signed by one individual 'in the name, and on behalf, of the supplicants'.[15]

In those instances where merchants claimed to represent others who had not signed, we can in most cases only assume that those whose interests were claimed to be represented had been consulted. The same is true for petitions signed only by representatives of corporations, such as the governing boards of local guilds or p. 147 parishes. These signatories claimed to represent the corporation as a whole. ↳ They derived their authority to do so from an understanding of representation as a form of corporate identity (*repraesentatio identitatis*) that dictated that a corporation could be represented (embodied) by its most distinguished members.[16] That these governing boards did not always consult with the ordinary members of their corporations became painfully clear when such members of the corporation started presenting dissenting petitions.[17] Throughout the 17th century, petitioners who could not claim to have a wider constituency often claimed in their petitions that their request served the interest of 'the common wealth' (*gemeene best*) in an attempt to avoid the suspicion that they were petitioning to advance their private interests. Even individuals petitioning for, say, a monopoly to print a book on the general history of churches in the valleys of Piedmont, could claim to do this 'in the interest of the common wealth'.[18]

It is important to realise that different strategies of collectiveness were by no means mutually exclusive in the Dutch Republic. This becomes clear, for instance, in a petition requesting assistance in maintaining the Dutch West India Company (WIC), submitted in 1669 to the States General by its main shareholders (*hooftparticipanten*). The petitioners started by acknowledging that the directors (*bewindhebbers*) of the WIC had the best interest of this corporation at heart. They reminded their addressee how the corporation had been 'in the service of the state' during the Eighty Years War with Spain, and claimed that its investors were

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the ‘most distinguished patriots’. The logical conclusion of this was that the corporation’s ‘lawful and reasonable request would certainly be to the benefit of the state’. The petition ends with a list of 66 signatures. Most signatories signed for themselves, but some also signed for others. In the case of ‘Philippe and David d’Orville’ it is clear that one of these signatories signed on the other’s behalf, while the names of Antoni Wilmerdonx and Cornelis Wilmerdonx were also almost certainly written in the same hand. The name of Giacomo Bessels was not put down by himself but by someone else because he was still a minor (*onmondige zoon*), while Johan van de Poele signed ‘both for himself and with the power of attorney for the main shareholders in the Chamber Zeeland in Middelburg’.[19] The petition thus combined several strategies of representative claim-making, which suggests that the petitioners perceived the sum of representation with consent, representation without consent, and self-representation as adding to its persuasive power.

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The Revolutionary Era

In the 1780s, authorities in the Netherlands started to receive political petitions with unprecedented numbers of signatures. Between 1780 and 1787, the stadtholder William V of Orange and the oligarchic system of the Dutch Republic were challenged by the ‘Patriot movement’. Citizens calling themselves ‘Patriots’ demanded a great number of constitutional reforms, the most radical of which was the introduction of ‘true’ representative government at the local level.[20] Patriot petitions often exceeded 1,000, and sometimes even several thousand, signatures.[21]

The organisers of political petitions in the Dutch Republic before the 1780s had believed that it was not so much the quantity but the quality of the petitioners that mattered. In order for a petition to have a chance of being granted by the authorities, it would have to be signed by some of the most distinguished members of a local community.[22] The organisers of the large-scale collective petitions of the Patriot movement still belonged to an urban elite, but they believed in strength in numbers. Their attitude in favour of a more inclusive type of political petitioning was directly connected to their view of representative government. The Patriots rejected the legitimacy of *repraesentatio identitatis* and advocated a new system of electoral representative democracy. However, as long as this demand had not been met, they considered the practice of petitioning to be the best alternative form of representation.[23]

This meant that they deemed it appropriate for all citizens, who would in their ideal political system be eligible to vote, to participate in political petitioning. Opinions differed among the Patriots about the likely electorate. It would certainly include urban male citizens (*poorters*), mostly members of the guilds and merchants operating outside the guild structure. Some of the earlier large Patriot petitions had been produced with the approval and collaboration of the powerful guild boards. In collecting signatures for these petitions, the organisers had depended on the corporate structure of the local guilds.[24] Later, when the Patriot Revolt further radicalised, large petitions were increasingly signed by town dwellers without urban citizenship (*ingezetenen*).

At the core of the large-scale Patriot petitions were alternative representative institutions. The first of these associations, the Citizen Committee of Deventer, was p. 149 ↳ constituted in 1782 by a formal act of appointment signed by many of the town’s inhabitants. The citizen committee consisted of 12 citizens, among whom were senior officers of the guilds and of the civic guard, the other traditional pillar of the urban corporative structure.[25] The signatories of the act of appointment authorised the committee to draft petitions, which would be read to them and which, upon approval, they would then sign.[26] Local Patriots in other towns went a step further and created so-called colleges of delegates (*colleges van geconstitueerden*). Here the model was provided by the Patriot movement in Utrecht, where 1,215 inhabitants authorised, in the presence of a notary, 24 delegates to present petitions in their name. From that moment on, petitions that were signed by the delegates were to be understood as if they bore 1,215 signatures. The Patriots also created supra-local

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citizen assemblies, such as the Provincial Assembly of Civic Militias, which was made up of local civic militias in the province of Holland. During a meeting of delegates from these local militias in 1786, this political association drew up a loyal address to the Provincial States of that province. The only signature under this address was that of the leading Patriot Pieter Vreede, who signed in the name of the assembly that was gathered in Leiden.[27]

The Patriot movement was suppressed in 1787, but re-emerged in 1795, when Patriots ended the oligarchic system of government of the Seven United Provinces and founded the Batavian Republic with the support of a French revolutionary army. Radical Patriots now strived to institute representative democracy at all levels of government, but they met with resistance from moderates who wanted to maintain more of the existing confederative structure of the Dutch Republic.[28] Radical citizen assemblies challenged the political deadlock caused by these positions. They petitioned in much the same way as their predecessors from the Patriot era: in September 1795, a national political association that called itself 'Central Assembly' presented an address to the provincial assembly of Holland. This address was only signed by the chairman and the secretary of this association, but they claimed to represent all of its members: 'We confidently dare to demand, in the name of as many thousands of brave citizens as we have constituents … that there will be as soon as possible a national parliament.'[29]

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In 1796, a democratically elected National Assembly was indeed established. Most of its members considered the pressure exerted by the citizen assemblies a dangerous precedent. They particularly disapproved of the fact that the members of a national political association such as the Central Assembly allowed their board members to sign petitions on their behalf. Especially now that a national representative institution had been founded in the Netherlands, its representatives believed that this type of representative claim-making would amount to some sort of dual representative power if it were to continue. The National Assembly therefore issued a decree in its first week of existence. This decree was the first positive law ever to confirm the right to petition in the Netherlands, but its primary aim was to limit this right. The decree granted the right to petition to individual citizens, but not to associations: if groups of citizens wanted to petition together, every single one of them would have to sign, and citizens could no longer authorise others to sign in their name.[30] This decree also reflected a notion dominant in late-18th-century revolutionary politics, that consent was the sole source of legitimate authority, and that representation should always be based on consent.[31]

The decree issued by the National Assembly in 1796 was to have a long-lasting impact. In 1798 and 1801 respectively, the ban on petitioning in the name of others was included in the article on the right to petition in the first and second written constitutions of the Netherlands, where they applied to all political authorities and not just the Parliament. The Batavian Republic was ended by Napoleon, but after the Napoleonic era, the 1815 constitution of the United Kingdom of the Netherlands reaffirmed the article on the right to petition from the 1801 constitution.[32]

The 1796 decree that banned the signing of petitions in the name of others did not in any way stop the Dutch people from petitioning; on the contrary, authorities never received more petitions than during the first years of the Batavian Republic. The political clubs that were targeted by the decree turned to printing petitions for the purpose of collecting signatures. Whereas petition drives had until that moment most often been organised locally and sometimes provincially, the printing of petitions contributed to the nationalisation and professionalisation of petitioning. Packs of preprinted petitions could be easily sent to even the most remote parts of the country, leaving blank only the space where the name of a village or town could be added. This strategy was used not only by Patriots, but also by those opposing the ideals of the Batavian revolution. By far the largest petition drive was organised by the formerly privileged Dutch Reformed Church, opposing the implications of the separation of church and state that had been p. 151 ↳ decreed by the National Assembly. It has been estimated to have gathered 200,000 signatures: 10 per cent of the Dutch population.[33] No other petition comes even close to this, but between 1796 and the end of the

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democratic phase of the Batavian Republic in 1801, the national Parliament received around 400 petitions with between 100 and 4,000 signatures.[34]

The 1796 decree and the subsequent constitutional clauses based on this decree also affected collective petitioning by corporations. As we have seen, it had been common practice for the governing boards of corporations to petition on behalf of their members, but this had now become problematic. For the members to be understood as supporting a petition, their signatures would now have to be collected. Moreover, corporations could no longer petition as corporations but just as groups of individuals, and they were no longer privileged ahead of any other groups.

The ban on corporate petitioning caused petitioners to be more self-reflective about claiming to represent the interests of others without their consent, but this did not mean that this strategy suddenly disappeared. For one, an exception was made for (the members of) established authorities such as local governments, who continued to be allowed to sign petitions to higher authorities on behalf of their constituency. In practice, moreover, while the new standard practice became that petitions were submitted and signed by 32 individual shoemakers instead of the deacons of the shoemakers' guild, not all corporations respected the ban (probably out of ignorance as much as out of intent). As long as petitions were not overly political and came for example from a local church council or a local branch of the Maatschappij tot nut van 't Algemeen (Society for Public Welfare), authorities continued to accept them nonetheless.[35]

More importantly, even if legally petitioners could no longer petition on behalf of others, this did not prevent (groups of) individuals from *discursively* claiming to represent the interests of others without their consent in the text of the petition. In 1797, for instance, over 500 inhabitants of Middelburg petitioned the National Assembly with the request to make this city the capital of the new department of the Scheldt and the Maas, which was to replace the province of Zeeland. The petitioners argued that the choice for Middelburg would be in the interest of most of the inhabitants of the department, as a majority of the population lived closer to Middelburg than to Zierikzee, the other candidate city. In addition, they pointed p. 152 out that making Middelburg the capital would be cheaper for everyone in the Batavian ↳ Republic, because Middelburg, which had also been the provincial capital, already had a government building that could be used, but Zierikzee did not.[36] So while the old-regime understanding of representation was rejected by the revolutionary generation on the level of political institutions, clear traces of it survived in the practice of petitioning.

The Age of Representative Democracy

The memory of the revolutionary era shaped political practices for decades: political mass petitions were strongly associated with radicalism, as it seemed to challenge the existing representative bodies.[37] The enlightened absolutism of King William I reinforced this notion.[38] This does not mean, however, that collective petitioning in general was avoided or frowned upon during his reign (1814–40). Requests by groups of individuals who for instance shared a profession, place of residence, or religious belief, continued to be common. In 1822, for example, 23 shopkeepers from Arnhem signed a petition to the Second Chamber asking them to take measures against the many hawkers in their city, whose business practices were considered unfair.[39]

Even though the concept of popular sovereignty was almost universally rejected in the Netherlands of the 19th century, the notion of representative government, in the sense that the people should have a voice in politics, was broadly accepted. After the reintroduction of a more democratic representative system under the liberal constitution of 1848, the argument of quantity, for instance in the form of thousands of signatures attached to a petition, became increasingly important in parliamentary debates.[40] The paradox here is that the half century in which mass politics was introduced saw only a limited number of large-scale

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petition campaigns in which citizens represented themselves through a signature. There was the 'April p. 153 Movement' of 1853: a national petition campaign against the re-establishment of ↳ the episcopal hierarchy that followed from the liberal constitution. About 200,000 men and women, many from an orthodox Protestant background, signed. In 1878 Calvinist hardliners organised a 'People's *Petitionnement*' against a liberal education law that acquired more than 460,000 signatures from all over the country.[41] Both campaigns were highly contested and this type of political mass petitioning was the exception rather than the rule at this time.

Especially in the decades after 1848 fear of revolution and the mobilisation of the working classes stimulated a new-found attachment to representative forms in politics. Mass petitions with thousands of subscribers, known as *petitionnementen*, reminded people of direct democracy. The form of collective petitioning whereby a collective was represented through one or two signatories was an alternative that regained popularity fast, as it invoked the notion of representative democracy. This practice was tolerated by authorities despite the constitutional ban on corporate petitioning, which was lifted only in 1983.

The smaller-scale, traditional petitions to the national Parliament signed by 23 shopkeepers, 15 candlemakers, or seven butchers saw a steep decline in the second half of the 19th century.[42] These groups of individuals seem to have found new ways to have their interests represented, partly through the early trade unions that gained strength towards the end of the century. For example, in 1897 bakers united in local cooperative baking associations supported an earlier request to prevent working overtime in the baking industry with declarations of support (*adhesiebetuigingen*) from all over the country.[43] Each petition was only signed by the president, secretary, or treasurer of the local association.

The revival of associational life could be an important explanation for the changing character of petitioning in this period. As we have seen, corporate bodies such as guilds, corporations, and voluntary associations had played a crucial role in the development and sustenance of petitioning practices before. In the second half of the 19th century associational life developed in new ways. Compared to the revolutionary era, we see that voluntary associations scaled up, often turning into full-fledged national organisations that fostered ambitions to speak for their members nationwide. Participation in associational life had been a touchstone p. 154 of good citizenship from the 18th century.[44] Now civil society was becoming more inclusive, ↳ and after a few relatively depoliticised postrevolutionary decades it politicised once more.[45] At the same time, organisational forms institutionalised and voluntary associations professionalised in the course of the century, which meant in practice that parliamentary rules and bureaucratic procedures started to dominate instead of the loosely institutionalised personal networks of earlier generations.

This burgeoning associational life and the new practices of collective petitioning were mutually reinforcing. Voluntary associations submitted an increasing number of petitions. Claiming to represent others was attractive for three reasons. First, it was more practical and much less time-consuming than organising a nationwide petition campaign. Second, organisation could have a symbolic value. Voluntary associations, like petitions, could function as important informal representative institutions. Both claimed to represent the people's voice during a time when universal suffrage still had a radical ring to it and mass petitions with hundreds of thousands of signatures were associated with mobilising the masses in a revolutionary sense. Creating distance from contested modes of mass petitioning was therefore the third, and perhaps most important, attraction of collective petitioning through representation by an association.

The democratic governance structure of voluntary associations ensured that they legitimately represented their members through petitions signed by their board members. Through their election, the president and secretary were formally given a mandate to represent their members following procedures that very much resembled parliamentary practices. These mandates signified trust and consensus within a community that shared moral values and/or socio-economic interests. Sometimes petitioners offered additional proof of the number of members and on the process of deliberation that had preceded the petition. In 1939, for example,

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the Dutch Association of Gravel Dealers submitted a petition to the Second Chamber in response to a Transport Bill, signed only by its president and secretary: 'The [Association], comprising 90 per cent of the trade in gravel within the Netherlands, indicates … that on 17 November 1938, the Association has held a general meeting in Utrecht, that at the meeting a motion was passed, reading as follows …'.[46]

Those who wanted to make a legitimate public claim did so by following the rules of civil society: after public deliberation, in a respectful tone, with the consent of those they claimed to represent. The appeal of the civil society discourse proved so great that petitioners adopted it for individual cases as well. They could do so by pointing out that there were others in the same position (who might not have sent a petition) or, for example, by putting emphasis on their citizenship (and therefore placing themselves within the collectivity of Dutch citizens). For instance, in 1857 a day labourer addressed Parliament as the p. 155 'representatives of the entire Dutch ↳ nation' in a request to exempt himself and 'all the needy ones' from paying taxes.[47] In 1859 a distiller, who was the only signatory of his petition, explained that he had not bothered to ask his fellow distillers to sign. Still, he claimed to represent their interests as well as his own. Instead of collecting signatures to legitimise his claims, he explicitly placed his trust in the Members of Parliament as 'representatives of every tax paying subject'.[48]

This points to a popularisation of the notion of Parliament as a trustworthy national representative body. By reading petitions in this light, we can also better understand seemingly irrational requests. For instance, in 1919 the retired postman Van Wijk asked Parliament to help him to find a golden necklace that had been lost in the mail.[49] This request seems naïve at first: busy Members of Parliament had better things to do than play detective. But a more sensitive reading of Van Wijk's request could interpret it as a sign of trust in the near-unlimited power of Parliament. What is more, citizens expected Parliament to lend their ears benevolently to their requests, a trust that previously had been mostly reserved for monarchical figures.[50] And even in this case of a highly individual and idiosyncratic request, Van Wijk employed discursive strategies that involved representative claim-making, such as when he claimed that the public at large should be able to trust the National Post Office and that its non-responsiveness was an indication of class-based discrimination: '[H]ad I been a baron or an earl I would probably have received an answer … Is it surprising then that the common man stands up against this behaviour?'.[51] Petitions therefore could convey the general dissatisfaction of ordinary citizens, which politicians became increasingly eager to learn about as the 20th century progressed.

One would perhaps expect that, after the introduction of general suffrage for men and women in 1917–19, the meaning of petitioning changed, but more research is needed to test such intuitions. It has been argued that after the Second World War citizen letters addressed to individual politicians partly took over the role of petitions to political institutions.[52] However, during the second half of the 20th century, large numbers of p. 156 petitions continued to be addressed to the national ↳ Parliament as well. This fact alone at the very least suggests that enfranchised citizens in the postwar period did not consider electoral democracy and petitioning to be mutually exclusive representative practices.

Conclusion

In this chapter we have diachronically studied the existence of three types of representative claims in Dutch petitionary practices. It has become clear that all three types, albeit in different guises, continued to be present from the early 17th to the mid-20th century. However, when we look at why people chose one strategy of representative claim-making over another, it appears that their reasons for doing so have changed over time.

The first type of representative claim-making that we have considered is self-representation. In the practice of petitioning individuals can represent themselves directly by being physically present when a

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petition is presented to an authority, but also indirectly, by signing a petition. Physical presence added to the performative power of a petition, but can also indicate that the idea that a signature could serve as a stand-in for a person was not yet fully established. The advent of subscriptional practices made it easier for more people, or for people living further away, to participate in petitioning.

While the notion of strength in numbers with respect to signatures increased over the course of the early modern period and only became commonplace in the revolutionary era, it was never fully absent in the Dutch Republic. This shows in the example of the most famous petition in the history of the Netherlands before its independence: in 1566, several hundred nobles presented a petition against the Spanish Inquisition to Governess Margaret of Parma in Brussels. The original petition did not contain any signatures, but the nobles had signed the covenant (*eedverbond*) that preceded it.[53] From a premodern perspective, these nobles automatically represented all the inhabitants of their counties and duchies through *repraesentatio identitatis*, regardless of their consent. Nonetheless, *after* the petition had been presented, signatures were collected across the provinces to add to its legitimacy; it was claimed that in Brabant alone 40,000 people were willing to sign the petition.[54]

At the beginning of the 17th century, authorities started to demand that petitions be signed by at least one person, in order to be able to hold someone accountable for the contents of the petition. During the late-18th-century revolutionary era, they decreed that each person that wanted to be understood to support a petition had to sign this petition personally; the principal reason for this was that, if petitioners p. 157 ↳ claimed to represent others without these others having signed the petition, it was impossible to know whether they had truly consented to it. While this limitation of the right to petition was introduced with the intention to prevent alternative representative claims that challenged formal representative institutions, it triggered a belief in the strength of numbers and resulted in large mass petitions for which thousands of signatures were canvassed. In the long 19th century, the instrument of mass petitioning was mainly used for religious issues, by religious organisations and churches.

Within the second type of representative claim-making – representation with consent – two subtypes can be distinguished. First, people could authorise one or more individuals to draw up and submit one or more petitions on their own initiative. Second, people could express explicit consent to the content of a petition, often during an assembly. The two forms of representative claim-making that follow from these two types of consent are analogous to political representation with free and binding mandate respectively. In the early modern Dutch Republic, representation with consent was the customary strategy in corporations such as guilds. It is difficult to say which of the two subtypes was resorted to, but the fact that guild members sometimes petitioned to protest against previous petitions submitted on their behalf by their board members suggests that their explicit consent was not always sought. In collectives with a less hierarchical structure, such as groups of merchants, the obtaining of explicit consent seems to have been standard practice.

In the Patriot era this type of political representation came under attack. Now explicit consent was needed also for political petitions from groups of citizens who were not united in corporations. Because it was difficult to obtain this explicit consent time and time again in practice, the Patriots devised the system of one-time authorisation for multiple petitions. The sort of free mandate they thus created diverged from the system of binding mandate that was customary in the Republic at all supra-local political levels. It anticipated the rupture with this system that was brought about during the Batavian Revolution. However, when Batavian revolutionaries introduced a representative system with free mandate, they restricted the practice of petitioning on behalf of others, because no alternative representative institutions were tolerated.

In the course of the 19th century associational life developed and it became customary for the president and secretary of an association to petition on behalf of its members. As a rule, petitions were preceded by an associational meeting during which (the exact formulation of) the request was discussed. Such consent

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mechanisms were sometimes referred to in the petitions. This shows that there was an awareness that it was important to demonstrate consent. While the modern custom of associations' boards signing petitions on behalf of their members was outwardly similar to the boards of corporations doing the same in the early modern period, the underlying concept of representation that legitimised this practice was very different.

p. 158 Finally, we considered the practice of representation without consent. In the early modern era, the idea existed that a local community could be represented by its most distinguished members. Urban governments complemented themselves; there were no elections, but local rulers nevertheless felt that they represented the local community. This was paralleled in the practice of petitioning, where a small group of citizens submitted political petitions to the authorities and claimed to represent the community at large, but did not consider it necessary for the members of that community to give their individual consent. The latter practice was abolished by law in 1796, but a remnant of this type of thinking still existed, because local governments continued to be allowed to petition higher authorities on behalf of their local community.

Representation without consent could and can also take place at a discursive level. Both individual petitioners and petitioning collectives claimed that they are not only petitioning for themselves, but also for all others who find themselves in the same situation with regard to the subject matter of the petition (sometimes this is deemed to apply to all members of a community: in that case it is an appeal to the general interest). Such a claim suggests that those others will support the petition – even if they do not know of its existence – because it is also in their interest. The strategy of claiming to represent others without their consent has continued to exist throughout the centuries. We have seen it being used in 1669, when the shareholders of the WIC claimed to be concerned with the interest of the state; in 1797, when inhabitants of Middelburg claimed that most of the inhabitants of the department of the Scheldt and the Maas would benefit if their request was granted; and in 1857, when a day labourer claimed to represent the interests of 'all the needy ones'. It is not difficult to think of examples also in present-day petitionary practices.

When considering the practice of representative claim-making in petitioning, we see developments over time that are directly or indirectly influenced by changing standards of representative governance. The long-term trend up to 1940 moves towards collective petitions that are submitted by the few on behalf of the many, but have a mechanism in place through which consent is obtained (which may or may not be explicitly stated in the petition), comparable to the practice of citizens being represented by their representatives in an electoral democracy. The instances of mass-petitioning that occurred in the Netherlands as well demonstrate that there was an increasing demand for citizen participation in politics, but their insistence on self-representation was as controversial as it was exceptional within the Dutch context. The persistence of discursive representation without consent (which finds a parallel in the populist reflex in formal representative politics – i.e. politicians and parties who claim to express the voice of the people regardless of the number of votes cast for them) shows, however, that the increase of a perceived p. 159 need to demonstrate consent in the age of representative ↳ democracy is only relative. In democratic as well as non-democratic periods, people continued to believe that speaking for others without a mandate was a legitimate strategy. By invoking an 'intended constituency' in this way, individuals as well as groups hoped that they could convince the recipients of their petitions, as well as other audiences.[55]

Notes

Footnotes

1 M Saward, *The Representative Claim* (Oxford, Oxford University Press, 2010). What we present here is a simplified version of Saward's scheme.

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2 M Knights, 'Participation and Representation before Democracy: Petitions and Addresses in Premodern Britain', in I Shapiro, S Stokes, E Wood, and A Kirshner (eds), *Political Representation* (Cambridge, Cambridge University Press, 2009), pp. 35–57 (p. 39).

3 On this dichotomy, see for instance A Würgler, 'Voices from among the "Silent Masses": Humble Petitions and Social Conflicts in Early Modern Central Europe', in L. Heerma van Voss (ed.), *Petitions in Social History*, Supplement 9 of *International Review of Social History*, 46 (2001), 11–34 ; G 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,* 16 (2012), 95–119 (p. 101) ; and L Stewart, 'Petitioning in Early Seventeenth-Century Scotland, 1625–51', *Parliaments, Estates and Representation,* 38 (2018), 307–22 (p. 308).

4 Saward, *The Representative Claim*, Chapter 6.

5 S Groenveld, *Unie-Bestand-Vrede: Drie fundamentele wetten van de Republiek der Verenigde Nederlanden* (Hilversum, Verloren, 2009), pp. 16–18.

6 T. Thomassen, 'Instrumenten van de macht: De Staten-Generaal en hun archieven 1576–1796', PhD thesis (University of Amsterdam, 2009).

7 M R Prak, 'The Dutch Republic as a Bourgeois Society', *BMGN: Low Countries Historical Review*, 125 (2010), 107–39 ; M R Prak, 'Corporate Politics in the Low Countries: Guilds as Institutions, 14th to 18th Centuries', in C Lis, H Soly, and M Prak (eds), *Craft Guilds in the Early Modern Low Countries: Work, Power and Representation* (Aldershot, Ashgate, 2006), pp. 74–106.

8 The earliest example of more than 10 signatures on a petition dates from Amsterdam in 1608; see J G van Dillen (ed.), *Bronnen tot de geschiedenis der wisselbanken (Amsterdam, Middelburg, Delft, Rotterdam), 3 vols* (The Hague, Nijhoff, 1925), Vol. I, 14–17 . For an example of a religious group, see Stadsarchief Amsterdam, 612, 'Archief van de Remonstrantse Gemeente', inv. no. 290, 'Stuk bevattende handtekeningen van remonstrantsgezinden ter adhesie aan het voornemen om enigen ter hunner een adres tot "exercitie van religie, inkomen ende relaxatie van predikanten" te laten richten aan burgermeesters en regeerders van Amsterdam. (1628)'.

9 This can be seen, for example, in a petition from 1637 presented to the States General, where 56 main investors from Zeeland signed a letter of credence: The Hague, National Archives (NA), 1.01.02, Staten-Generaal, inv. no. 5754, 4 February 1637, letter of credence by the Zeeland main investors. The Zeelanders did this in response to petitioners from Amsterdam who showed numerical support in physical presence.

10 J. van den Tol, 'Lobbying in Company: Mechanisms of Political Decision-Making and Economic Interests in the History of Dutch Brazil, 1621–1656', PhD thesis (Leiden University, 2018), Chapter 4.

11 Thomassen, 'Instrumenten van de macht', p. 276.

12 *Notulen van de ed. mog. heeren Staten van Zeeland d'Anno 1650* (n.p., 1650), p. 123.

13 There were 135 petitions submitted in this year. These can be found in NA, 1.01.02, inv. no. 7492, Liassen Rekesten 1670.

14 Petition of several merchants from the city of Amsterdam to the States General, [1670]; petition of merchants from the city of Amsterdam trading to Spain to the States General, [1670]: NA, 1.01.02, inv. no. 7492.

15 Petition of common merchants of Amsterdam and other places to the States General, [1601]; petition of common merchants of Amsterdam to the States General, [1601]: NA, 1.01.02, inv. no. 7474.

16 On this understanding of representation, see Hasso Hofmann, *Repräsentation: Studien zur Wort- und Begriffsgeschichte von der Antike bis ins 19. Jahrhundert* (Berlin, Duncker & Humblot, 1974), p. 216 ; and T Weller, 'Political Representation and Symbolic Communication in the Early Modern Period: The Imperial Free Cities of the Holy Roman Empire', in J Albareda and M Herrero Sánchez (eds), *Political Representation in the Ancien Régime* (Abingdon, Routledge, 2018), pp. 105–20.

17 Van den Tol, 'Lobbying in Company', Chapter 3.

18 Petition of Johannes le Carpentier to the States General, [1670]: NA, 1.01.02, inv. no. 7492.

19 Petitions of the main shareholders of the WIC to the States General: NA, 1.01.02, inv. no. 5768, [1669].

20 On the Patriot movement, see S R E Klein, *Patriots republikanisme: Politieke cultuur in Nederland (1766–1787)* (Amsterdam, Amsterdam University Press, 1995) ; and W R E Velema, *Republicans: Essays on Eighteenth-Century Dutch Political Thought* (Leiden, Brill, 2007).

21 See e.g. W te Brake, *Regents and Rebels: The Revolutionary World of an Eighteenth-Century Dutch City* (Cambridge, MA, Basil Blackwell, 1989) ; and E H de Jong, *Weldenkende burgers en Oranjeliefhebbers: Patriotten en Prinsgezinden in Leiden, 1775–1795* (Hilversum, Verloren, 2014).

22 J Oddens, '"The Greatest Right of Them All": The Debate on the Right to Petition in the Netherlands from the Dutch Republic to the Kingdom (c. 1750–1850)', *European History Quarterly*, 47 (2019), 634–56 (p. 641).

23 Ibid., p. 651.

24 See for instance M de Jong, *Johan Derk van der Capellen: Staatkundig levensbeeld uit de wordingstijd van de moderne*

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demokratie in Nederland (Groningen, Wolters, 1922), p. 492.

25 Te Brake, *Regents and Rebels*, p. 80.

26 *Egte stukken betreffende het voorgevallene te Deventer, in den jaare 1782, en vervolgens* (Deventer, G. Brouwer, 1783), pp. 24–30.

27 Petition of the Provincial Assembly of Civic Militias to the States of Holland, 6 September 1786, in *Verzameling van placaaten, resolutien en andere authentyke Stukken enz.…*, 50 vols (Kampen, n.p., 1788–95), Vol. XVII, pp. 86–91.

28 On the Batavian Republic, see J Oddens, *Pioniers in schaduwbeeld: Het eerste parlement van Nederland 1796–1798* (Nijmegen, Vantilt, 2012); M Rutjes, *Door gelijkheid gegrepen: Democratie, burgerschap en staat in Nederland 1795–1801* (Nijmegen, Vantilt, 2012); and F Grijzenhout, N van Sas, and W Velema (eds), *Het Bataafse experiment: Politiek en cultuur rond 1800* (Nijmegen, Vantilt, 2013).

29 Address of the General Central Assembly to the Representatives of the People of Holland, 4 September 1795, in *Dagblad van het verhandelde, ter vergadering van de provisioneele repraesentanten van het Volk van Holland*, 2 vols (The Hague, J. van Cleef, 1795–6), Vol. III, pp. 9–10. The address was signed by F. W. M. Ruysch (president) and C. Arnold (secretary).

30 *Publicatie van de Nationale Vergadering, representeerende het volk van Nederland: Over het recht van voordracht, petitie of verzoek* (The Hague, Lands Drukkery, 1796). This ban on corporate petitioning reflected a broader trend in revolutionary Europe; see H Miller, 'Introduction: The Transformation of Petitioning in the Long Nineteenth Century (1780–1914)', *Social Science History*, 43 (2019), 409–29 (p. 415).

31 B Manin, *The Principles of Representative Government* (Cambridge, Cambridge University Press, 1997), pp. 83–93.

32 Oddens, 'The Greatest Right', pp. 639–40.

33 J H Kompagnie, 'Tekenend de kleine luiden: Een protestactie van 215.000 ingezetenen anno 1797', *Gens nostra*, 40 (1985), 291–4.

34 See the dataset 'Petitions to the parliament of the Batavian Republic, 1796–1801', created by Joris Oddens and others in collaboration with the Dutch National Archives: https://www.nationaalarchief.nl/onderzoeken/zoekhulpen/verzoekschriften-aan-het-parlement-van-de-bataafse-republiek-1796–1801 (accessed 1 February 2024).

35 E.g. Petition of the Department of the Society for Public Welfare in Bergen op Zoom to the Constituerende Vergadering: NA, access no. 2.01.01.01, Wetgevende Colleges, inv. no. 314 (2 February 1798); petition of the church board of the Dutch Reformed congregation in Lekkerkerk to the Vertegenwoordigend Lichaam: NA, 2.01.01.01, inv. no. 382 (17 February 1801).

36 Petition of citizens and inhabitants of Middelburg to the Nationale Vergadering: NA, access no. 20.01.01.01, inv. no. 294 [January 1797].

37 J Talsma, *Vijf historische en rechtshistorische studies over het recht van petitie, verzoekschriften aan de Tweede Kamer en het ombudsmanvraagstuk: Nederland, 1795–1983* (Arnhem, Gouda Quint, 1989); M Janse, '"What Value Should We Attach to All These Petitions?": Petition Campaigns and the Problem of Legitimacy in the Nineteenth-Century Netherlands', *Social Science History*, 43 (2019), 509–30.

38 J van Zanten, *Schielijk, Winzucht, Zwaarhoofd en Bedaard: Politieke discussie en oppositievorming, 1813–1940* (Amsterdam, Wereldbibliotheek, 2004).

39 NA, access no. 2.02.22, Tweede Kamer der Staten-Generaal, inv. no. 979, no. 22 (8 February 1822). This section is the outcome of the research project 'Languages of Citizenship: Conceptions of Politics and Discursive Strategies in Petitions to Dutch Parliamentary Assemblies, 1796–1940' carried out in the framework of the Leiden University Research Traineeship Programme (2018), in which five of the authors of this chapter were involved. They would like to thank Ton van Haeften for his role as co-supervisor on this project.

40 Janse, 'What Value Should We Attach to All These Petitions?'.

41 A Houkes, 'Het succes van 1848: Politiek in de Aprilbeweging', in J Vis and W Janse (eds), *Staf en storm: Het herstel van de bisschoppelijke hiërarchie in Nederland in 1853* (Hilversum, Verloren, 2002), pp. 87–104; A Houkes, *Christelijke vaderlanders: Godsdienst, burgerschap en de Nederlandse natie, 1850–1900* (Amsterdam, Wereldbibliotheek, 2009), pp. 218–29.

42 It is important to note that there is no clear break: petitions by formal groups already appeared before the second half of the 19th century, and even though the number of petitions by groups of individuals decreased, these petitions continued to appear throughout the 19th century.

43 Tweede Kamer der Staten-Generaal, 'Register verzoekschriften 1896–1897 Tweede Kamer', pp. 49–50, available at https://zoek.officielebekendmakingen.nl/sgd:18961897:0001836 (accessed 1 February 2024).

44 W W Mijnhardt, *Tot heil van 't menschdom: Culturele genootschappen in Nederland, 1750–1815* (Amsterdam, Rodopi, 1987).

45 R Aerts, 'Civil Society or Democracy? A Dutch Paradox', *BMGN: Low Countries Historical Review*, 125 (2010), 209–36; M Janse, 'Towards a History of Civil Society', *De negentiende eeuw*, 32 (2008), 104–21. See also S -L Hoffmann, *Civil*

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Society, 1750–1914 (Basingstoke, Palgrave, 2006).

46 Petition of the National Association of Gravel Dealers to the Second Chamber: NA, 2.02.22, inv. no. 1348, no. 213 (6 January 1939).

47 Petition of H. Kleyn to the Second Chamber: NA, 2.02.22, inv. no. 1073, no. 400 (17 February 1857).

48 Petition of H. Therkatz to the Second Chamber: NA, 2.02.22, inv. no. 1080, no. 335 (22 January 1859).

49 Petition of M. U. van Wijk to the Second Chamber, NA, 2.02.22, inv. no. 1270, no. 203 (13 January 1919).

50 See for instance M Van Ginderachter, 'Public Transcripts of Royalism: Pauper Letters to the Belgian Royal Family (1880–1940)', in J Deploige and G Denecker (eds), *Mystifying the Monarch: Studies on Discourse, Power, and History* (Amsterdam, Amsterdam University Press, 2006), pp. 223–34 ; and J Judge and J Oddens, 'Father Figures and Faction Leaders: Identification Strategies and Monarchical Imagery among Ordinary Citizens of the Northern and Southern Low Countries (c. 1780–1820)', *BMGN: Low Countries Historical Review*, 133 (2018), 72–97 .

51 Petition of M. U. van Wijk to the Second Chamber.

52 H Kaal, 'The Voice of the People: Communicative Practices of Popular Political Engagement in the Netherlands, 1950s–1960s', *Archiv für Sozialgeschichte*, 58 (2018), 183–200 . Cf., on postwar citizen letters, M Fenske, *Demokratie erschreiben: Bürgerbriefe und Petitionen als Medien Politischer Kultur, 1950–1974* (Frankfurt, Campus, 2013) .

53 NA, 1.11.01.01, inv. no. 1925, Smeekschrift der edelen, copy.

54 F Deen, *Publiek debat en propaganda in Amsterdam tijdens de Nederlandse Opstand: Amsterdam 'Moorddam', 1566–1578* (Amsterdam, Amsterdam University Press, 2015), p. 69 .

55 On 'intended constituencies', see Saward, *The Representative Claim*, p. 148. An important aspect of Saward's theory is the idea that representative claims could have multiple audiences (pp. 62–6). While we have not elaborated on this point, this certainly applies as well to petitions, which can also appeal to the wider public, the media, and potential signatories, for example.

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