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‘The Lowest Degree of Freedom’: The Right to Petition Parliament, 1640–1800

MARK KNIGHTS

The essay examines the right to petition from the revolutions of the 17th century to the start of the age of reform. It shows that, by legislating for a right to petition the monarch, **although** the revolution of 1688 appeared to resolve some of the uncertainty about the right to petition that had been apparent since the 1640s, it failed to confirm a right to petition parliament and left considerable ambiguities about the legitimacy of popular pressure exerted in this way. Throughout the 18th century, the right to petition parliament, and hence to exert popular pressure on it, thus remained contested. Indeed, a history of the points of conflict in Georgian Britain could be written through a study of petitioning controversies. Government supporters asserted the supremacy of formal parliamentary representation over informal representation of the popular voice through petitions and frequently sought to curtail, limit and emasculate any right to petition, or even, in 1795, to ban public petitioning altogether. Such attacks, nevertheless, provoked strong responses: claims to popular sovereignty over parliament, to natural rights, and to the notion that the right to petition was part of a set of interlinking rights of free speech and assembly. The 18th-century arguments were also played out with explicit reference to 17th-century ones, with the 1689 settlement in particular, providing a key reference point.

Keywords: petition(ing); rights; popular sovereignty; popular voice; redress of grievances; representation; instructions; delegates; rhetoric

Petitioning was a routine and ubiquitous way of lobbying, influencing and pressurising parliament. It was an activity undertaken by all social groups, from the lowest to the highest, and was used in the local, national and imperial arenas. The range of subjects that could be treated by petition was vast, ranging from the personal and individual to the grievances of a nation, from religion, trade, politics and war to social and moral issues.¹ Yet attention has more often been paid to individual petitioning campaigns than to the broader culture and genre of petitioning. David Zaret has gone some way to correct this by suggesting that 17th-century petitioning constituted the ‘origins of democratic culture’.² Until the collapse of censorship in 1641, he argues, mass petitions had normally been manuscript productions arising from local grievances, but thereafter were routinely published and engaged with national affairs. This change had, he argues, a series of unforeseen consequences. One was to create a process of dialogue – or more often, vituperative exchange – between petitioner and counter-petitioner that proved very difficult to end; another was that petitions came to address the public as much as their ostensible recipient and thus to stimulate the development of public opinion. Petitioning thus underwent, but also produced, Zaret suggests, major innovation.

This essay will explore, for a longer time span than Zaret attempted, a paradox that his work nicely highlights: petitioning adopted innovative practices that constituted and invoked the power of public opinion, but petitioners and their critics were often reluctant to embrace such pressure as a legitimate political force.³ Petitioning thus exposed ambivalence about the legality, appropriateness, authenticity and acceptability of popular pressure on parliament. But whereas Zaret sees the triumph of a ‘liberal-democratic model of the political order’ by the end of the 17th century, I argue that this process continued to be a vigorously-contested one

throughout the 18th century.⁴ This is demonstrable through a study of the right to petition, which Zaret does not discuss at any length, but which remained controversial long after the period covered by his study. Indeed, for much of the second half of the 18th century the right to petition parliament was the subject of major dispute.

The ambivalence and contest about petitioning can be highlighted by examining the disputed right to petition, since that raised interesting questions about how far popular pressure could legitimately be brought to bear on parliament. The disputed right to petition the legislature (as opposed to the monarch) remained a rather ill-defined area of the law and provoked a number of intersecting controversies. One arose over whether, if there was a right to petition, it had any limitations (especially if it could be used improperly) and whether it applied equally to petitioning the crown and parliament. Controversy also revolved around the relationship between a popular right to petition and the right of representatives to act on behalf of petitioners. The right to petition was frequently stated in ways that threatened the monopoly of the house of commons, or parliament more generally, to act as the voice of the people. Intrinsic to this debate was a question about whether petitions could be used as a better gauge of public opinion than MPs (especially when parliament was perceived as corrupt). It was also debated whether petitions could be used to instruct or mandate representatives how to act. Arguments raged over whether a right to petition bound either parliament or the monarch to act on the grievances raised by petitioners; in other words, on what *duties* the right implied. Some claimed that, if there was a right to petition, those in authority *had* to listen to, and redress the grievances of the petitioners, otherwise the right was meaningless, and even suggested a right to resist when petitions were repeatedly ignored; but others denied every element of this stance, rejecting the idea that petitions were in any sense binding or could ever justify

rebellion. Finally, there was a set of issues concerning what type of right was at stake. Some saw it as a customary and historical right; others as a right established by statute law; others, as a natural right (and some all of these). It was also disputed whether it was a right enjoyed in isolation from other rights or whether it was intrinsically linked to the right to assembly and free speech.

Before tackling these questions, however, it is worth trying to set out some of the contours of petitioning activity in 1640–1800, to provide the context for such a discussion. I have, elsewhere, made an initial attempt to map the national waves of subscriptional activity to crown and parliament on controversial ‘public’ issues.⁵ Despite the problems in compiling the data, it is clear that mass petitioning – by which I mean petitions signed by thousands of subscribers or which came in mass numbers – was most prolific in the period 1640–1720 and, again, after 1780. The quantity of petitions and addresses in the first of these periods is impressive, and many, especially during the mid 17th century revolution, at the Restoration and during the succession crisis in Charles II’s reign, sought to put pressure directly on parliament. Even so, a good deal of the subscriptional activity was less direct: the flood of addresses in this period was often aimed (ostensibly at least) at the crown, even though there is a close correlation between the addressing activity and electioneering. Four factors towards the end of the 18th and early 19th centuries – anti-slavery, parliamentary reform, repression in the wake of the French revolution, and contentious religious legislation (catholic emancipation, the repeal of the Test and Corporation Acts) served to expand petitioning campaigns into mass movements that aimed to represent extra-parliamentary views and exert political pressure on parliament.⁶ By the early 19th century, and arguably far earlier, petitioning was ‘an integral part of the system of political representation’.⁷ Indeed, it was a key means of

‘informal representation’, as opposed to formal representation in parliament. It was not until the 20th century, once mass democracy had been established, that petitioning faded as a means of representation, though arguably e-petitioning has recently rehabilitated the genre.

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Although petitioning had long been a feature of English governance, establishing a right to petition was largely the work of the 17th century. But that was an uncertain and incomplete process that left many key issues unresolved and open to challenge. The first section of this essay lays out this rather piecemeal process, in order to highlight moments when a debate over the right to petition raged in, and outside, parliament. Charting these controversies also serves to show how the contest over the right to petition was part of a wider debate about the proper relationship between parliament and people, and how petitioning frequently became an intrinsic part of political division. The second section of the essay will then consider the arguments used to deny, limit, or undermine, a right to petition, and the responses these provoked.

Although petitioning was a central feature of the conflicts of 1640–60, establishing a right proved much more difficult.⁸ The value of public petitioning was recognized by both sides during the mid-century revolution but so, too, was the need to delegitimise rivals’ petitioning activity, either by attempting to proscribe it or to categorise it as seditious or defective in some way. The ambiguity was all too obvious, for example, in 1647 when the conflict between parliament and army was played out through petitions, and led to the army coup. In March 1647, fears that parliament wanted to disband troops without giving them indemnity and paying

arrears provoked the army's 'Large Petition'. This, in turn, prompted parliament's so-called 'declaration of dislike' of the petition and imprisonment of some of its promoters, a move that ruined already strained relations between parliament and the army. The army duly remonstrated that parliament's action represented an infringement of 'the liberty of the subject to petition' and asserted that 'sure there is a right of petitioning for us'.⁹ A petition drawn up by army officers in April (quoting a parliamentary declaration of 2 November 1642) asserted that it was 'the liberty and privilege of the people to petition [parliament] for the ease and redresse of their grievances and oppressions'. It added that the liberty of petitioning was 'the lowest degree of freedom'.¹⁰ In June 1647, a further army representation requested that the right to petition parliament should be 'cleared and vindicated'.¹¹ But parliament failed to come up with this clarification and pushed on with trying to disband the army, provoking the latter to seize the king.

Indeed, far from ceding the right to petition, parliament sought to curb it. On 20 May 1648, in the wake of a wave of royalist-inspired petitions urging accommodation with the king and the Kentish rising, MPs issued a declaration 'For the suppressing of all Tumultuous Assemblies, under pretence of framing and presenting petitions to Parliament', thereby linking the issues of petitioning and assembly in ways that were to become very significant. The document declared it was the right of subjects to petition 'in a due manner' but attacked 'the tumultuous Assemblies' of petitioners and ordered that in future, petitions 'shall be brought up and presented only by a convenient number, not exceeding twenty persons' who were to remain orderly and peaceable.¹²

These restrictions on the right to petition were not forgotten and formed the basis of the 'Act against Tumultuous Disorders Upon Pretence of Preparing or

Presenting Petitions or other Addresses to his Majesty or the Parliament', passed by the restored monarchy in 1661. Like its 1648 precedent, the 1661 act also associated petitioning with seditious assembly and limited the number of people who could present a petition (to ten rather than 20) and added a further restriction: no petition of more than 20 hands to any petition could be promoted unless its content had first been approved by three or more JPs or by 'the major part' of a grand jury. The act did not entirely eradicate the possibility that corporate bodies might press petitions on matters of national policy: indeed, the 1661 act specifically did 'not extend to debar any persons (not exceeding ten in number) to present any complaint to any member of parliament after his election, and during the continuance of parliament, or to the king, for any remedy to be thereupon had; nor to any address to the king by the parliament'. As such, the act was later claimed to have stated a right to petition, though that was clearly not the spirit of the law as it was passed in 1661 and (especially when combined with restrictions on the press) the new measure effectively suppressed mass petitioning until the succession crisis of 1679–81. The paradox of innovative petitioning was temporarily resolved by severely curtailing, even proscribing, a popular right to petition.

The right to petition parliament again became contested during the succession crisis of 1679–82. On 12 December 1679, during a mass petitioning campaign in favour of demanding parliament's sitting, a proclamation was issued against tumultuous petitions. But when parliament resumed sitting the following autumn, the Commons reasserted the subjects' right to petition. On 27 October 1680, the House voted first, that it was the 'undoubted right' of subjects to petition the king for the calling and sitting of parliaments, and second, that to represent petitioning as seditious was to betray the liberties of subjects, subvert the constitution and introduce arbitrary

government. Impeachment proceedings were launched against Lord Chief Justice North for having prepared the 1679 proclamation, and against others for their opposition to petitioning. Yet this defiant stance was shortlived. A petition from the City of London in January 1681, again attacking the king's dismissal of parliament, provided one of the grounds on which successful legal proceedings were launched in 1682 against the London Charter. Indeed, the political tide had turned, and loyalist addresses flooding in to Whitehall during the so-called tory reaction in the early 1680s, was a reminder that popular pressure was not always on the radical side.

It was left to the second revolution of the 17th century to establish a statutory right to petition; but clarity was only partial, since safeguards focused almost entirely on the right to petition the king rather than parliament. The Declaration (and subsequent Bill) of Rights did assert, in its fifth article, that 'it is the right of subjects to petition the King, and all commitments and prosecutions for such petitioning are illegal'.¹³ But it said nothing about the right to petition parliament. Although the 17th century conflicts had explicitly raised the spectre of a tyrannous parliament as well as a tyrannous king, only one-half of this dual threat was tackled. This bequeathed a legacy of uncertainty and ambiguity about the relationship between people and parliament that was to plague future generations, especially as the power of parliament increased after 1688. Indeed, a history of key flashpoints in the 18th century could be told through a history of the right to petition parliament, a narrative that underlines that the legality and extent of popular pressure on the legislature remained contested.¹⁴

The right to petition parliament thus became controversial very soon after the revolution, when it took on partisan connotations. In 1701, a whiggish petition from Kent, urging MPs to engage in war against France, provoked a Commons' resolution

that it was 'scandalous, insolent and seditious, tending to destroy the constitution of parliament, and to subvert the established government of this realm'.¹⁵ The petitioners were ordered into custody by the tory majority.¹⁶ This sparked a heated controversy over the right to petition parliament, a debate that rapidly evolved into an argument about popular sovereignty and the proper relationship between the people and their representatives. Tension was heightened by the 'Legion Memorial', written to support the Kentish petitioners, which purported to come to MPs 'from [their] masters (for such are the People who chose [them])' and asserted that:

it is the undoubted right of the people of England, in case their representatives in Parliament do not proceed according to their duty, and the people's interest, to inform them of their dislike, disown their actions and to direct them to such things as they think fit, either by petition, address, proposal, memorial or any other peaceable way.¹⁷

Moreover, if parliament did betray the trust imposed on them, it was claimed, it was 'the undoubted right of the people of England to call them to account for the same, and by convention, assembly or force may proceed against them as traitors and betrayers of the country'.¹⁸ The dispute was never fully resolved and produced no clear statement of the right to petition.¹⁹ Even so, the right to petition parliament remained relatively uncontested until 1721 (when Walpole was thought to threaten it) and again in 1733–4 during the excise crisis. Indeed, we could say that during the first half of the 18th century, the right became an assumed and implicit, even if not explicit, part of British liberties.

The revival of mass popular petitioning in the 1760s, nevertheless, reanimated controversy, though once again the right to petition the crown was as much at stake as a right to petition parliament. The right to petition became associated with Wilkite

agitation, particularly in 1769–70 when it became the focus of attention because of both the parliamentary and the royal reaction to hostile petitions. Thus in March 1770, the lord mayor, aldermen, common council and common hall petitioned the king to say that parliament no longer represented the people and call for its dissolution. The king responded that the petition was ‘disrespectful to me, injurious to my parliament and irreconcilable to the principles of the constitution’.²⁰ This provoked an outcry. ‘Giving no answer to a petition but flinging it away as waste paper, seems to me a negative of the Right’ to petition, wrote one observer.²¹ Lord Chatham agreed, and on 4 May 1770 moved a resolution in the Lords against the contemptuous manner of the king’s response which, he said, was of a dangerous tendency ‘inasmuch as thereby the exercise of the clearest rights of the subject, namely to petition the King for Redress of Grievances’ had been infringed. Indeed, Chatham asserted, ‘the very essence of the Constitution, not only permits but requires petitioning the Throne and [was] what the Stuarts never dared to prevent in the zenith of their power’.²² Petitioning the crown was thus, in his eyes at least, a duty as well as a right. Image 1 shows Lord Chief Justice Mansfield with a putative ‘Law against Petitions’ in his hand with Sir Fletcher Norton (top left), Speaker of the Commons, keen to prove the City of London petitioners traitors, and Lord Grafton (bottom left) wanting them ‘whipt from Newgate to Tyburn’. The king tramples on a petition from Westminster.

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Image 1: *The Effects of Petitions and Remonstrances* (1770), BM Satires

4386, © The Trustees of the British Museum.

Petitions from American colonies setting out the reasons for their defiance of the king again provoked debate about the right to petition the king.²³ But it was the petitions over reform in 1780 that highlighted the strained relationship between petitioners and parliament. The famous ‘Dunning resolution’ of 6 April 1780, that ‘the influence of crown has increased, is increasing and ought to be diminished’, sprung directly from the failure of petitions addressed to the Commons. Despite ministerial assurance that ‘no man in his senses, who sat in that house, could be ignorant that the right of petitioning belonged to all British subjects’, the petitions calling for reform had been criticized, slighted and ignored. Dunning, in order ‘to bring both the points contested between the petitioners and ministers fairly to issue, [said] he should frame two propositions, abstracted from the petitions on the table’. The vote on the first of these, relating to the influence of the crown, was thus seen as one ‘in behalf of the petitions’. The right to petition was also on the agenda that year when the mass petition to parliament promoted by Lord George’s Protestant Association led to large-scale rioting, once again questioning how far popular pressure on parliament could be sanctioned.²⁴

The contest over the right to petition parliament intensified in the last years of the 18th century, when mass petitioning was, arguably, the most important tool for the articulation and animation of popular opinion on national affairs.²⁵ In 1795, the right to petition became the centre of a political furore in the wake of the government’s decision to introduce two bills – the so-called ‘gagging acts’ – that included restrictions on the right to petition, assembly and free speech. The Seditious Meetings Act – all too clearly in the mould of 17th-century legislation – banned meetings of more than 50 people ‘for the purpose or on the pretext of considering of or preparing

any petition, complaint, remonstrance or declaration' unless notice of the meeting was given to local magistrates, who could attend; and if anyone proposed to alter anything in the constitution without parliament, the JPs were empowered to clear the meeting and make arrests.²⁶ The solicitor general, Sir John Mitford, claimed that the government's intention was not to deny a right to petition but 'to prevent the rights of petitioning from being abused and that it might lay other restrictions on those principles which were dangerous to civil liberty'.²⁷

Yet the measure was immediately castigated in parliament as removing the right to petition. In attacking Pitt's measure, Charles James Fox argued that: 'whoever in future shall mention the right to petition will talk as absurdly as if he employed such language under the worst despotism'. Fox declared that the restrictions on meetings meant that it would be impossible to discuss grievances: 'if the people state their grievances or complain of their sufferings, they must call in a magistrate to listen to the language of their remonstrance and watch their proceedings with a jealous eye'.²⁸ Thomas Erskine, similarly, launched a formidable assault on the bill, arguing that it 'did absolutely destroy the right of the subject to petition'.²⁹ It was also noted that the bills were specifically aimed at popular urban radicalism – and that 'one of the most odious and obnoxious principles of the bill was the diabolical attempt to establish distinctions between different classes of subjects'.³⁰ Indeed, the attack on a *popular* right of petitioning introduced class overtones, since the bills specifically allowed meetings of the types of institutions of government likely to be dominated by the middling sort and gentry.

The measures temporarily reanimated the mass protests that the treason trials of the previous year had done much to quell and the focus of the agitation was the right to petition. On 12 November, the London Corresponding Society held a meeting

attended by an alleged 300,000 to hear speeches defending the right to petition and to prepare to petition parliament against the bills.³¹ Four days later, the inhabitants of Westminster met to discuss the bills which, it was said, raised the question ‘whether all meetings to instruct our representatives or to petition the king or either House of Parliament are to be rendered ineffectual and contemptible, by submitting them to an officer of Government who is to be authorised to dissolve and disperse them at his pleasure?’ They also asked ‘whether we shall retain any right of petitioning for redress of grievances but the nugatory and ridiculous right of complaining precisely in such language as shall be agreeable to those against whom we complain?’ Urged on by the parliamentary leaders of the opposition to the bills, several thousand of the 10,000–12,000 strong crowd signed a petition to uphold the right of petitioning: ‘Your petitioners do in the language of their forefathers claim, demand and insist upon the free exercise of it, as their true, ancient and indubitable right’ which they saw as the ‘best security against the abuse of power’.³² Many similar petitions followed and were collected into a *History of the Two Acts* that ran to over 800 pages. From this and other sources, it is evident that over 130,000 people signed the petitions, which were often promoted at large protest meetings. Bristol’s had 4,000 signatures; Sheffield’s 8,000; Newcastle’s 3,000; Birmingham’s 4,000; one from the London Corresponding Society an enormous 12,100 with a further 15,000 from London artisans. These easily outnumbered the total of 30,000 who signed petitions and addresses (including one promoted by Wilberforce) in favour of the bills.³³ The petitions poured into parliament, though they failed to stop the bill from becoming law.

Thus in 1800, as much as 150 years earlier, the right to petition parliament was contested. Indeed, the 18th- and 17th-century struggles were seen as linked. Any perceived denial of the right to petition was discussed in terms of Stuart tyranny and a

breach of the rights allegedly codified in 1689. Thus in 1763 the *London Chronicle* quoted the Bill of Rights at the head of an editorial about the right to petition and in 1766, a pamphlet reprinted it together with the 1661 act – now ironically seen as proof of the right to petition.³⁴ In 1769, newspapers responded to the loyalist author known as ‘Bull face’, who had unflatteringly compared contemporary petitioners to ‘their predecessors in the rebellion against Charles I’,³⁵ by reminding readers of the Stuart experience.³⁶ Indeed, in 1769 there was a timely reprint of a 1721 tract about the right to petition, saturated in 17th-century precedent. The infringement of the Bill of Rights was repeatedly complained of in 1795 and that complaint was incorporated into petitions against the restrictive governmental bills.³⁷ Image 2 satirises Fox and Sheridan for trying to delay the passage of the bill restricting popular petitioning by deluging parliament with petitions, and on 23 November Fox moved for a delay on the grounds that the bill repealed part of the 1689 bill of rights. The historicised approach to the 1795 acts was highlighted by one MP, who observed that: ‘All the stretches of the prerogative under Charles the First, who lost his head, and James the Second, who lost his crown, were but pigmy steps compared with the gigantic strides of modern despotism. Ship-money, arbitrary exactions, and even the infamous Court of Star Chamber were trivial to it.’³⁸ The 18th-century debate was, thus, often viewed through the lens of the 17th century.

Image 2: *Petition Mongers in Full Cry* (1795), BM Satires 8697 © The Trustees of the British Museum.

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Having outlined some of the chronology and scale of the disputes, and shown how the right to petition parliament was often entangled with a right to petition the crown and was still being debated in 1800, it is now possible to examine some of the arguments used to define, defend, or attack, the right. The debate on the right to petition encompassed a variety of different questions; about the relationship between people and parliament; about how far the right to petition implied a right to redress of grievance; about the nature and extent of the right to petition, including how far the right could be forfeited by the action or language of the petitioners; and about who enjoyed the right.

The assertion of an extensive right to petition implied, and sometimes explicitly stated, a claim to popular sovereignty and the supremacy of the people over their representatives. In 1648, 1701, 1769, during the American crisis, in 1780 and again in 1795, parliament asserted its sovereignty over petitioners; but petitioners frequently challenged this and sought to limit the right of MPs to speak for the people, in turn provoking parliament's anger. Thus in 1648, parliament criticized the Levellers, who used petitions to articulate grievances, for trying to 'give a rule to the Legislative power', as if they meant their petitions to be 'edicts' that 'the Parliament must verifie'.³⁹ In 1701, a similar conflict over sovereignty flared. The Tories sought to uphold the supremacy of formal parliamentary representation over the informal representations of petitions. They suggested that the Whig petitioners' claim to represent:

the Voice of the People is nonsense; for every little faction lays claim to that appellation and have wore it so thread-bare that tis scandalous to make use of it, as appropriating it to a party; for none can be truly called the people of

England in a divided capacity; and they are only whole and entire in their representatives in Parliament.⁴⁰

The people were not superior to their MPs, it was alleged, but ‘by the choice of their representatives resign up all their authority to ’em’.⁴¹ Indeed, in February 1702, the Commons voted that anyone who asserted that the House was not the representative of the body of the nation tended to subvert the rights and fundamentals of the constitution.

The clash between parliamentary and popular sovereignty, which the right to petition highlighted, continued to echo for the rest of the century. In 1780, Lord North agreed that the people had a right to petition and even to expect that attention would be paid to their views, but he protested that they could not compel his opinion and he would vote according to conscience ‘whether his opinion coincided with the voice of the people or not’.⁴² Thus, in response to Dunning’s question whether ‘the voice of petitions [could] reach the Royal ear without passing through the medium of that House?’ North replied: ‘the voice of the people of Great Britain could be heard only from that House where it was spoken by their Representatives’.⁴³ North’s stance on domestic and colonial petitioning was thus of a piece: parliament was sovereign. Sir Peter Burrell agreed: the people had a right to petition but ‘they had no right to dare to controul or direct the determination of that House, nor propose measures for their consideration’, for this would be to usurp parliament; ‘in this light he detested petitions and would set his face against them’. If petitioning was allowed to dictate to the House, he suggested, the liberty and constitution of parliament would ‘be annihilated and gone for ever’.⁴⁴

The right to petition candidates at election time through instructions – promoted in 1681, 1701, 1715, 1733, 1753, 1769, 1774, and 1783–4 – was also seen

by critics as reducing representatives to mere delegates of the people.⁴⁵ This led to an attempt to distinguish ‘instructions’ from petitions. In 1733, when instructions on opposition to the excise were promoted, pro-government writers argued that the right to petition and the right to instruct MPs were very different – that there was no right to the latter, which was said to be dangerous to the constitution.⁴⁶ Yet instructions were, nevertheless, seen by champions of the right to petition as important means to ensure that MPs did the bidding of their constituents, instead of pursuing their own, or the government’s, interest. The right to petition MPs to mandate them to take a certain line was therefore a contested, but repeatedly invoked, one.

Yet such views were challenged. The Wilkites argued that whilst parliament conveyed to the king the ‘presumed sense of the people’ this had to be confirmed by petitioning.⁴⁷ Thus, whereas ‘it has been alleged that the people have no right of judging public measures but by their representatives in Parliament ... the contrary is manifest, from the right of the represented to instruct their representatives; and from their right to petition or address the throne’.⁴⁸ Indeed, claims to popular sovereignty, represented through a right to petition, could also lead in radical directions. A perception that petitioning, and hence the representative voice of the people, was deliberately ignored by parliament, led ineluctably to arguments that the voting system needed to be changed. This was the argument of *An Address to the Electors of Southwark* (1795), in which an ‘elector’ began by arguing that the people’s petitions against the war had been treated with no more ‘consideration than if you had no representatives in Parliament’. This led the author to the conclusion that ‘all our national calamities originate in the present constitution of the House of Commons’. MP’s, he claimed, were rightfully the servants, not the masters, of the people, and rotten boroughs and placemen should be swept aside. It was an ‘evil’ that there were

so few electors; ‘universal suffrage and annual parliaments’ were the solutions.⁴⁹

Disdain of the right to petition parliament thus provoked demands for parliamentary reform and undermined parliamentary legitimacy. As a 1793 rejected petition from Nottingham in favour of reform put it, the country was simply ‘amused with the name of a representation of the people, when the reality was gone’.⁵⁰

Closely tied to the debate about the supremacy of petitions as the voice of the people was one about what the correct response of those in authority (parliament or monarch) should be to them. During the 18th century, both parliament and the monarchy rejected petitions outright or gave them slighting replies and claimed that they thought they were justified in doing so. But for their critics, the right to petition conferred a right to redress of grievance, or else the right was an empty one. This conflict was clear in 1769–70 when the king cold-shouldered petitions and his supporters denied he had any duty to redress grievances raised by them.⁵¹ One observer sympathetic to the Wilkites noted that: ‘we have long been amusing ourselves with stating the subjects right to petition ... Of what use is that right to us now?’⁵² A conviction that a legal right to petition conferred a right to redress could lead to suggestions that, if petitioning was denied, the use of force was justifiable. In 1680, Thomas Dare told Charles II that he could either petition or rebel. In 1721, an interesting tract linked the right of petitioning to the danger of ignoring the people. It argued that: ‘the Right of Petitioning is a Privilege which mankind could never part with’ and that ‘when this has proved ineffectual’ the people ‘convinced their Sovereigns to their cost, how unreasonable a thing it is to be *Deaf to the Voice of the People*’.⁵³ Thus, the rejection of petitions was linked to threat of resistance. Similar arguments were heard in 1734 during the excise crisis. A tract called *The Right of British Subjects to Petition* (1733, reprinted 1734) ran to 121 pages rehearsing the

17th-century struggle to establish the right and emphasizing the need for MPs to listen to the people, and included John Locke's dictum that where the right of appeal on earth was removed, the people had a liberty to appeal to heaven.⁵⁴ Indeed, the American crisis should be viewed in this context. The right to petition for redress of grievances was an essential part of the colonists' freedoms; denial of their petitions, slighting their right to submit them, justified a recourse to arms.⁵⁵ And in 1795, Charles James Fox warned that the consequence of the 1795 bill would, similarly, be to push the people into revolution: 'If you silence remonstrance and stifle complaint, you then leave no other alternative but force and violence.'⁵⁶

Of course such statements tended to confirm the loyalist stance that there was an intrinsic link between petitioning and sedition. Loyalists thus argued that whilst a right to petition could be acknowledged, even embraced, a petition had to meet certain criteria for such a right to remain valid. First, it should be couched in moderate and humble language. 'Tis the right of the people to petition', acknowledged the author of *England's Enemies Expos'd*, 'provided always that it be done in decent words and submitting their opinions to the wisdom of the house'.⁵⁷ As another tract put it: 'not to distinguish between a modest petition and a scandalous, insolent and seditious one was to turn the world upside down'.⁵⁸ Second, the promotion of the petition and its presentation should be orderly, restrained and pursued through established institutions rather than riotous or seditious associations. After the riot that accompanied the presentation to parliament of the Protestant Association's petitions, the attorney general qualified the right to petition by saying that there had to be 'a decent and rational exercise of that right' and that it certainly did not confer 'a right to interrupt the deliberations of Parliament'.⁵⁹ Failure to meet the criteria of decorum and orderliness, loyalists argued, invalidated the right to petition, and special

circumstances could force the government to curtail such a right for the greater good of peace and stability.⁶⁰

For loyalists, the right to petition was thus contingent and even dispensable, subordinate to other considerations, rather than absolute and abstract. William Grant, urging a restriction on the right to petition in 1795, asked in parliament: ‘Were all the benefits of the constitution lapped up in this one right? No! Estimate it as highly as gentlemen could, it was nothing when put in competition with liberty and constitutional happiness.’⁶¹ To reformers, however, restrictions on petitioning destroyed the right itself. In 1793, Lord Grey warned that by applying such strict ‘doctrines of decorum and respect to the House’, the loyalists, ‘while they admitted the right of petitioning [yet] they would deny the use of it’. Fox added that the House could reject a petition for disrespectful language but only if the language was not intrinsic to the plea, otherwise there could be no petitions for parliamentary reform at all and ‘there was an end of the right of the subject to petition’.⁶²

Another way of looking at the right to petition was not as a constitutional, so much as a natural, right. The Levellers had asserted it as a ‘native right’ of free-born Britons,⁶³ and in 1701, a Lockean tract, *Jura Populi*, talked about petitioning as the ‘natural right of mankind’.⁶⁴ But it was in the later 18th century that this claim was most frequently made. In 1780, a meeting in Hertford heard a speech asserting petitioning to be ‘an inherent right; it was before all statutes; it was an essential part of the constitution itself. The bill of rights at the revolution was only declaratory, not enacting’.⁶⁵ In 1791, it was said to be Britons’ ‘indefeasible right, as well as by the laws of nature, reason and common sense’,⁶⁶ and in 1795, when defending petitioning, Fox defiantly stated that natural rights were the ‘basis of a free government’.⁶⁷

The shift towards a more insistent claim of petitioning as a natural right mirrored an increasing tendency to view the right to petition as part of a group of mutually-supporting rights, the most important of which were the right to assembly and the right to freedom of speech and print. Of course these had to some extent been associated together in the 17th century, as we have seen, and this continued to be the case in the early and mid 18th century.⁶⁸ But these rights became routinely grouped together in the later 18th century once mass petitioning campaigns were, again, underway. Thus in 1781, Wyvill argued in print that ‘if the people have a right to petition parliament at all, they must have a right to meet and consult together, in order to exercise that right in a peaceable and orderly manner’.⁶⁹ It was, nevertheless, the 1795 bills that tied the rights together most explicitly, as Image 3 shows.⁷⁰ The image suggests a ‘Right of Petitioning reserved to Families only’; the bill of rights, enshrining the right to petition, lies trampled underfoot.; and the right to petition is closely associated with the right to free speech. Yet one ultra-loyalist thought the bills failed to go far enough because only the re-imposition of licensing on the press would remove the ‘license of seditious remonstrance which they called a right to petition’.⁷¹

<illustration 3 near here> Image 3: *A Free Born Englishman* (1795) BM Satires 8711

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As the illustration of the gagged ‘free born Englishman’ suggests (see Image 3), there was a real fear that the government sought to erode or restrict the hard-fought right to petition and that 1795 marked a turning point in constitutional liberties. The passage of the acts had, in the words of one critic, undone 1688 and led to the ‘utter extinction of liberty’.⁷² It is true that after 1688 it had become routine to petition parliament on a host of legislative proposals, that petitioning had grown in volume and that petitioning parliament had become an established part of the political culture. But at the end of

the 18th century, the right to petition both parliament and (despite the Bill of Rights) the monarch, remained contested, particularly at moments of high political tension, and the nature and extent of any such right remained undefined and disputed. What is clear is that the right to petition in order to put pressure on parliament was seen in a historical way that linked the 18th and 17th centuries and that it raised fundamental questions about the location of sovereignty. The contest over the right to petition was so vigorous because petitioning was frequently resorted to as a means of articulating the voice of the people outside parliament. Parliament might claim a representative monopoly but this was hard to maintain against petitioners intent on claiming their own representative status. It was also clear that there was a set of controverted duties that the right to petition was said to generate: a duty to respond adequately on the part of the recipient, but also a duty to draft and present the petition in a humble and lawful manner. For some, that meant the right to petition was part of an associated bundle of rights, including free speech and freedom of assembly; but to others, the right to petition was a contingent right that could be curtailed, surrendered or invalidated, in order to preserve greater rights, such as those to security and the happiness of the whole. The former no doubt drew some consolation from the fact that the first amendment to the American constitution in 1789 included the very bundle of rights that were being contested in England.⁷³ Congress declared that it would ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances’. But such a clear statement of the rights of Britons remained elusive. Petitioning was central to many of the early-19th-century reform movements, but it was still a contested right.

¹ This essay focuses on the national political culture, but petitioning was, of course, important at the local level as a means of communication of grievances and of doing business. The contest over the right to petition at the national level thus had important implications for the conduct of local governance and the economy. I consider some of these issues in ‘Regulation and Rival Interests in the 1690s’, in *Regulating the British Economy, 1660–1850*, ed. Perry Gauci (Farnham, 2011) but there is scope for a much larger treatment of petitions focused on local issues, many of which were economic and social in nature. See also Rab Houston, *Peasant Petitions: Social Relations and Economic Life on Landed Estates, 1600–1850* (Basingstoke, 2014).

² David Zaret, ‘Petitions and the “Invention” of Public Opinion in the English Revolution’, *American Journal of Sociology*, ci (1996), 1497–555; David Zaret, *Origins of Democratic Culture. Printing, Petitions and the Public Sphere in Early-Modern England* (2000). For earlier petitioning, see R.W. Hoyle, ‘Petitioning as Popular Politics in Sixteenth-Century England’, *Historical Research*, lxxv (2002), 365–89.

³ Zaret, *Origins*, 257.

⁴ Zaret, *Origins*, 265.

⁵ Mark Knights, ‘Participation and Representations before Democracy: Petitions and Addresses in Pre-Modern Britain’, in *Political Representation*, ed. Ian Shapiro, Susan C. Stokes, Elizabeth Jean Wood and Alexander S. Kirshner (Cambridge, 2009); Mark Knights, *Representation and Misrepresentation in Later Stuart Britain: Partisanship and Political Culture* (Oxford, 2005), ch. 3. Except where they impinged on national

events, my analysis tends to downplay the importance of local, economic petitioning, though this is discussed in Julian Hoppit's contribution to this volume. I have also interpreted 'petition' broadly to include multiple forms of subscriptional activity.

⁶ Peter Fraser, 'Public Petitioning and Parliament before 1832', *History*, xlvi (1961), 195–6. The 1842 Chartist 'Grand Petition' had 3,317,702 signatures, was more than six miles in length, and was accompanied by a crowd of 50,000 people when it was carted to Westminster. The chartists gained 1.2 million signatures in 1839; 1.4 million in 1841; and 2 million in 1848, more than twice the size of the electorate.

⁷ Paul Pickering, 'And your Petitioners &C: Chartist Petitioning in Popular Politics 1838–48', *English Historical Review*, cxvi (2001), 368–88 (quotation at p. 374).

⁸ For the role of petitioning, see Anthony Fletcher, *The Outbreak of the English Civil War* (1981), 91–3, 192; Judith Maltby, *Prayer Book and People in Elizabethan and Early Stuart England* (Cambridge, 1998), appendix 1; Judith Maltby, 'Petitions for Episcopacy and the Book of Common Prayer on the Eve of the Civil War, 1641–1642', in *From Cranmer to Davidson: A Church of England Miscellany*, ed. Stephen Taylor (Church of England Record Society, 7, Woodbridge, 1999), 103–67; Patricia Higgins, 'The Reactions of Women, with Special Reference to Women Petitioners', in *Politics, Religion and the English Civil War*, ed. B. Manning (1973); R. Ashton, *Counter-Revolution: The Second Civil War and its Origins 1646–8* (New Haven, CT, 1994), ch. 4; K. Lindley, *Popular Politics and Religion in Civil War London* (Aldershot, 1997); J. Walter, 'Confessional Politics in Pre-Civil War Essex: Prayer Books, Profanations and Petitions', *Historical Journal*, xlv (2001), 677–701; Peter Lake, 'Puritans, Popularity and Petitions', in *Politics, Religion and Popularity in Early*

Stuart Britain: Essays in Honour of Conrad Russell, ed. Thomas Cogswell, Richard Cust and Peter Lake, (Cambridge, 2002); David Cressy, 'Revolutionary England 1640–42', *Past & Present*, No. 181 (2003), 35–71; David Cressy, *England on Edge: Crisis and Authority, 1640–1642* (New York, 2006).

⁹ *Letters from Saffron Waldon* (1647), 4, 7.

¹⁰ *The Petition and Vindication of the Officers of the Armie under His Excellencie Sir Thomas Fairfax* (1647), unpaginated.

¹¹ *A Representation from his Excellencie Sr. Thomas Fairfax* (1647), 12, also issued as *A Declaration from Sir Thomas Fairfax and the Army under his Command* (1647), 11.

¹² *LJ*, x, 273.

¹³ Lois G. Schwoerer, *The Declaration of Rights* (Baltimore, MD, 1981), 283. The clause in part reflected the controversy generated by the seven bishops who had petitioned James II in 1688 and had been imprisoned. For the discussion during their trial of the right to petition the king, see *The Stuart Constitution 1603–88*, ed. John Kenyon (Cambridge, 1969), 442–6.

¹⁴ For petitioning in the 18th century, see Eugene Black, *The Association: British Extra-Parliamentary Political Organisation, 1769–1793* (Cambridge, MA, 1963); Seymour Drescher, *Capitalism and Anti-Slavery: British Mobilization in Comparative Perspective* (Oxford, 1986); John Phillips, 'Popular Politics in Unreformed England', *Journal of Modern History*, lii (1980), 599–625; Rosemary Sweet, 'Local Identities and a National Parliament, c. 1688–1835', in *Parliaments, Nations and Identities in*

Britain and Ireland, 1660–1850, ed. Julian Hoppit (Manchester, 2003), 48–63; Harry Dickinson, *The Politics of the People in Eighteenth-Century Britain* (Basingstoke, 1994); Charles Tilly, *Popular Contention in Great Britain 1758–1834* (Cambridge, MA, 1995).

¹⁵ *CJ*, xiii, 518.

¹⁶ *The History of the Kentish Petition Answer'd* (1701), 5; *The Parliamentary Diary of Sir Richard Cocks*, ed. David Hayton (Oxford, 1996), 114; *CJ*, xiii, 518; [J. Somers], *Jura Populi Anglicani. Or the Subjects Right of Petitioning* (1701).

¹⁷ [?Daniel Defoe], 'Legion Memorial' (1701), 3. [IS THIS A BOOK TITLE? IF SO, SHOULD IT BE IN ITALICS?] It is known as the Legion Memorial because it was published without a title and simply begins 'Mr. S[peaker], The enclosed memorial you are charg'd with' – so it's an unusual one! If you want to use the opening line as the title then that would be fine, with perhaps Legion Memorial in square brackets; but most people cite it simply as Legion Memorial.

¹⁸ [?Defoe], 'Legion Memorial', 4.

¹⁹ The issue became, again, one about addressing the crown as much as parliament: see *Cocks Diary*, ed. Hayton, 217–8.

²⁰ *The State of the Nation, as Represented to a Certain Great Personage, by Junius and the Freeholder: And the Petition of the Citizens of London* (1770), 33–4, 37–41.

²¹ *Public Advertiser*, no. 11045, 20 Apr. 1770.

²² *London Evening Post*, no. 6630, 3 May 1770; John Almon, *Anecdotes of the Life of the Right Hon. William Pitt, Earl of Chatham* (1792), 56–7.

²³ Colonists saw petitioning as their right as free-born Britons – see Richard Bailey, *Popular Influence Upon Public Policy: Petitioning in Eighteenth-Century Virginia* (Westport, CT, 1979); Weldon Brown, *Empire or Independence; A Study in the Failure of Reconciliation, 1774–1783* (New York, 1966); and, for the wider petitioning movement, James Bradley, *Popular Politics and the American Revolution in England: Petitions, the Crown, and Public Opinion* (Macon, GA, 1986).

²⁴ See Mark Knights, ‘The 1780 Protestant Petitions and the Culture of Petitioning’, in *The Gordon Riots: Politics, Culture and Insurrection in late Eighteenth-Century Britain*, ed. Ian Haywood and John Rule (Cambridge, 2012).

²⁵ For the context, see *The French Revolution and British Popular Politics*, ed. Mark Philp (Cambridge, 1991); Clive Emsley, *Britain and the French Revolution* (2000); *Britain and the French Revolution 1789–1815*, ed. Harry Dickinson (Basingstoke, 1989); J.E. Cookson, *The Friends of Peace, Anti-War Liberalism in England 1793–1815* (Cambridge, 1982); John Oldfield, *Popular Politics and British Anti-Slavery: The Mobilisation of Public Opinion Against the Slave Trade* (Manchester, 1995); Albert Goodwin, *The Friends of Liberty* (1979).

²⁶ 36 Geo. III, c. 8, reproduced in E.N. Williams, *Eighteenth Century Constitution 1688–1815* (Cambridge, 1960), 426–9.

²⁷ *London Paquet*, no. 4097, 16 Nov. 1795.

²⁸ *Star*, no. 2257, 11 Nov. 1795.

²⁹ *Courier*, no. 1034, 17 Nov. 1795.

³⁰ *An Impartial Report of the Debates that Occur [sic] in the two Houses of Parliament* (1796, 4 vols.), i, 500. [NEED NUMBER OF VOLS UNLESS i IS A PAGE NUMBER]

³¹ *Account of the Proceedings of a Meeting of the People, in a Field near Copenhagen-House, Thursday, Nov. 12* (1795), sig. A2.

³² *Morning Chronicle*, no. 8135, 17 Nov. 1795; *Morning Post*, no. 7417, 16 Nov. 1795.

³³ *Star*, no. 2266, 21 Nov. 1795; *Oracle*, no. 19174, 26 Nov. 1795; *Courier*, no. 1048, 4 Dec. 95.

³⁴ *London Chronicle*, no. 987, 21 Apr. 1763, subsection called *The Monitor*, no. 403; *British Liberties, or the Free-born Subject's Inheritance* (1766). *London Evening Post*, no. 5536, 26 Apr. 1763, defended the right of the City to petition the king, with reference to the seven bishops' trial. *St James Chronicle*, no. 334, 26 Apr. 1763, and *Gazetteer and London Daily Advertiser*, no. 10650, 28 Apr. 1763, invoked the tyranny of Charles II.

³⁵ *A Reply to the Comments and Menaces of Bull Face Double Fee* (1769), 23–4.

³⁶ *St James's Chronicle*, no. 1314, 29 July 1769, reprinted the 1680 parliamentary resolutions. Cf. *Middlesex Journal or Chronicle of Liberty*, no. 61, 19 Aug. 1769 and *Gazetteer and New Daily Advertiser*, no. 12636, 31 Aug. 1769.

³⁷ *The Proceedings and Speeches, at the Meeting the Seventeenth November, 1795, at St. Andrew's Hall* (Norwich, [1795?]), 13, where Mark Wilks argued that the Bill of Rights' provision about petitioning was violated by the 1795 bills, a standpoint included in the resulting petition.

³⁸ *An Impartial Report of the Debates*, i, 516–7.

³⁹ *A Declaration of Some Proceedings of Lt. Col. John Lilburn, and his Associates* (1648), [14 Feb 1647], 40.

⁴⁰ *History of the Kentish Petition*, 15; *Jura Populi Anglicani ... Answer'd, Paragraph by Paragraph* (1701), 79.

⁴¹ *The Ballad or Some Scurrilous Reflections in Verse ... Answered* (1701), 27. Cf. *England's Enemies Expos'd* (1701), 31.

⁴² *London Chronicle*, no. 3623, 22 Feb. 1780. In the version in the *General Evening Post*, no. 7172, 22 Feb. 1780, North added: 'Every subject had a right to petition, every subject had a right to give instructions to his representative; but no subject had a right to command his vote or control him in his judgement.' A third variant of the speech is given in the *Morning Chronicle*, no. 3360, 24 Feb. 1780.

⁴³ *London Chronicle*, no. 3651, 27 Apr. 1780.

⁴⁴ *Gazetteer and New Daily Advertiser*, no. 15936, 10 Mar. 1780.

⁴⁵ Paul Kelly, 'Constituents' Instructions to Members of Parliament in the C18th', in *Party and Management in Parliament 1660–1784*, ed. Clyve Jones (Leicester, 1984); Harry Dickinson, 'The Eighteenth Century Debate on the Sovereignty of Parliament', *Transactions of the Royal Historical Society*, 5th ser., xxvi (1976), 189–210.

⁴⁶ *London Journal*, no. 755, 15 Dec. 1733.

⁴⁷ *A New and Impartial Collection of Interesting Letters, from the Public Papers; ... Written by Persons of Eminence* (1767), 64.

⁴⁸ *London Chronicle*, no. 1184, 21 July 1764.

⁴⁹ *An Address to the Electors of Southwark* (1795), 4, 27–9.

⁵⁰ *Morning Chronicle*, no. 7401, 22 Feb. 1793.

⁵¹ *A Petition of the Freeholders of the County of Middlesex, presented to his Majesty, the 24th of May, 1769, by Mr. Serjeant Glynn* [1769]; *Gazetteer and New Daily Advertiser*, no. 12,594, 13 July 1769: letter from Northants.

⁵² *Middlesex Journal or Chronicle of Liberty*, no. 76, 23 Sept. 1769; cf. *Gazetteer and New Daily Advertiser*, no. 12830, 14 Apr. 1770; *General Evening Post*, no. 5685, 20 Mar. 1770: letter from Philolibertas invoking Magna Charta, also reprinted in *Gazetteer and New Daily Advertiser*, no. 12809, 21 Mar. 1770.

⁵³ *A Letter to a Leading Great Man, concerning the Rights of the People to Petition* (1721).

⁵⁴ *The Right of British Subjects to Petition* (1733), xvi, appendix, 39.

⁵⁵ In Jan. 1775, the king referred a petition, from Benjamin Franklin and others on behalf of the Congress, to parliament which then voted, on 26 January, not to receive it (*American Archives*, Series 4, i, 1532; *CJ*, xxxv, 81). It had warned that rejecting petitions would ‘end in universal rebellion’.

⁵⁶ *The Star*, no. 2257, 11 Nov. 1795. Cf. *An Impartial Report of the Debates*, i, 177; cf. i, 175: ‘Mr Stanley said, if this bill passed into law we were upon the eve of a revolution’.

⁵⁷ *England's Enemies Expos'd*, 42.

⁵⁸ *History of the Kentish Petition*, 39. Cf. *The Old and Modern Whig* (1701), 46.

⁵⁹ *London Chronicle*, no. 3773, 3 Feb. 1781.

⁶⁰ *The Twelve Letters of Canana: On the Impropriety of Petitioning the King to Dissolve the Parliament* (1770), 4.

⁶¹ *An Impartial Report of the Debates*, i, 524, 538. Wilberforce agreed, even though the anti-slavery petitions of 1792 had sought to mobilise mass pressure.

⁶² *Evening Mail*, no. 654, 1 May 1793.

⁶³ *A Lash for a Lyar* (1648), 12–13, printed the petition ‘to the Honourable the chosen and betruſted Knights, Citizens and Burgesses in Parliament Aſſembled’, from East Smithfield and Wapping.

⁶⁴ [?Somers], *Jura Populi*, 33–4. This was part of a sophisticated discussion of a Lockean state of nature. A refutation of the tract argued that there was no state of extremis justifying an invocation of the ‘great law of preservation’: *Answer to Jura Populi*, 35.

⁶⁵ *London Courant*, 18 Apr. 1780. At the trial of Lord Gordon the attorney general admitted that: ‘it is the inherent right of the subject to petition parliament’ and that there was an ‘innate right of the subject to petition’: *Annual Register* (1781), 120.

⁶⁶ *St James’s Chronicle or the British Evening Post*, no. 4777, 5 Nov. 1791: letter from ‘a peaceable petitioner’.

⁶⁷ *An Impartial Report of the Debates*, i, 171–3.

⁶⁸ *The Right of British Subjects to Petition*, explicitly linked the right to petition with a free press. *The Public Ledger*, no. 1740, 2 Aug. 1765, said the right of free enquiry was ‘evident from the indisputable right to petition against depending laws, to instruct their representatives’ and to address the crown against existing laws.

⁶⁹ *London Courant*, 26 June 1781: letter from Wyvill, 14 May. This had already been stated in parliament by Fox who declared that ‘the people had a right to associate, a right to delegate, and a right to petition the house by their delegates, and those rights were founded on the law and the constitution’: *Morning Chronicle*, no. 3706, 3 Apr. 1781; *St James’s Chronicle*, no. 3134, 31 Mar. 1781.

⁷⁰ See also John Baxter, *A New and Impartial History of England* [1796], x.

⁷¹ *Morning Post*, no. 7417, 16 Nov. 1795: letter from a supporter of Reeves's Association.

⁷² *An Address to the English Nation; with ... a Recommendation to Petition with Vigour* (1796), 5.

⁷³ The First Amendment prohibited laws against freedom of religion, of speech, of the press, of assembly and of petitioning. As early as 1641, The Massachusetts Body of Liberties had upheld a right to petition 'any publique Court, Councel or Towne meeting'. The right to petition the legislature was already acknowledged by constitutions in Maryland in 1765 and New Hampshire in 1783.