

## **6 Transitions and Continuities in Petitioning in Early Modern England**

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Over the course of the early modern period, England experienced a series of major political changes that had far-reaching consequences for how people engaged with official authority. Both church and state were fundamentally transformed by the events of the Reformation that unfolded between the 1530s and 1560s. The ground shifted again during the constitutional crisis, Civil Wars and Interregnum of the 1640s and 1650s. Further changes came in the wake of the Glorious Revolution of 1688-89, including an expanded role for Parliament thanks to regular annual sessions and frequent elections. This chapter is an attempt to explore how the practice of petitioning developed amid the upheavals of this era, attending to transitions but also to long-term continuities.

The focus here is primarily on what we might call ‘unrevolutionary’ petitioning, rather than the more well-known ‘radical’ petitioning campaigns that have received the most attention from historians. It has often been noted, most prominently by David Zaret, that partisan petitioning exploded in England in the 1640s thanks to the collapse of royal authority, the expansion of printing, and the increasing accessibility of Parliament.<sup>1</sup> This was undoubtedly a key moment in the history of petitioning and popular politics. However, politically contentious petitions that were printed (or reported in print) were only the tip of the proverbial iceberg. Far more numerous were those that have been called ‘traditional’ or ‘private’ petitions that focused on ‘bread-and-butter affairs’.<sup>2</sup> This chapter also shows that many of these ‘unrevolutionary’ petitions had features that overlapped with ‘political’ petitioning. They could be submitted by large groups and could be semi-public too, even though they were almost never printed. Moreover, as will be seen, apparently ‘non-political’ petitioning could have mutually

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<sup>1</sup> D. Zaret, *Origins of Democratic Culture: Printing, Petitions, and the Public Sphere in Early-Modern England* (Princeton, N.J., Princeton University Press, 2000).

<sup>2</sup> Zaret, *Origins*, ch. 4; D. Hirst, ‘Making Contact: Petitions and the English republic’, *Journal of British Studies*, 45 (2006), 26-50, at 28.

influential relationship with the more ‘radical’ varieties that are already well known.<sup>3</sup> This chapter will highlight the massive expansion in the volume of ‘unrevolutionary’ manuscript petitioning and consider its ‘political’ implications.

In the first section, we suggest that a vibrant petitioning culture emerged in England from the late sixteenth century onwards, especially in the localities, and that it laid the foundation for many of the developments that followed. In the second section, we examine how petitioning practices changed during and after the Civil Wars, beyond the oft-cited rise in printed and mass petitions, which we qualify by highlighting important elements of continuity. In the third section, we sketch out patterns in petitioning from 1660 to the mid eighteenth century, with special attention to the ambiguous impact of the Restoration and the Glorious Revolution. Finally, in the conclusion, we extend our frame of analysis to briefly survey some of the long-term continuities and changes across the whole period. We find that the prevalence of petitioning at local and national level was rising from the late sixteenth century if not earlier, and some practical petitions by veterans and war widows adopted sharply partisan vocabulary from the 1640s onwards. Yet, the aims of most petitioners as well as the form and tone of their requests remained remarkably stable across many decades. We should, therefore, seek to understand why petitioning became and remained so popular despite radical shifts in English government and political culture.

### **Petitioning before 1640**

The sixteenth and early seventeenth century witnessed the emergence and routinisation of new types of petitioning in England, with growing numbers of people engaging with the state through this process. This broad culture of petitioning was firmly established even before the

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<sup>3</sup> For an examination of this relationship in the Scottish context, see L. Stewart, ‘Petitioning in Early Seventeenth-Century Scotland, 1625-41’, *Parliaments, Estates, and Representation*, 38 (2018), 307-22. This is one of the key themes in B. Waddell and J. Peacey (eds), *The Power of Petitioning in Early Modern Britain* (London, UCL Press, forthcoming).

1640s, meaning that the spectacular revolutionary petitions that followed were part of a trend that stretched back decades.

Written supplications were hardly a novel phenomenon in early modern England, even if some important changes unfolded in these centuries. In the late medieval period, petitioning by individuals and corporate bodies was already a normal and accepted practice. The Crown and the church received large numbers of these formal appeals from English men and women, mostly relating to local disputes over property or privileges alongside some pleas for mercy from those accused of serious crimes.<sup>4</sup> The National Archives holds over 17,000 petitions to the Crown dating mostly from the fourteenth and fifteenth centuries, the majority of which came from the localities through Parliament.<sup>5</sup> In addition, authorities at the local level undoubtedly received petitions. When compared to those addressed to the Crown or the church, these requests have received relatively little scholarly attention and seem to have survived in much smaller numbers. Still, scattered evidence from chartered cities such as London and York suggest that many medieval townspeople submitted petitions to the urban civic authorities.<sup>6</sup> Written ‘bills’ and ‘plaints’, which were petitionary in form, were also used in many judicial contexts, occasionally at very local levels.<sup>7</sup> Existing scholarship nonetheless suggests that submitting written petitions to local justices about most of the sorts of issues discussed below, especially outside the large towns, was not a routine practice before the sixteenth century.

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<sup>4</sup> For a recent survey of this historiography, see T.W. Smith and H. Killick, ‘Introduction’ in T.W. Smith and H. Killick (eds), *Petitions and Strategies of Persuasion in the Middle Ages: The English Crown and the Church, c.1200-c.1500* (Woodbridge, York Medieval Press, 2018), pp. 1-10.

<sup>5</sup> W.M. Ormrod, G. Dodd and Anthony Musson (eds), *Medieval Petitions: Grace and Grievance* (Woodbridge, York Medieval Press, 2009); G. Dodd, *Justice and Grace: Private Petitioning and the English Parliament in the late Middle Ages* (Oxford, Oxford University Press, 2007).

<sup>6</sup> P. Tucker, *Law Courts and Lawyers in the City of London, 1300-1500* (Cambridge, Cambridge University Press, 2007), pp. 142ff; C. Liddy and J. Haemers, ‘Popular Politics in the Late Medieval City: York and Bruges’, *English Historical Review*, 128 (2013), 771-805, at 778-9, 781-3. For a fourteenth-century petition to a manorial lord, see A. Musson, ‘Patterns of Supplication’ in Smith and Killick (eds), *Petitions*, pp. 88-109, at p. 96.

<sup>7</sup> A. Harding, *Medieval Law and the Foundations of the State* (Oxford, Oxford University Press, 2002), ch. 6; C. Beattie, ‘Your Oratrice: Women’s Petitions to the Late Medieval Court of Chancery’, in B. Kane and F. Williamson (eds.), *Women, Agency and the Law, 1300-1700* (London, Pickering & Chatto, 2015), pp. 17-30; T. Johnson, *Law in Common: Legal Cultures in Late-Medieval England* (Oxford, Oxford University Press, 2019), pp. 202, 213-14, 252-4, 257-60.

Likewise, sending them to the Crown was in theory a route open to anyone, but in practice the majority of petitioners came from the more affluent sections of society and were men and women with property to defend or to acquire.

During the tumult of the English Reformation in the 1530s and 1540s, the national authorities faced a series of radical petitions from their aggrieved subjects. The tumultuous Pilgrimage of Grace in 1536 was accompanied by petitionary ‘articles’ that set out a wide range of complaints about the recent ‘reforms’ to the church.<sup>8</sup> Then, during the major rebellions of 1549, several petitions claiming to speak in the name of ‘the commons’ were presented to the king, touching on issues of both landholding and religious policy.<sup>9</sup> Unfortunately, the history of ‘unrevolutionary’ petitioning during this period has yet to be written. It is clear that, as in the medieval period, civic authorities often received petitions from townspeople about local issues and the Crown received requests on a wide range of topics. In October 1541, for example, the Privy Council dealt with a petition from the town of Hull for various fiscal privileges and another from Staffordshire men whose grazing cattle were distrained for a debt to the king.<sup>10</sup> One version of the genre that undoubtedly became more common were the legal ‘petitions’ from complainants submitted to royal courts of equity, which expanded substantially under Henry VIII.<sup>11</sup> But without a systematic survey of local records, it is impossible to know whether petitions more generally proliferated in number or changed in focus during this period.

In contrast, the growing prevalence of petitioning from the 1560s to the 1630s is obvious from their ubiquity in the archives of this period. At the national level, innumerable

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<sup>8</sup> R.W. Hoyle, *The Pilgrimage of Grace and the Politics of the 1530s* (Oxford, Oxford University Press, 2001); R.W. Hoyle, ‘Petitioning as Popular Politics in Early Sixteenth-Century England’, *Historical Research*, 75 (2002), 365-89

<sup>9</sup> Hoyle, ‘Petitioning’; A. Wood, *The 1549 Rebellions and the Making of Early Modern England* (Cambridge, Cambridge University Press, 2007); E. Shagan, *Popular Politics and the English Reformation* (Cambridge, Cambridge University Press, 2002).

<sup>10</sup> ‘Henry VIII: October 1541, 1-10’, in *Letters and Papers, Foreign and Domestic, Henry VIII, Volume 16, 1540-1541*, ed. James Gairdner and R. H. Brodie (London, Her Majesty’s Stationery Office, 1898), pp. 577-584. *British History Online* <<http://www.british-history.ac.uk/letters-papers-hen8/vol16/pp577-584>>.

<sup>11</sup> L. Flannigan, ‘Litigants in the English “Court of Poor Men’s Causes” or Court of Requests, 1515-1525’, *Law and History Review*, 38 (2020), 303-37.

people submitted complaints and supplications to the Crown through high-ranking royal ministers. For example, the personal archive of William Cecil and his son Robert, who served as chief statesmen from 1558 to 1612, includes about 2,500 surviving petitions.<sup>12</sup> To this one must add many more requests preserved in the official state papers of this period, such as the five petitions addressed variously to the Queen, the Privy Council, or the Lord High Treasurer in March 1585 alone.<sup>13</sup> However, the strongest evidence comes from the lucky survival of several registers of the Masters of Requests for the early seventeenth century, because a substantial proportion of petitions to the monarch were handled by these specially appointed officials. Using these registers, Richard Hoyle has estimated that 700-800 petitions per year were dealt with by the Masters of Requests in the first decades of the seventeenth century, rising to more than 1,000 per year by the mid-1630s.<sup>14</sup> The lack of equivalent sources from the late medieval period means that we cannot prove that petitions to the Crown became significantly more common under the Tudors and early Stuarts, but the evidence does at least show that these monarchs received many hundreds, if not thousands, of written requests from their subjects every year. Most of these petitioners sought similar things to their medieval predecessors: offices, lands, or pardons. However, as the number of royal offices proliferated and the turnover in crown lands increased in this period, the number of petitions probably increased too.

Both the Lords and the Commons in Parliament received many petitions, and occasionally the parliamentarians became petitioners themselves when attempting to persuade

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<sup>12</sup> 'Introduction', in *Calendar of the Cecil Papers in Hatfield House: Volume 23, Addenda, 1562-1605*, ed. G. Dyfnallt Owen (London, Her Majesty's Stationery Office, 1973), v-xiii. *British History Online*, accessed 24 June 2019 <<http://www.british-history.ac.uk/cal-cecil-papers/vol23/v-xiii>>.

<sup>13</sup> 'Queen Elizabeth - Volume 177: March 1585', in *Calendar of State Papers Domestic: Elizabeth, 1581-90*, ed. Robert Lemon (London, Her Majesty's Stationery Office, 1865), pp. 229-235, *British History Online* <<http://www.british-history.ac.uk/cal-state-papers/domestic/edw-eliz/1581-90/pp229-235>>. A systematic survey of the Calendars of State Papers has not been attempted, but it would almost certainly reveal many hundreds if not thousands of similar documents for this period.

<sup>14</sup> R.W. Hoyle, 'The Master of Requests and the Small Change of Jacobean Patronage', *English Historical Review*, 126 (2011), 544-581.

the monarch. In the Tudor parliaments, however, petitioning does not seem to have been a major part of ordinary business and the sessions were usually only brief in any case. The *Journals of the House of Commons* for the second half of the sixteenth century include only a handful of references to petitions, mostly submitted by the House itself on matters of church reformation or royal succession.<sup>15</sup> Evidence of requests about less controversial matters is rare, though the coordinated petitions to the House of Lords in 1531 about the hat-making trade show that this sort of formal lobbying was not absent.<sup>16</sup> Under James I and Charles I, Parliament became a much stronger magnet for petitions. As Andrew Thrush has shown:

the huge growth in the number of petitions directed to the Commons during the early seventeenth century is striking. In 1604 the House considered just two private petitions – one from the puritan minister Bryan Bridger against the bishops and the other from the serjeant-at-mace who had arrested Sir Thomas Shirley – whereas in 1628 it read no less than 65.<sup>17</sup>

In the Lords, there was an equally noticeable increase, especially from 1621 onwards when the peers began to arbitrate on judicial appeals that they had received by petition.<sup>18</sup> Unsurprisingly, as Parliament took on a larger role as a recipient of petitions, it also presented more of its own to the monarch on delicate political issues, including the famous ‘Petition of Right’ in 1628 against forced loans, arbitrary imprisonment, and billeting soldiers, which was begrudgingly ratified by Charles I.<sup>19</sup> But this constitutionally significant ‘petition’ was part of a broader wave of parliamentary petitioning that arose during these decades.

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<sup>15</sup> See, for example, ‘House of Commons Journal Volume 1: 09 March 1576’, in *Journal of the House of Commons: Volume 1, 1547-1629* (London, His Majesty’s Stationery Office, 1802), 112-113, *British History Online*, accessed 25 June 2019, <<http://www.british-history.ac.uk/commons-jrnl/vol1/pp112-113>>. These are discussed at a greater length in E.R. Foster, ‘Petitions and the Petition of Right’, *Journal of British Studies*, 14 (1974), 21-45, at 27-32.

<sup>16</sup> Parliamentary Archives, HL/PO/JO/10/3/178/1-8. See also D. Dean, *Law-Making and Society in Late Elizabethan England* (Cambridge, Cambridge University Press, 1996), ch. 5; I. Archer, ‘London Lobbies in the Later Sixteenth Century’, *Historical Journal*, 31 (1988), 17-44.

<sup>17</sup> A. Thrush, ‘Legislation and Petitions’ in A. Thrush and J.P. Ferris (eds.), *The History of Parliament: The House of Commons 1604-1629* (Cambridge, Cambridge University Press, 2010), <https://www.historyofparliamentonline.org/volume/1604-1629/survey/xi-legislation-and-petitions>

<sup>18</sup> J.S. Hart, *Justice Upon Petition: The House of Lords and the Reformation of Justice* (London, HarperCollins, 1991).

<sup>19</sup> Foster, ‘Petitions and the Petition of Right’. On the broader sharp rise in petitions from the Commons to the King, see Thrush, ‘Legislation’.

Finally, and perhaps most importantly, many thousands of people submitted petitions and supplications to their local magistrates in the late sixteenth and early seventeenth century. As noted above, some evidence of this survives for large cities from the late medieval period, but it is only under Queen Elizabeth that the practice can be documented for the rural parishes and small towns where most of the population lived. The papers of the county quarter sessions (a regular meeting of local magistrates that handled judicial and administrative matters) include increasing numbers of petitions about ‘bread-and-butter’ issues from the 1560s onwards.<sup>20</sup> The exact pattern varies from county to county, with much depending on the vagaries of archival attrition, but they were undoubtedly becoming more common. In the county of Essex, for example, quarter sessions records exist from the mid-1550s, but the first petitions do not appear until 1569. The numbers increased thereafter, with an average of thirty or forty extant per decade from the 1590s to the 1630s.<sup>21</sup> Moreover, much larger numbers of petitions survive in a few well-documented counties. In Staffordshire and Cheshire, although only a few dozen petitions survive from the late sixteenth century, each county has well over 1,000 from the period 1600 to 1640.<sup>22</sup> In Lancashire, nearly 700 survive for the 1630s alone.<sup>23</sup> Given that these three counties only had around 1,200 parishes and townships between them, this suggests that at least a few people from almost every rural community would have been involved in petitioning their local magistrates at some point in the early seventeenth century.

The nature of this local petitioning helps to explain its growth. The vast majority of the petitions were submitted by individuals or by particular parishes, and their aims were usually mundane, with many complaints against neighbours for disorderly behaviour or appeals for

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<sup>20</sup> Some analysis that follows is based on a sample of 2,236 petitions to the quarter sessions of twelve English counties, c.1560-1700, gathered as part of an ongoing project entitled ‘The Power of Petitioning’ (hereafter ‘TPOP data’). Further details can be found on the project website: <<https://petitioning.history.ac.uk>>.

<sup>21</sup> These estimates are based on catalogue data and archival sampling from Essex Record Office, Q/SR and Q/SBa.

<sup>22</sup> Decadal samples from Staffordshire Record Office, Q/SR; Cheshire Archives and Local History, QJF.

<sup>23</sup> Catalogue data from Lancashire Archives, QSB. Very few sessions records survive for Lancashire before the late 1620s.

release from prisoners. However, a large and increasing proportion related directly to new national legislation. For example, the 1552 statute requiring every alehouse and tavern keeper to hold written approval from the magistrates led to hundreds of petitions from aspiring publicans for licences and counter-petitions from neighbours seeking to shut them down.<sup>24</sup> Similarly, a statute in 1588 made it mandatory to obtain permission before building a cottage on less than four acres of land, which spurred many written requests from labouring families who could not afford a more substantial farm.<sup>25</sup> Perhaps most importantly, a series of new laws in the late sixteenth century required every parish in England to support their neediest residents through local rates. As a result, the county magistrates received huge streams of petitions from paupers complaining that their parishes were not relieving them and from villages seeking to avoid this obligation by sending paupers to their ‘home’ parishes.<sup>26</sup> Preliminary analysis suggests that about half of all requests submitted to the quarter sessions in this period related directly to new legislation.<sup>27</sup> More generally, the broader intensification of local governance and the spread of literacy among wealthier villagers almost certainly contributed to the rising tide of petitions presented at county courts in the early seventeenth century.<sup>28</sup> Thus, the massive expansion in local petitioning was directly linked to the wider process of state formation

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<sup>24</sup> M. Hailwood, *Alehouses and Good Fellowship in Early Modern England* (Woodbridge, Boydell & Brewer, 2014), pp. 29-58, 90-94.

<sup>25</sup> D. Tankard, ‘The Regulation of Cottage Building in Seventeenth-Century Sussex’, *Agricultural History Review*, 59 (2011), 18-35.

<sup>26</sup> S. Hindle, *On the Parish? The Micro-Politics of Poor Relief in Rural England, c.1550-1750* (Oxford, Clarendon, 2004), ch. 6; J. Healey, *The First Century of Welfare: Poverty and Poor Relief in Lancashire, 1620-1730* (Woodbridge, Boydell & Brewer, 2014).

<sup>27</sup> In a multi-county sample covering c.1560-1640, at least 45 percent concerned alehouses, cottages, servant and apprenticeship regulation, military pensions, paternal maintenance, or poor relief, and a further 6 percent related to officeholding or local rates. The remainder were almost entirely for pardon or prosecution of criminal offences. TPOP data. The distribution of petitions across different categories is discussed further in B. Waddell, ‘Shaping the State from Below: The Rise of Local Petitioning in Early Modern England’ and S. Howard, ‘The Local Power of Petitioning: Petitions to Cheshire Quarter Sessions in Context, c. 1570-1800’, both in Waddell and Peacey, (eds), *Power of Petitioning*.

<sup>28</sup> In addition, this period also witnessed the emergence of new urban ‘corporations’ as the monarch granted charters to many towns giving them more formal authority over local matters and creating new targets for ordinary people to send petitions for redress: P. Withington, *Politics of Commonwealth* (Cambridge, Cambridge University Press, 2005), ch. 2.



studied by so many scholars in recent decades.<sup>29</sup> As more aspects of life came under the purview of state regulation, so more people used petitioning to deal with the problems they faced in these areas.

At both the national and the local level, then, the practice of petitioning was spreading. The number of petitions received by the Crown was seemingly growing and the number received by Parliament reached new heights in the 1620s, while at the same time the volume handled by county authorities expanded dramatically. With very few exceptions, these petitions were ‘unrevolutionary’ in their aims and rhetoric, yet the practice of sending these written requests about ordinary social and economic concerns enabled vast numbers of people to engage with the state in new ways. People with no formal role in governance, including paupers, cottagers, and alehouse-keepers, began to seek out support among their neighbours in order to legitimate their claims and complaints. Although many petitions were unsigned, a substantial minority were supported by subscriptions from ten, twenty, or even fifty individuals. In 1615, for example, a Hertfordshire labourer named Robert Portris requested a pension from the county for his military service in the Low Countries and Portugal. His petition was typically deferential, but it was also implicitly justified by the Elizabethan statute ordering publicly funded relief for maimed soldiers and explicitly supported by the twenty-three signatures and marks of his neighbours in Flamstead.<sup>30</sup> The growing prevalence of petitioning also encouraged the emergence of ‘brokers’ such as scribes, agents, and local officeholders who became thoroughly adept at guiding the process and ever-more comfortable with facilitating this form of dialogue between ordinary people and the state authorities.<sup>31</sup> Under the

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<sup>29</sup> Recently summarised in T. Stretton, ‘The People and the Law’ in K. Wrightson (ed.), *A Social History of England, 1500-1750* (Cambridge, Cambridge University Press, 2017), pp. 199-220.

<sup>30</sup> Hertfordshire Archives and Local Studies (hereafter HALS), HAT/SR/27/73.

<sup>31</sup> Though focused primarily on the post-1660 period, the best study of these intermediaries is F. Dabhoiwala, ‘Writing Petitions in Early Modern England’, in M.J. Braddick and J. Innes (eds), *Suffering and Happiness in England 1550-1850: Narratives and Representations: A collection to honour Paul Slack* (Oxford, Oxford University Press, 2017), pp. 127-48. For the role of scribes during and after the 1640s, see L. Bowen, ‘Genre, Authorship and Authenticity in the Petitions of Civil War Veterans and Widows from North Wales and the

early Stuarts, the petition became a widely available tool, one which was perhaps comparable to a petty lawsuit and was much more common than other forms of political engagement such as parliamentary voting or street protests.

By 1640, a substantial proportion of ordinary people had experience as petitioners, whether as instigators or merely as signatories, and practically every community would have had someone familiar with the process and conventions of composing and submitting a formal request. Thanks to this shift, it was easier for activists and ideologues to launch overtly political petitioning campaigns in the decades that followed. However, it also meant that the radical and occasionally revolutionary petitioning of the mid-seventeenth century was only a small part of a much wider petitioning culture.

### **Petitioning during the Civil Wars and Interregnum (1640-1660)**

Research on petitioning in the 1640s and 1650s has tended to focus on the large scale, public petitioning campaigns of those decades. These petitions, which were intended to intervene in the political process and which brought a new range of people into the political arena, have rightly been highlighted by historians as an important moment in the history of public engagement.<sup>32</sup> The importance of print has also featured in much discussion on the role of petitioning in the Civil Wars.<sup>33</sup> Until very recently, scholars have devoted much less attention to the manuscript petitions of the period: those from soldiers wounded in the fighting, from war widows who needed pensions, and from dispossessed Royalists seeking the return of their lands. These petitions are important for a full understanding of the role of petitioning during

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Marches' and H. Worthen, 'The Process and Practice of Petitioning in Early Modern England', both in Waddell and Peacey (eds), *The Power of Petitioning*.

<sup>32</sup> D. Zaret, 'Petitions and the "Invention" of Public Opinion in the English Revolution', *American Journal of Sociology*, 101 (1996), 1497-1555; Zaret, *Origins*; A.M. McIntee, '"The [Un]civill-sisterhood of Oranges and Lemons": Female Petitioners and Demonstrators, 1642-53', *Prose Studies*, 14 (1991), 92-111; P. Higgins, 'The Reactions of Women, with Special Reference to Women Petitioners', in B.S. Manning (ed.), *Politics, religion and the English Civil War* (London, Edward Arnold, 1973), pp. 179-224; A.J. Whiting, *Women and Petitioning in the Seventeenth-Century English Revolution: Deference, Difference, and Dissent* (Turnhout, Brepols, 2015).

<sup>33</sup> Hirst, 'Making Contact', 45-7; J. Peacey, *Print and Public Politics in the English Revolution* (Cambridge, Cambridge University Press, 2013), Chapter 8.

the Civil Wars, as well as for our understanding of petitioning in the early modern period more generally.<sup>34</sup> Therefore, this section will consider how much ‘unrevolutionary’ petitioning culture changed during this period of revolution.

These wars, which by their nature caused disruption, poverty, death, and disease for military and civilians alike, undoubtedly created more grievances among ordinary people, which may in turn have stimulated more petitions.<sup>35</sup> The death rates during the Civil Wars were higher than during any war in England, Ireland and Scotland before or since: Ian Gentles estimates that 7% of the population died as a result of battle and disease spread by armies across the three kingdoms.<sup>36</sup> It is notable that the number of petitions of all sorts to the quarter sessions of Kent, Hertfordshire, and Cheshire seems to have peaked in this period, with at least 175 submitted to the Cheshire magistrates in 1648 alone.<sup>37</sup> The significant upturn in petitions for military welfare and pensions during and after the wars from Parliamentary soldiers and widows during the 1640s and 1650s, and then Royalists after 1660, certainly suggests that the events of the Civil Wars may have resulted in a greater volume of requests being submitted to local government.<sup>38</sup> In Kent, only one petitioner received a military pension before 1646 but after this date they became a regular feature in the county records and remained so until the mid-1650s (Figure 6.1). Then, after the Restoration in 1660 came an enormous spike in royalist petitions for pensions, all based on hardships due to the wars and their aftermath. Thus, in Kent

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<sup>34</sup> This can be seen in the publications emerging from the project ‘Conflict, Welfare and Memory during and after the English Civil Wars, 1642-1710’, led by Andrew Hopper ([www.civilwarpetitions.ac.uk](http://www.civilwarpetitions.ac.uk)), some of which are cited below.

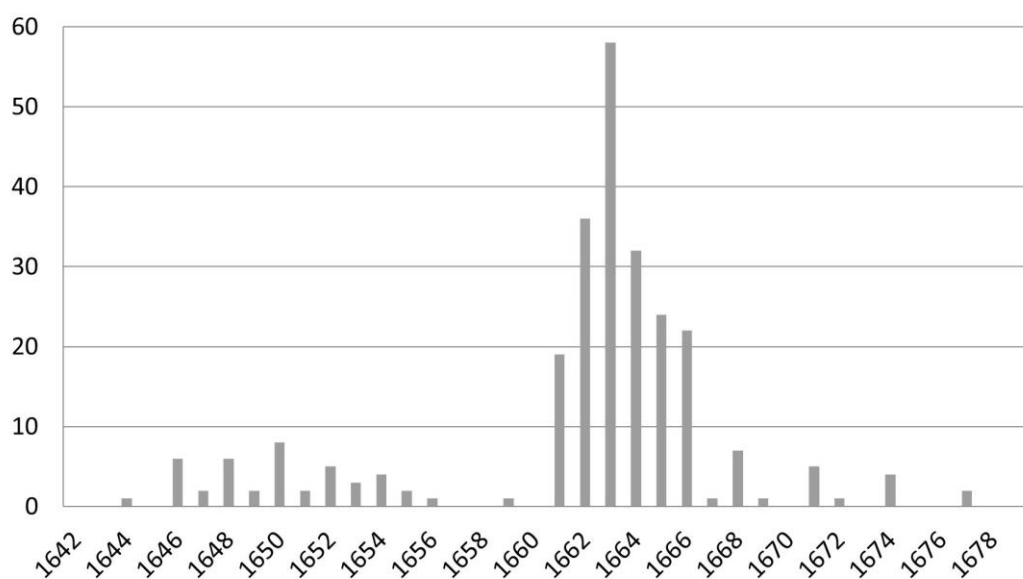
<sup>35</sup> B. Donagan, *War in England, 1642-1649* (New York, Oxford University Press, 2008), p. 11; M. Bennett, *The Civil Wars Experienced: Britain and Ireland, 1638-1661* (New York, Routledge, 2000); C. Carlton, *Going to the Wars: The Experience of the English Civil Wars* (London, Routledge, 1992).

<sup>36</sup> I. Gentles, *The English revolution and the wars in the three kingdoms, 1638-1652* (Harlow, Longman, 2007), p. 434.

<sup>37</sup> Howard, ‘The Local Power of Petitioning’.

<sup>38</sup> D. Appleby, ‘Unnecessary persons? Maimed Soldiers and War Widows in Essex, 1642-62’, *Essex Archaeology and History*, 32 (2001), 209-221; G. Hudson, ‘Arguing Disability: Ex-servicemen’s Own Stories in Early Modern England, 1590-1790’, in R. Bivins and J.V. Pickstone (eds.), *Medicine, Madness, and Social History: Essays in honour of Roy Porter* (Basingstoke, Palgrave Macmillan, 2007), pp. 104-117; H. Worthen, ‘The Administration of Military Welfare in Kent, 1642-79’, in D.J. Appleby and A. Hopper (eds.), *Battle-Scarred: Mortality, Medical Care, and Military Welfare in the British Civil Wars* (Manchester, Manchester University Press, 2018), pp. 174-91; Ismini Pells chapter in this volume.

and elsewhere, it is easy to find petitioners presenting their supplications to the quarter sessions as a direct consequence of the Civil Wars.<sup>39</sup>



**Figure 6.1: Pensions awarded in Kent quarter sessions, 1642-1679**

Source: Kent History and Library Centre (KHLCC), QS Order Books 1642-1679 (Q/SO/E1-2, W1-3) and QS Sessions Rolls 1642-1679 (Q/SB/1-11).

The proliferation of ‘unrevolutionary’ petitioning, stimulated by the disruption and dislocation of war time, can also be seen at a national level. There was an explosion of parliamentary petitions in the 1640s and 1650s. For example, over its first two weeks in session in April 1640, the House of Commons dealt with at least eight petitions about elections, seven ‘against Grievances’, and five about various other matters.<sup>40</sup> The violent constitutional shifts of these decades make tracking petitions to the head of state difficult, but it seems that Oliver Cromwell as Lord Protector ‘tried to maintain a high level of responsiveness’ to supplicants during England’s decade as a Republic.<sup>41</sup> Discontented war widows and maimed soldiers, generally of a higher status than those petitioning at the quarter sessions, also submitted their

<sup>39</sup> The proportion seeking military pensions in the multi-county sample increased from around 2 percent in c.1570-1640 to around 12 percent in c.1640-1700: TPOP data.

<sup>40</sup> *Journal of the House of Commons: Volume 2, 1640-1643* (London, His Majesty’s Stationery Office 1802), *British History Online*, accessed July 3, 2019, <http://www.british-history.ac.uk/commons-jrnl/vol2>.

<sup>41</sup> Hirst, ‘Making Contact’, 34.

petitions to Parliament before and after the Restoration in the hope of financial relief and recognition of their losses.<sup>42</sup> The Interregnum period, with its explosion of parliamentary committees, provided yet more avenues for the submission of petitions prompted by everyday concerns.<sup>43</sup> For example, the mass of work that the Committee for Compounding undertook, while managing the confiscation of Royalist estates, means that hundreds of petitions from former supporters of the king requesting the return of their lands can be found in the Committee's records.<sup>44</sup> During this period printed pamphlets circulated in London publicising the dates and times of Committee meetings so that people would be better able to access Parliament and present their grievances.<sup>45</sup> Thus, the rise of government bodies that validated petitioning as a method of lobbying, and indeed may have used it as a method of confirming their own authority, likely contributed to the rise in the practice of petitioning.

Despite this, the disruptions of war could also prove to be a barrier to any sudden increase in petitioning practices. John Morrill found that 'few quarter sessions were held in any of the counties under [Parliament's] total control'.<sup>46</sup> Even in counties where sessions continued, such as Kent and Sussex, physically travelling to the location of the meeting in order to present a petition could prove impossible in war time. For example, former soldiers John Phillips and John King, from West Sussex and Kent respectively, complained that the cost of travelling to their county's quarter sessions to petition and receive their pensions was as much as the value of the pension itself.<sup>47</sup> Moreover, the multiplying of parliamentary committees did not necessarily mean the act of petitioning became easier. Petitioners could wait outside the doors

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<sup>42</sup> A. Hopper, "'To Condole with Me on the Commonwealth's loss': The Widows and Orphans of Parliament's Military Commanders", in Hopper and Appleby (eds), *Battle Scarred*, pp. 192-210.

<sup>43</sup> G. Aylmer, *The State's Servants: The Civil Service of the English Republic, 1649-1660* (London, Routledge and Kegan Paul, 1973).

<sup>44</sup> M.A.E. Green (ed.), *Calendar of the Proceedings of the Committee for Compounding with Delinquents, 1643-1660* (London, Her Majesty's Stationery Office, 1889-93).

<sup>45</sup> Peacey, *Print and Public Politics*, pp. 188-190.

<sup>46</sup> J.S. Morrill, *Revolt in the Provinces: The People of England and the Tragedies of War, 1634-1648* (London, Longman, 1999), pp. 116-117.

<sup>47</sup> Petition of John Phillips, October 1650, West Sussex Record Office (WSRO), Q/R/W69, f. 1r; Petition of John King, [1656], KHLIC, Q/SB/6/67.

to committees and still not get a hearing for their grievance.<sup>48</sup> As in the case of Elizabeth, Duchess of Hamilton, petitioners might have to submit multiple petitions, or even resort to a printed petition, before their requests could be heard.<sup>49</sup> Like other petitioners, the Duchess of Hamilton found herself waiting outside the doors of the committee to present her grievance.<sup>50</sup> Women in particular may have found it especially difficult to access Parliament, with female petitioners to the Commons being barred from entering and told to ‘looke after your own businesse, and meddle with your huswifery’.<sup>51</sup> Thus, in some ways the Civil Wars stimulated the production of petitions, and created legitimate avenues for them to be submitted, but this did not necessarily mean a huge change in petitioning culture. Barriers, such as travelling across war-torn countryside to submit a petition, or the closed doors of a committee, continued to exist.

It is also easy to find continuity rather than abrupt change in local records for this period. During the mid-seventeenth century the petitioning practices discussed throughout this chapter, such as petitioning for poor relief, continued. Quarter sessions records often only reflect the effect of the Civil Wars ‘incidentally’ as the regular concerns of daily life, and the long-established reasons to petition, remained unchanged.<sup>52</sup> People presented petitions during these turbulent years in the same ways, and for broadly the same reasons, as they would have done in any other era.<sup>53</sup> Similarly, the language of poverty and humility can be found in

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<sup>48</sup> D. Dean, ‘Public Space, Private Affairs: Committees, Petitions, and Lobbies in the Early Modern English Parliament’, in J. Peacey and C. Kyle (eds), *Parliament at Work: Parliamentary Committees, Political Power, and Public Access in Early Modern England* (Rochester, N.Y., Boydell, 2002), pp. 169-178.

<sup>49</sup> Elizabeth Hamilton, *The Humble Petition of Elizabeth Duchess (Dowager) of Hamilton* ([London], 1651); Petition of Elizabeth Hamilton, 21 July 1653, The National Archives (TNA), SP 19/12, p. 399; Peacey, *Print and Public Politics*, p. 282.

<sup>50</sup> J. Peacey, ‘Parliament, Printed Petitions, and the Political Imaginary in Seventeenth-century England’, *Parliaments, Estates, and Representation*, 38 (2018), 350-363.

<sup>51</sup> R. Ibbison, *Perfect occurrences of every dayes journall in Parliament...From Friday April the 20 to Friday April 27 1649* (London, 1649), p. 998. For further discussion of female petitioning and the hostile responses it engendered, see Whiting, *Women and Petitioning*.

<sup>52</sup> B. C. Redwood, ‘Introduction’, in B. C. Redwood, (ed.) *Quarter Sessions Order Book, 1642-1649* (Lewes, Sussex Record Society, 1954), p. xxi.

<sup>53</sup> See, for example, Petition to erect a house on the waste, April 1654, East Sussex Record Office (ESRO), QR/103; Petition for an ale house license, January 1650, ESRO QR/86.

petitions submitted during the Civil Wars, just as it can be found in petitions submitted before and after. From aristocratic Royalist widows to poor Parliamentary soldiers, describing oneself as starving, and in desperate need of aid was a useful tactic and one that drew on pre-existing petitioning culture.<sup>54</sup> Furthermore, despite the remarkable uptake in the use of printed petitions, the form remained rooted in its scribal origins, with even some of the most radical petitions retaining standard forms of address and exhortation.<sup>55</sup>

Nevertheless, aside from the well-documented rise in radical printed petitioning, there was something else that the Civil War contributed to the language of more ordinary ‘unrevolutionary’ petitioning: the language of allegiance. Ann Hughes has found that the Parliamentary committees’ ‘whole rationale’ was ‘to make it necessary for petitioners (and where possible defendants) to present themselves as loyal servants of a parliamentarian “public interest”’.<sup>56</sup> As a result, ‘particular individual and local experiences were framed by more general, national constructions’.<sup>57</sup> We can see this in the petitions submitted by those accused of Royalism to Parliament’s Committee for Compounding.<sup>58</sup> For example, Lucy Pope, Countess of Downe’s petition claimed that she had ‘never as yet given any aid or Assistance to the forces raised against the Parlyament’ but also that she had not in ‘any waies in her desires or Affections adheared thereunto’.<sup>59</sup> The many Royalist maimed soldiers who received pensions at the Restoration frequently presented petitions laced with language of loyalty and faithfulness

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<sup>54</sup> On the language of poverty in petitions: P. Sharpe, ‘Survival Strategies and Stories: Poor Widows and Widowers in Early Industrial England,’ in S. Cavallo and L. Warner (eds.), *Widowhood in Medieval and Early Modern Europe*, (New York, Longman, 1999), pp. 220-239; Hindle, *On the Parish?*, ch. 6; Healey, *The First Century of Welfare*; G. Dodd, ‘Writing Wrongs: The Drafting of Supplications to the Crown in Later Fourteenth-century England’, *Medium Aevum*, 80 (2011), 217-246; Flannigan, ‘Litigants’.

<sup>55</sup> Peacey, *Print and Public Politics*, Chapter 8.

<sup>56</sup> A. Hughes, ‘Parliamentary Tyranny?: Indemnity Proceedings and the Impact of the Civil War: A Case study from Warwickshire’, *Midland History*, 11 (1986), 49-68, at 69.

<sup>57</sup> A. Hughes, “‘The Accounts of the Kingdom’: Memory, Community, and the English Civil War’, *Past & Present*, 233 (2016), 311-29, at 328.

<sup>58</sup> R. Weil, ‘Thinking about Allegiance in the English Civil War’, *History Workshop Journal*, 61 (2006), 183-191; H. Worthen, ‘Supplicants and Guardians: The Petitions of Royalist Widows during the Civil Wars and Interregnum, 1642–1660’, *Women's History Review*, 26 (2017), 528-540.

<sup>59</sup> Petition of Lucy Pope, 3 September 1645, TNA, SP 20/11/23, f. 105r.

to the king. William Pledger, a Kentish former Royalist soldier, was described as having carried out ‘true and faithful service’ to the king in his petition.<sup>60</sup> ‘Faithful’ was a word used frequently in these petitions and probably reflected the authorities’ own preferred choice of language. When the Kent JPs handed out pensions, their order book formulaically named recipients as those who had been ‘active and faithful in the service of the Kings Majestie and of his Royall father’.<sup>61</sup> Furthermore, the Civil Wars, and the political divisions of the country, could appear in petitions that were not directly related to the wars. In 1646 the residents of the parish of Buckstead in Parliamentary-controlled Sussex petitioned the JPs at quarter sessions, claiming that a poor man named Thomas Puxtie, who had recently erected a cottage on the waste, was not only ‘idle lewd wicked and vngodly’ but also ‘liveing for the most part by dishonest and vnlawfull Courses’ having deserted his colours after enlisting a soldier.<sup>62</sup>

Thus, whilst the practice of petitioning may have remained relatively consistent, the language of petitioning at a local and national level changed to reflect the political discourse of the mid-seventeenth century. But, in many ways, this shift also demonstrates an essential continuity with the rest of the period: petitioning required the legitimacy of the state to be effective, and thus the language that supplicants used was necessarily shaped by national discourse. We see this during the Civil War period in a particularly dramatic fashion, when the language of allegiance and loyalty pervaded even the most mundane of petitions. Yet this change faithfully reflected the nature of petitioning in general in early modern England, for while petitions were documents that were submitted from below, their language was often shaped from above.

Looking more closely at the strategies and challenges of one well-documented petitioner shows how this period saw change, as well as a measure of continuity, in the ways

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<sup>60</sup> Certificate on behalf of William Pledger, April 1662, WSRO, Q/R/W103, f. 66r.

<sup>61</sup> For example: West Kent Quarter Sessions Order Book, September 1662, KHLC, Q/SO/W2, f. 83r.

<sup>62</sup> East Sussex Quarter Sessions Order Book, Jan 1646, ESRO, QR/70 f. 10r.



in which people presented their grievances to the state. Dame Margaret Rudstone was the wife of Sir Walter Rudstone, an east Yorkshire landowner with estates in Hayton. Sir Walter signed the Yorkshire Engagement, an agreement to stand security for a loan for the king, and all the Rudstone estates were subsequently confiscated by Parliament. He died early in 1651 whilst the case was still in progress with Parliament's sequestration committees in London and his wife immediately took the reins in attempting to regain the lands on behalf of their son Thomas. A rich collection of records at East Yorkshire Record Office reveals not just that Rudstone submitted numerous petitions, but also that she relied upon networks of local powerful men to draft them and lobby Parliament on her behalf. She corresponded directly with her lawyer, John Hall, to direct him about the manner in which he should pursue her case.<sup>63</sup> Hall's accounts reveal payments for the obtaining of witnesses, for transcribing their depositions, and for entering Rudstone's petitions to the Committee for Compounding.<sup>64</sup> Rudstone also corresponded with prominent local Royalist men who formed an advice network, wrote to Hall on her behalf and even drafted petitions for her.<sup>65</sup> For example, Lawrence Squibb filed petitions with the Compounding Committee for her and passed on his own advice about the content of the petitions in doing so.<sup>66</sup> Her petitions show the ways in which the language of allegiance pervaded petitions. In one draft petition, for example, Rudstone stated that she 'Confesseth that her deceased husband was a delinquent or assisting the late Kings p[ar]ty in the first warr'.<sup>67</sup> However, a second draft (possibly altered on Squibb's advice) removed the phrase

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<sup>63</sup> Letter from Margaret Rudstone to John Hall, 27 January 1651, East Riding of Yorkshire Record Office (ERYRO), DDCR/5/1/46.

<sup>64</sup> Notes of John Hall, 1651, ERYRO, DDCR/5/1/82; Pocket book of John Hall, 1651-1653, ERYRO, DDCR/5/1/83.

<sup>65</sup>For example: Letter from William Bernard, 7 January 1651, ERYRO, DDCR/5/1/42; Letter from Marmaduke Prickett, 25 January 1651, ERYRO, DDCR/5/1/44.

<sup>66</sup> Letters from Lawrence Squibb, 1651, ERYRO, DDCR/5/1/75, 76; Lawrence Squibb was the royalist brother to the parliamentarian Arthur Squibb who sat on the Committee for Compounding: Aylmer, *State's Servants*, p. 217.

<sup>67</sup> Petition of Dame Margaret Rudstone, [1651], EYRO DDCR/5/1/54.

‘was a delinquent’, thus making Rudstone’s declaration of her husband’s guilt slightly less forthright, and perhaps more politically prudent.<sup>68</sup>

The case of Dame Margaret Rudstone illustrates some of the ways in which the events of the Civil Wars created even more reasons to supplicate the State, but also reveals that these wars did not necessarily fundamentally change the nature of, or the barriers to, petitioning. To protect her son’s inheritance and her own jointure from Parliament, Rudstone used the medium of the petition to engage directly with the political sphere in Westminster. Her frequent letters, sent across the country between London and Yorkshire, demonstrate that she was an active participant in the petitioning process. The methods that she used to lobby Parliament were by no means novel: she engaged the services of lawyers and powerful friends to advise her on strategy, as well as to write out and physically present her petitions in the same way that people did throughout the seventeenth century. The events of the Civil Wars may have created the stimulus for Rudstone’s engagement with petitioning culture, but the means and method of her petitioning remained consistent. Furthermore, the Civil Wars had not removed all the barriers to petitioning. Petitioners, particularly women, still had to rely upon powerful friends, and a great deal of persistence, to have their cases heard.

It is impossible to separate petitioning culture from national events, the rise and fall of government bodies, and the changing nature of political ideas. Thus, the practice of petitioning in the Civil Wars should not be seen in isolation. It is useful to examine petitioning culture during the turbulent years of the mid-seventeenth century because here changes are visible in the most dramatic ways. But we should not allow this to blind us to the fact that the culture of petitioning, as well as its power to link ordinary people with the state, remained remarkably consistent with the rest of the century.

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<sup>68</sup> Petition of Dame Margaret Rudstone, [1651], EYRO DDCR/5/1/56.

### **Petitioning from 1660 to c.1750**

The immediate impact of the Restoration of the monarchy in 1660 on the practice and culture of petitioning was substantial, but, much like the collapse of royal authority in the early 1640s, its effects should not be exaggerated. New laws only affected a small minority of complaints, while institutional and ideological shifts more gradually changed patterns of ‘unrevolutionary’ petitioning.

In 1661, the newly elected royalist Parliament passed ‘An Act against Tumults and Disorders upon pretence of preparing or presenting publick Petitions or other Addresses to His Majesty or the Parliament’, which forbade gathering twenty or more signatures without official authorisation or physically presenting petitions in groups of ten or more people.<sup>69</sup> This statute focused on campaigns ‘for alteration of matters established by Law in Church or State’ and targeted the sort of mass oppositional petitioning that had flourished in the 1640s and 1650s. However, the 1661 law was not a complete novelty, as a Declaration issued by Parliament in 1648 had imposed similar restrictions, and enforcement of the new Act was inconsistent, especially from 1679 onwards.<sup>70</sup> Moreover, the vast bulk of petitioning on less controversial matters was untouched by the law, meaning that such petitions continued to be submitted on the same legal basis that had been in place for decades.

At the national level, the Restoration spurred a surge in personal petitions seeking the favour of the new king and Parliament. Many of these came from Royalists who claimed to have been loyal during the interregnum and who sought revenge

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<sup>69</sup> ‘Charles II, 1661: An Act against Tumults and Disorders upon p[re]tence of p[re]paring or p[re]senting publick Petic[i]ons or other Addresses to His Majesty or the Parliament’, in *Statutes of the Realm: Volume 5, 1628-80*, ed. John Raithby (s.l, 1819), p. 308. British History Online <http://www.british-history.ac.uk/statutes-realm/vol5/p308> [accessed 14 October 2019]. For the occasional use of this law, and the Riot Act of 1715, to regulate the presentation of petitions, see P.M. Loft, ‘Peers, Parliament, and Power under the Revolution Constitution, 1685-1720’, Ph. D. Thesis (UCL, 2015), pp. 271-78.

<sup>70</sup> ‘May 1648: Declaration against tumultuous Assemblies, under Pretence of preparing Petitions’, in *Acts and Ordinances of the Interregnum, 1642-1660*, ed. C.H. Firth and R.S. Rait (London, His Majesty’s Stationery Office, 1911), p. 1139. British History Online <http://www.british-history.ac.uk/no-series/acts-ordinances-interregnum/p1139> [accessed 14 October 2019]. For the return of mass petitioning from 1679, see M. Knights, ‘London’s “Monster” Petition of 1680’, *Historical Journal*, 36 (1993), 39-67.

against their ‘oppressors’ or material compensation for their suffering.<sup>71</sup> This was, however, just part of a broader wave of petitioning, similar to the waves which had been seen in the wake of previous royal accessions. Overall, according to an estimate by Brian Weiser, the new king probably received about 10,000 petitions from individuals in the 1660s, with only a fraction coming from steadfast Royalists.<sup>72</sup> Meanwhile, Parliament continued to receive petitions at a high rate, even if its role was less prominent under Charles II and James II than it had been in the 1640s or 1650s. In fact, after the Revolution of 1688, Parliament began to meet for regular annual sessions, and it again became powerful magnet for a diverse range of ‘interest groups’. Lobbying about potential legislation relating to trade, transport, and taxation became especially prevalent.<sup>73</sup> By the end of the seventeenth century, it was common for a hundred or more collective petitions to be submitted during each parliamentary session, peaking at close to 500 in the session of 1719-20.<sup>74</sup> The monarch received fewer direct petitions as Parliament took on more powers, though over thirty thick volumes of royal ‘petition entry books’ survive from 1688 to 1784.<sup>75</sup> Moreover, the proliferation of government departments, such as the Navy Office and Council of Trade, meant that the central authorities as a whole continued to receive innumerable supplications throughout this later period. Estimating the overall level of national petitioning in the late seventeenth and early eighteenth centuries would require much more

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<sup>71</sup> A. Button, ‘Royalist Women Petitioners in South-west England, 1655-62’, *The Seventeenth Century*, 15 (2000), 53-66; S. Beale, ‘War Widows and Revenge in Restoration England’, *The Seventeenth Century*, 33 (2018), 195-217; S. Beale, ‘“Unpittied by Any”? Royalist widows and the Crown, 1660-70’, *Historical Research*, 92 (2019), 737-53.

<sup>72</sup> B. Weiser, ‘Access and Petitioning during the Reign of Charles II’ in E. Cruickshanks (ed.), *The Stuart Courts* (Stroud, Sutton, 2000), pp. 203-13, at p. 207.

<sup>73</sup> P. Gauci, *Politics of Trade: The Overseas Merchant in State and Society, 1660-1720* (Oxford, Oxford University Press, 2001); J. Hoppit, *Britain’s Political Economies: Parliament and Economic Life, 1660-1800* (Cambridge, Cambridge University Press, 2017), p. 153.

<sup>74</sup> P. Loft, ‘Petitioning and Petitioners to the Westminster Parliament, 1660-1788’, *Parliamentary History*, 38 (2019), 342-61, at 346. See also J. Innes, ‘Legislation and Public Participation, 1760-1830’, in D. Lemmings, (ed.), *The British and their Laws in the Eighteenth Century* (Woodbridge, Boydell & Brewer, 2006), pp. 102-32, at p. 118.

<sup>75</sup> TNA, SP 44/235-266A.

methodical primary research, but it seems that a decline in some jurisdictions may have been more than offset by a rise in others.

A similar pattern can be found at the local level. Here too there was a rush of petitioning in the wake of the Restoration, especially from Royalists attempting to secure places or pensions from the county magistrates. As we have seen, this included huge numbers of royalist veterans and war widows who had been ignored by the previous regime, but who received a sympathetic hearing from benches of magistrates that had been purged of their most zealously parliamentary justices.<sup>76</sup> Over subsequent decades, the number of petitions handled at county quarter sessions declined in some places, perhaps due to the rise of poorly documented ‘petty sessions’ that dealt with many matters that had previously come under the purview of the whole county bench.<sup>77</sup> However, this was not a universal trend: the magistrates of Lancashire received hundreds of petitions about poor relief in every decade of the late seventeenth century.<sup>78</sup> Likewise, about 10,000 petitions to the London magistracy relating to poverty, taxation, and petty crime survive from the eighteenth century.<sup>79</sup> In fact, several new pieces of legislation led directly to new petitions. The many acts passed from 1701 onwards ‘for the relief of insolvent debtors’ gave imprisoned debtors the right to petition the quarter sessions for release.<sup>80</sup> Similarly, the Toleration Act of 1689 encouraged protestant dissenters to apply to the county magistrates for a licence designating a particular building as a legitimate place of worship.<sup>81</sup> The eighteenth century also witnessed the emergence of so-called ‘pauper letters’; these were less formal requests for aid which were submitted to parish authorities rather than to county

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<sup>76</sup> See figures for Kent above. See also Worthen, ‘Administration of Military Welfare’, p. 178.

<sup>77</sup> The declining number of surviving petitions in some county records is discussed in more detail in Waddell, ‘Shaping the State’ and Howard, ‘The Local Power of Petitioning’.

<sup>78</sup> Healey, *First Century*, p. 214.

<sup>79</sup> S. Howard, ‘London Lives Petitions Project’ <london.sharonhoward.org/lpp/>.

<sup>80</sup> See, for example, ‘Staffordshire Quarter Sessions: 1729’, in *Petitions to the Staffordshire Quarter Sessions, 1589-1799*, ed. B. Waddell, *British History Online* <<http://www.british-history.ac.uk/petitions/staffordshire/1729>> [accessed 4 November 2019].

<sup>81</sup> For example, ‘Staffordshire Quarter Sessions: 1769’, in *Petitions to the Staffordshire Quarter Sessions, 1589-1799*, ed. B. Waddell, *British History Online* <<http://www.british-history.ac.uk/petitions/staffordshire/1769>> [accessed 4 November 2019].

magistrates.<sup>82</sup> So it would be premature to suggest that ordinary people became less likely to submit written requests and complaints to their local authorities towards the end of the early modern period.

The rhetoric used in later Stuart petitions mixed old and new elements. Most requests from individuals, especially the thousands submitted to local officials, continued to emphasise the petitioner's deference and powerlessness. Some even offered explicit prayers for the health and salvation of the recipients, maintaining a religious component that might seem more suited to the fifteenth than the seventeenth century.<sup>83</sup> At the other end of the spectrum, some highly politicised petitions also circulated, despite the attempted restrictions imposed by the 1661 Act. For example, almost 16,000 Londoners signed an oppositional petition to Charles II to recall Parliament during the Exclusion Crisis of 1680.<sup>84</sup> Nine years later, during the Glorious Revolution, the Convention Parliament received a printed petition from 'the Widdows and Fatherless Children in the West of England' demanding vengeance against Judge Jeffreys who had presided over the execution of scores of men involved in the Duke of Monmouth's Rebellion.<sup>85</sup> However, such politically contentious mass petitions remained relatively rare in this period. Instead, most followed the conventions that had been established decades earlier, while occasionally drawing on new rhetorical tropes in order to make their cases. In particular, patriotic appeals to Englishness and denunciations of foreignness seem to feature more often in the many petitions about trade and manufacturing submitted in the later Stuart period.<sup>86</sup>

Institutional shifts in this period such as the rising importance of Parliament from 1689 and the growing use of petty sessions at the local level led to changing patterns of petitioning

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<sup>82</sup> T. Sokoll, *Essex Pauper Letters, 1731-1837* (Oxford, Oxford University Press, 2001); S. King, *Writing the Lives of the English Poor* (Montréal, McGill-Queen's University Press, 2019).

<sup>83</sup> B. Waddell, *God, Duty and Community in English Economic Life* (Woodbridge, Boydell & Brewer, 2012), pp. 68-9.

<sup>84</sup> Knights, 'London's "Monster" Petition'.

<sup>85</sup> L.G. Schwoerer, 'Women and the Glorious Revolution', *Albion*, 18 (1986), 195-218, at 200-1.

<sup>86</sup> Waddell, *God*, pp. 163-178.

across the late seventeenth and early eighteenth centuries. Yet, despite the prominence of the Restoration and the Glorious Revolution in political histories of this period, their impact on the culture of petitioning was less dramatic. A remarkable range of people continued to use petitioning to engage with the state in ways that developed only slowly amid these revolutionary events.

### **Long-term Trends and Continuities**

Over the course of the sixteenth, seventeenth and eighteenth centuries, petitioning practices were far from stable. The most well-known change was the outpouring of politically contentious mass petitioning in the mid-seventeenth century, but this ‘revolutionary’ shift should not be seen in isolation. It was only one of several important changes in the period and its visibility in print also obscures a strong element of stability in the wider culture of petitioning. There were genuine continuities in concept, form, rhetoric, and often motive, even during the crisis of the mid-seventeenth century and its aftermath.

Some trends in the prevalence of local petitioning are unmistakable, despite jurisdictional shifts and archival gaps. As noted above, petitions to Parliament and to local magistrates became increasingly common by the early seventeenth century, and petitions to the Crown also probably grew more frequent. In the 1640s, the numbers rose still further, accompanying a wider wave of popular political engagement and a proliferation of new political bodies to which one could appeal. The Restoration in 1660 spurred an immediate wave of royalist petitioning at national and local levels, while the Glorious Revolution led to the normalisation of petitions to Parliament on a wide variety of subjects.

Changes in quantity were accompanied by changes in quality. The most well-known aspect was the increasing ‘politicisation’ of petitioning in the early modern period, a trend that has received much scholarly attention. Medieval petitions could be sharply political on

occasion and the Tudor authorities certainly regarded some as deeply subversive.<sup>87</sup> Nonetheless, many scholars have rightly argued that the number and scale of petitions that explicitly addressed questions of church and state grew exponentially in the 1640s and recurred frequently thereafter, such as during the Exclusion Crisis of 1678-81.<sup>88</sup> Such petitions were much more likely to use contentious, partisan rhetoric, in sharp contrast to their Tudor and early Stuart precursors. As shown above, this language sometimes infused local ‘bread-and-butter’ petitions too, especially those of veterans and war widows whose appeals drew on increasingly contested vocabularies of allegiance. In many cases, however, this shift towards the use of more overtly partisan language seems have been less about the ideological motives of the petitioners and more of an attempt to match the shifting expectations of the authorities.

Mass petitions to national authorities also became more common. Subscription lists numbering in the hundreds were almost unknown before the 1640s, but thereafter they became a recurrent feature of petitions and addresses. This meant that many more people were able to directly participate in the process of engaging with Crown or Parliament, even if that often only entailed adding their mark to an already long list of names. The simultaneous shift to the printing of petitions was another major change, though one that was perhaps less abrupt is than sometimes implied.<sup>89</sup> In a large corpus of more than 60,000 printed texts, the use of the word ‘petition’ was relatively uncommon before 1640. There were, however, a few years when it appears to have been used significantly more often, most noticeably in 1537-8, 1570, 1588 and 1626 (Figure 6.2). As we might expect, there was an extraordinary peak in the use of this term in print in the 1640s and 1650s, with smaller peaks around the time of the Exclusion Crisis of

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<sup>87</sup> Dodd’s chapter in this volume; Hoyle, ‘Petitioning and Popular Politics’.

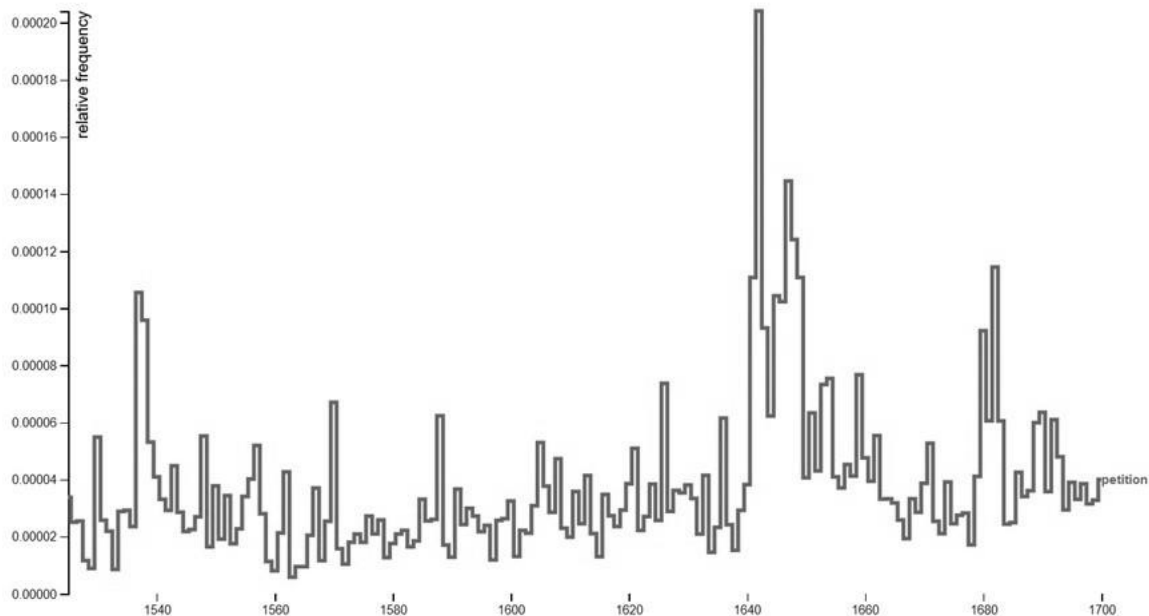
<sup>88</sup> Summarised in M. Knights, ‘Participation and Representation before Democracy: Petitions and Addresses in Pre-modern Britain’, in I. Shapiro, S.C. Stokes, E.J. Wood, and A. Kirschner (eds) *Political Representation* (Cambridge, Cambridge University Press, 2009), pp. 35-58.

<sup>89</sup> For the ambiguities of printed parliamentary petitions, see Peacey, *Print and Public Politics*, ch. 8. For pre-1640 examples, see D. Coast, ‘Speaking for the People in Early Modern England’, *Past & Present*, 244 (2019), 51-88.



1678-81. So, just as some petitions began attracting extremely long lists of subscribers, so too did some petitions reach much wider audiences with the help of the printing press.

**Figure 6.2: Relative word frequency of ‘petition’ in the Early English Books Online TCP corpus**



Note: Visualised using the Early Print Lab N-Gram Browser, created by Anupam Basu and Stephen Pentecost <<http://earlyprint.wustl.edu/url/1674041122>>.

These many changes in the culture of petitioning, both gradual trends and sudden shifts, unfolded alongside very evident long-term continuities. For example, while requests about new issues such as statutory poor relief or national ecclesiastical policy became common, huge numbers of petitions continued to pursue very ‘traditional’ aims such as redress for victims of unpunished misbehaviour, mercy for those facing punishment, or favour for aspiring officeholders. Similarly, although some new authorities received growing numbers of requests, England’s monarchs remained one of the preeminent targets for petitioners thanks to their wide jurisdiction and unmatched visibility. Many of George I’s subjects supplicated for royal favour in the eighteenth century just as their predecessors had done for centuries before them.

Another notable continuity in petitioning is its typical form and tone. Many variants can be found in every era and occasionally scribal conventions shifted significantly and yet a

degree of standardisation ensured that many later petitions followed almost precisely the same structure as their much earlier counterparts. In the papers of the Hertfordshire magistrates, for instance, one finds documents from both the 1590s and the 1790s that use nearly matching phrases to introduce ‘the humble petition’, to address it to ‘the right worshipful justices of the peace’, to ‘humbly sheweth’ the grievance, and to conclude with an offer to ‘daily pray’ for the health and prosperity of the recipients.<sup>90</sup> Similarly, a highly deferential tone, though never quite universal, was also almost always used throughout this period, even in the turbulent decades of the mid-seventeenth century. A typical petitioner was one who was ‘humble’ and who ‘beseeched’ his or her superiors for redress, but who ultimately deferred to their ‘grave wisdom’ for judgement. Even after the breakdown of censorship and the rise of radical public protest in the 1640s, the vast majority of petitions followed rules that had been established long before.

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The expanding scale and deepening social reach of petitioning in early modern England left a strong imprint on the historical record. This is not entirely surprising given the other historical trends in this period and the fact that, as historians, we are always alert to signs of change, especially when those changes seem to be tending in the direction of ‘modern’ outlooks and behaviours. Thus, it is crucial to note that the overwhelming bulk of these growing waves of petitions were ‘unrevolutionary’ in purpose and tone.

There is still much work to be done in exploring the complex and reciprocal relationship between local and national, manuscript and print, ordinary and ‘political’ petitioning. We also need to know more about the actual process of composition, including the involvement of clerks, lawyers and other advisors. This preliminary survey of the culture and practice of petitioning in early modern England thus poses questions for further research as well as

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<sup>90</sup> HALS, HAT/SR/4/97; HALS, QSR 47/1796/122.

offering some possible answers. Nevertheless, we have highlighted some of the diverse ways that changing state structures could influence the quantity, form, and language of petitioning. At the very least, this chapter has demonstrated that if we want to understand the well-known moments of spectacular political crisis and popular mobilisation during these years, we cannot ignore the vast ocean of ‘unrevolutionary’ petitioning.