PETITIONS ABOVE PARTY:
REPRESENTATION AND CONGRESSIONAL PETITIONING 1789-1950

DANIEL CARPENTER
MAGGIE BLACKHAWK

Political theory has long recognized the centrality of parties to representative democracy, even going so far as to claim that "parties created democracy" and to call "modern democracy unthinkable save in terms of the parties" (Schattschneider, 1942; Rosenblum 2008). Given this apparent centrality, the empirical study of political parties has birthed its own subfield in political science and has inspired a vast literature on the role of political parties in democracy. The investigation of representation as a phenomenon related to but distinct from partisan democracy has, however, has been underdeveloped in the literature (Pitkin, 1967).

One exception is found in the work of Nadia Urbinati who, in exploring the relationship between representation and partisanship, identified, that "representative democracy is an original form of government that is not identical with electoral democracy" (Urbinati, 2006). Rather, in a representative democracy, we expect the ability to judge representatives not only at the end of their electoral mandate, but throughout the electoral term. In this way, representation is not simply an idea to be collapsed into the process of electoral accountability, but is a "political process" in its own right and one that "transforms and expands" politics, as well as being essential to a democracy. Drawing upon the work of Benjamin Constant, Urbinati builds on the helpful distinction between "representation of people's opinion (the will regularly expressed in elections)" and "representation in the durée" ("those changes in public opinion that might [occur] between one election and the next"). Both petitioning and partisan politics offer a means to represent changes in the public opinion that might occur between elections or in the durée. It bears further note that, in a context of a non-universal franchise, beyond capturing opinion between elections, representation in the durée might also offer a means to represent the unenfranchised and those excluded entirely from electoral representation.

According to Urbinati, the heart of representation in the durée is formed by political institutions that offer three different functions in terms of representation: First, they foster deliberation among the public beyond electoral deliberation (see also Woodly 2008, 2021). Second, they ensure the *representivity* or adherence of the representative to her constituency through the alignment of ideology and other forms of relationship. Lastly, they afford the public a means for

advocacy to further ensure representative accountability (Urbinati, 2006). In allowing the public to render judgment of elected leaders, their policies, and their process beyond the point of election, these institutions essentially serve as "a substitute for revolution." One of the paradigmatic representative institutions in the United States to serve as a site of deliberation and as a means to ensure representativeness is, no doubt, that of the political party—the function of which "is above all that of 'integrating the multitude' by unifying people's ideas and interests" into matters that are general and of national interest.

Far less attention has been paid to other institutions of representation that foster a form of representation in terms of advocacy—most notably, the petition—and to how political parties have operated within the broader landscape of representative institutions operating within the durée. In the United States, petitions served from the Founding period onwards as a vital mode of representation through advocacy (Carpenter and Moore 2014, McKinley 2016, McKinley 2018, Blackhawk 2020, Blackhawk et al. (2021), Carpenter 2021), and a mode of representation that operated wholly within the durée, including the notable feature that they allowed representative advocacy especially but not only for populations that were not enfranchised. Despite a growing literature on this political institution in the United States, little has been written about how petitioning practice co-evolved with partisan political shifts—and, thus, how these two distinctive forms of representation interacted over time.

This chapter aims to highlight the distinctiveness of American petitioning histories from that of political parties and begin to fill this gap by drawing upon an original database of all petitions submitted to the U.S. Congress from the Founding until 1950 (Blackhawk et al 2021). In documenting over 500,000 petitions submitted to the U.S. Congress during this period, the Congressional Petitions Database ("CPD") reveals a prodigious and vital political institution and form of representation that operated within Congress for the first century and a half following the creation of the American Congress and the federal government. But, importantly, petitioning offered a form of representation centered on advocacy—a form that stood in contrast to the function of political parties, which centered on fostering deliberation and in ensuring the continued representativeness of elected officials between elections.

The CPD offers the rare view of advocacy in the aggregate and the even more rare view of the responsiveness of formal branches of government to that advocacy. It aggregates this responsiveness by tracking the number of "introductions"—or a formal step by a member of Congress to bring a petition to the floor of a chamber of Congress, thereby entering it into the

formal record—of petitions over time. Over the course of roughly sixteen decades (1789 to 1949), the volume of petitions introduced to Congress experienced a number of peaks—most notably once in the antebellum era and another in the late nineteenth century—before declining steadily in the early twentieth century. Then, in the years following World War II, the vestiges of the petition system in Congress were effectively dismantled by a series of federal laws and the number of petitions declined to near zero levels (McKinley 2018). An important question, yet unanswered in the literatures on American politics and history, is whether these aggregate currents of advocacy and responsiveness by Congress corresponded in any detectable way to party system transformations and representation offered by parties.

Our examination of temporal patterns suggests that petitioning advocacy and representation followed rhythms quite different from partisan institutional evolution in American national politics. While we do not claim full independence of petitioning representation and partisan representation, the discordance between these histories, both before and after the Civil War, suggests that petitioning followed energies that were both non-partisan and occasionally anti-partisan, as petitioners attempted to leverage advocacy to improve representation between elections and to place on the agenda important issues that the parties had ignored (Carpenter 2023). However, despite the importance of petitioning to representation within the United States and the growth of the political parties over the long nineteenth century, the peaks and valleys in the volume of petitions do not appear to bear a relationship to major shifts in party during the same historical period. Although these related institutions share commonalities in that they both reinforce representation between elections, they seemingly reinforce representation distinctively or are, at the very least, drawn on at different times by the populations that rely on those institutions.

The lack of an apparent relationship between petitions and party stands in stark contrast to the deep enmeshment and volatility seen between parties and other institutions of representation, like the electoral process. We show, in contrast, there does not appear to have been a period where the party in power or the party system reigning at the time resulted in significant transformations–a broadening or narrowing–of petitioning practice. While it is well known that the Whig Party experienced some of its originary growth in early anti-Jackson petitioning campaigns (Holt 1998, Carpenter and Schneer 2015, Carpenter 2021), these petitioning campaigns predated the party and did not depend upon electoral organization. Even the height of antebellum petitioning in response to the "Gag Rule" in U.S. House focused more substantively on the battle over slavery than the regnant issue cleavages of the Second Party System (Carpenter and Moore 2014, Carpenter 2021).

This chapter will show that petitions served a vital—and independent—function of representation within the Congress seemingly above party for over a hundred years.

Contours of Representation by Petition

Our research efforts, in collaboration with other scholars (Blackhawk et al 2021; Carpenter et al 2018; Carpenter and Moore 2014), have produced several large databases of petitions sent to the U.S. Congress. Figure 1 reports the total number of petitions introduced to Congress over the course of American history from 1789 to roughly 1950, where the aggregates are divided by population. After a slight decline, there is a steady rise from 1800 to roughly 1850, with important mass peaks in the 25th Congress (1837-1839) and the 30th Congress (1847-1849). In the run-up to the Civil War, aggregate petitioning declines but then remains at about one to one and a half petitions introduced to the House per 10,000 residents from the Reconstruction period to the First World War. Petitions to the Senate add roughly another half petition per 10,000 American residents.

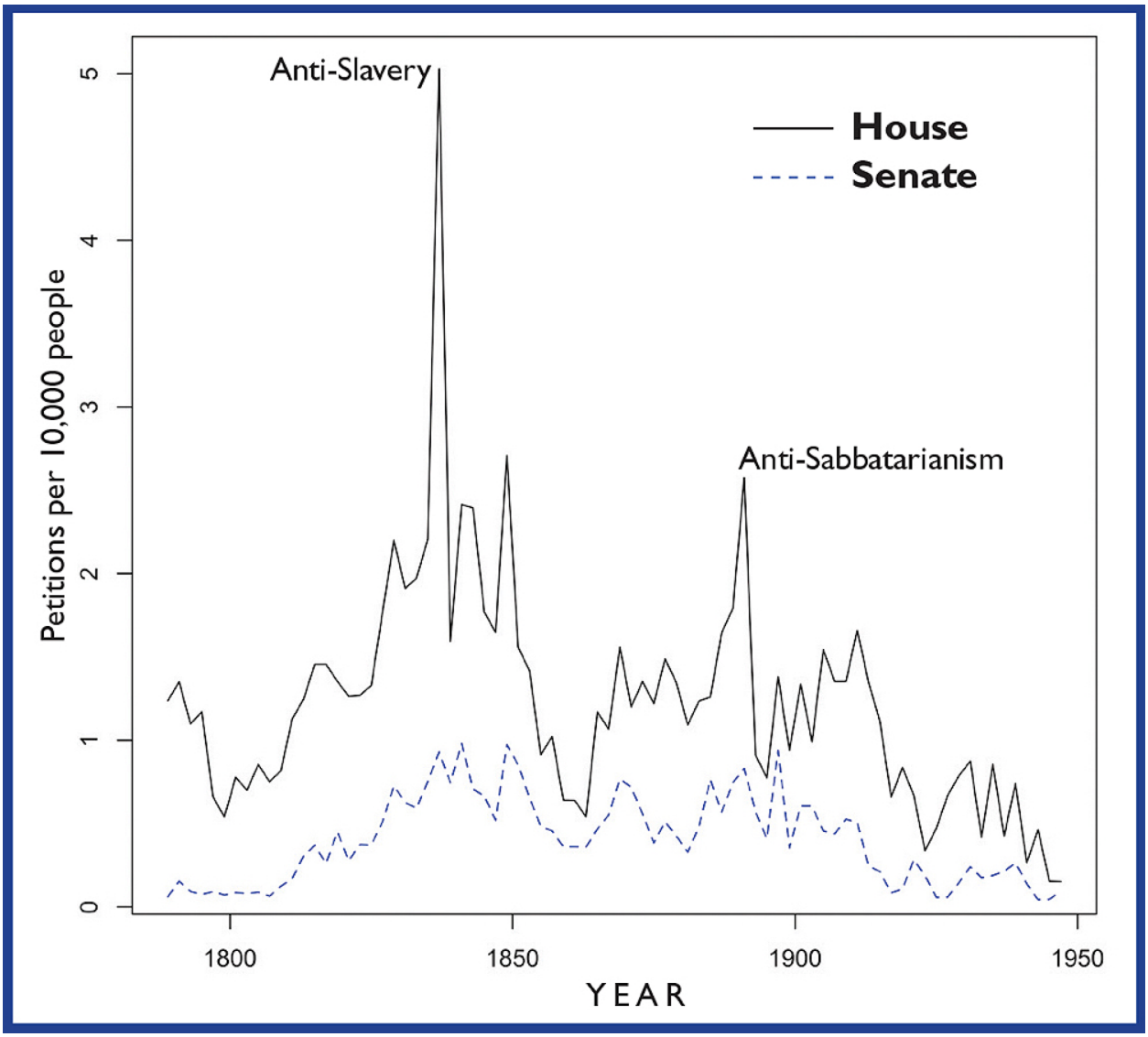

Figure 1: Petitions per 10,000 people, 1789-1950, for the U.S. House and Senate

The first thing to note about these aggregate trends is that the clearest explosion of popular petitioning (1837-1839 and 1891-1893) occur not at times of partisan transformation but during relative party system stability. The issues that occasioned these mass petitioning peaks are also issues on which the parties did not heavily diverge at the time. Slavery in the 1830s and Sabbatarianism in the 1890s were, if anything, "second-dimension" issues, far lower on the hierarchy of American political debate than tariffs, the American plan. At the very time that partisan conflict over slavery becomes most intense (the 1850s), petitioning falls to historic lows. The second thing to note about the time series is that after the First World War the drop off of petitioning is such that aggravates hypothesis testing. There are many reasons for this including the establishment of

alternative channels for petition introduction—innovative commissions, boards, and agencies—in response to earlier petition campaigns, as well as potential changes in the method of petition introduction and process in Congress (McKinley 2018). But the rise of opinion polling, primaries and interest group lobbying as alternative sources of information for politicians also surely provides critical context (Hansen 1992; Skocpol 2006). We therefore confine our attention to developments before World War I and split the antebellum period from the post-Civil War to World War One period.

The Antebellum Era: Petitions Moving Without Parties and Parties Moving Without Petitions

Petitioning was ubiquitous in the early nineteenth century and substantially higher than had been experienced in the early U.S. Republic (McKinley 2018; Blackhawk et al 2021; Carpenter 2021). The explosion of mass petitioning to legislatures was indeed a continental and global phenomenon, occurring in French Canada (Carpenter and Brossard 2019) and the British West Indies (Carpenter 2021, Chapter 6) as well as in Britain and in Europe (Miller 2023).

These broad patterns underscore an important point. The most striking discordances between a shift in partisan representation and a shift in representation by petition come in those times when petition peaks and when the party systems shift. Petitions peaked (exploded in short periods of time) when party systems were not changing. And when party systems did change – whether in 1800 or 1828–there were not generally petitioning surges or falloffs.

In 1837 a global economic panic shook the United States, which soon descended into an economic depression, and a petitioning explosion also commenced (Figure 1). It is likely, though not certain, that the global economic crisis contributed to this petitioning surge, as the disruption of work and widespread outrage at political elites led to greater willingness to challenge status quo representative institutions. Yet the relationship between economic crisis and petitioning is far from simple. For one, the core issue that led women and men across the northern United States to petition was not an issue related to the economic crisis but instead the spread of the slave system, and especially proposals to contain it by abolishing enslavement and the slave trade in the District of Columbia (Zaeske 2002, Carpenter 2021). Second, the American party system did not change immediately in the aftermath of the Panic of 1837. It took until 1840 for a national Whig candidate to ascend to the presidency, and another year, in 1841, for state legislatures to choose their Senators

and cement the Whigs' long-awaited majority. By contrast, the petitioning explosion of the 25th Congress (1837-1839) came at a time when the Democrats' dominance in Congress and the executive branch had been well-established by three successive electoral cycles.

Two developments show the irreducibility of the representation offered by petitioning and that offered by parties. First, the antebellum period saw both a broad antislavery campaign and also a civil rights movement (Sinha 2016, Masur 2021). While these campaigns were critical in building new, third-party organizations (the Liberty and Free-Soil parties, especially in places such as Ohio (Masur 2021)) and in eventually challenging the ideological structure of the Whig Party and facilitating the rise of the Republican Party (Foner 1970, Gienapp 1998, Holt 2002), they did not coincide with, nor were they caused by, immediate developments in the Democrat-Whig binary of the second party system. Petitioning facilitated the rise of new party organizations and civic associations in the slavery space (Carpenter 2016, Carpenter 2021), but party organizations and their instability did not directly give rise to petitioning.

Nor did established party organizations, whether dominant or ascendant, appear to have organized petitioning campaigns in the antebellum United States. This absence of relationship stands in stark contrast to the deep enmeshment of political parties and elections during the long nineteenth century (Gerstle 2016). During the same period that political parties formed into a "parallel government" and a "colossal . . . pyramid" that provided funding, infrastructure, routinization, and formalization to the electoral process, (Bryce 1902, Josephson 1938) political parties initiated no similar relationship with the institution of petitioning—at least not at the national level. Political parties had formed into the breach left by the declination of state and local governments to engage in election administration. Petitioning had no similar breach to fill with private administration at the national level, because Congress was somewhat more responsive in building out administration of the petitioning apparatus into innovative commissions, boards, and agencies when volume exceeded its own internal capacity (McKinley 2018).

The second development of the antebellum period that involved both petitions and parties, less commonly noticed, was the Bank War of 1832-1834. The Second Bank of the United States had been re-authorized by Congress in 1816 and was set for possible re-authorization in 1836. President Andrew Jackson vetoed the reauthorization bill in 1832, and that year his Treasury Secretary Roger Taney began withdrawing deposits from the Bank. Opponents of Jackson, led by Henry Clay of Kentucky, seized on the deposit withdrawals to mount a campaign that started as a defense of the Bank but morphed quickly into a protest against overweening executive power, producing tens of

thousands of signatures on petitions to Congress within a few months. These petitions anticipated the development of Whig Party voting two years later and in the decades to come, as well as being indicative of state Whig party strength in the ensuing decade (Carpenter and Schneer 2015). Yet the fact that the Bank War and its associated petitioning campaigns came before the Whig Party even existed means that the rhythms of petitioning shaped the contours of the party system in this critical period. While petitioning tended to focus on issues that the major two parties neglected or wished to suppress (such as slavery)–providing a window into how the party system and petitioning interacted–it remains the case that petitioning politics was irreducible to broad partisan and electoral transformations.

These patterns are more generalizable, for aggregate analysis using the Congressional Petitions Database suggests no consistent monotonic relationship between party system transformation and petitioning. We code a party system shift in two ways, first by following standard accounts in the American politics literature (Sundquist 1973), which locates these shifts in 1800 and 1828, and second by using party categories in Congress when both of the top two parties in Congress were different from the top two parties in the previous congress, in either chamber. Such changes occur seven times in the period before the Civil War. For instance, in the First Congress the top parties were named Pro-Administration and Anti-Administration but by the Fourth Congress these party titles had changed to Federalist and National Republican. To simplify, a majority shift does not suffice to create a party system change. New parties must emerge at the top, both in the first (plurality or majority) and second positions. Such transformations do not occur after the Civil War but occur frequently before the Civil War.

Table 1 shows that such changes occurred for seven congresses in the antebellum period, but that the differences in aggregate petitioning across these congresses did not. It is well known that majority shifts are associated with changes in congressional voting (Poole and Rosenthal 2006), and of course it is true that shift in majorities in either chamber reflect changes in popular voting beforehand (or in the Senate before popular election, shifting majorities in state legislatures or coalitions of legislators within those state chambers).

Table 1: Changes in Petition Levels and One-Year Changes Across Moments of Party Transformation, 1789-1861

HOUSE

	Congresses	Mean Number of Petitions	Standard Error
No Shift	28	1,966.536	297.5713
Shift	7	2,778.143	917.4957
Combined	35	2,128.857	298.4372
Difference		811.6071	744.0177
T-test with unequal variances: $t = 0.8414$ ($p = 0.4268$)			

SENATE

	Congresses	Mean Number of Petitions	Standard Error
No Shift	28	684.3214	129.0883
Shift	7	836.2857	210.9088
Combined	35	714.7143	110.7477
Difference		151.9643	279.7852
T-test with unequal variances: $t = 0.6145$ ($p = 0.5514$)			

Changes since the Civil War – the weakly partisan nature of suffrage petitioning

The United States has been governed by a stable "party system" since the Civil War, when the dominant two-party regime of Democrats and Republics was cemented. While a few enduring third parties emerged in the United States after the Civil War (the Socialist Party, the Greenbackers, the Populist Party, among others), they have not been consistent competitors for dominance of the national legislature or the Presidency (Sundquist 1973). In Congress, the dominance of majority parties has been a function of their ability to control procedures (Cox and McCubbins 2005).

Before turning to aggregate statistics it is worth documenting two simple facts. First, the major party transformation of this era, which occurred in the election of 1896 (Sundquist 1973) did not coincide with an unusual rise or decline in petitioning (see again Figure 1). Moreover, the monetary policy issues central to that campaign and to populist agitation (Sanders 1999; Bensel 2001) did not contribute a large share of petitions to Congress.

Second, the campaigns that brought the most petitions or the most heavily-signed petitions to congress in this period–Sabbatarianism (McKinley 2018), temperance/prohibition (Szymanski 2003) and the woman suffrage issue (McConnaughy 2013; Carpenter et al 2018)–did not split the two major parties. One sees, if anything, an absence of large-scale petitioning on some of the economic issues that divided the two major parties, such as tariffs and distributive benefits (Lee 2016, Bensel 2001).

The long woman suffrage movement provides one of the most powerful examples of this phenomenon. Woman suffrage petitioning was often aimed at state legislatures, as women suffrage did not split the national parties. And where issues of national suffrage petitioning were involved, petitions poured into Congress most from the West, where women were contesting their place in the public sphere and were in some cases already voting and even holding office. The South saw few suffrage-related petitions in the run-up to the nineteenth amendment, and the campaigns for woman suffrage largely occurred in states that had reliably Republican voting patterns.

The timing of suffrage petitioning does suggest a weak connection to elections, in the sense that general election years saw a much larger petitioning average on suffrage issues related to the year after the general election (Carpenter et al 2018). Yet, again, many of these petitions were coming from people who could not vote and from states that were not pivotal to the electoral college contest. It is more likely that general election years provided, especially for suffrage petitions, a context in which claims for voting rights were all the more concrete both to petitioner and to officeholder and thus more likely to motivate a petitioning campaign calling for suffrage.

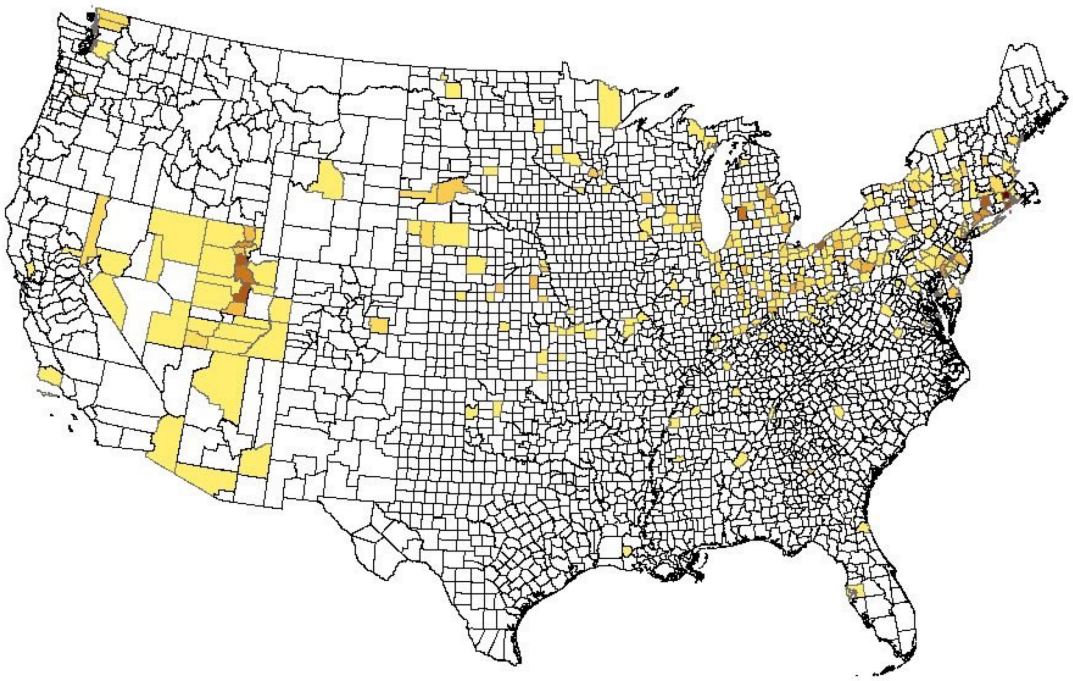

Figure 2 -- Heat map of suffrage petitions to the U.S. Congress, 1900-1910

Did Shifts in Majorities Induce More Petitioning?

Whether changes in party systems can explain the peaks and valleys of American petitioning over the *longue durée*, then, seems doubtful. It is worth asking, though, whether moments of partisan replacement, the ousting of one partisan majority by another, led to changes in petitioning volume. There are theoretical reasons to believe this might have been an explanation, for petitioners were usually petitioning not merely to a disembodied sovereign but a set of officeholders whom they might have hoped to hear and respond to their grievances (McKinley 2018, Carpenter 2021).

The Congressional Petitions Database again allows for aggregate tests of this hypothesis. Simple statistical comparisons across congresses from the CPD (see Table 2) suffice to show that partisan shifts did not move petitioning aggregates. In general, petitioning aggregates to a chamber were unmoved when that chamber witnessed a new partisan majority. We do not rule out the possibility that the issue-based mix of petitions changed–this is a subject best left for another study–but in terms of overall petition introductions, the rhythms of petitioning were separable from those of partisan politics.

Table 2:
Petitioning Across Shifts in Partisan Majorities, 1789-1950

antebellum House

Group	Congresses	Mean Petitions by Congress	Standard Error
No majority shift	20	1714.8	274.0343
Majority shift	15	2680.933	575.0791
Combined	35	2128.857	298.4372
Difference		966.1333	637.0328
T-test with unequal variances: t = 1.5166 (p = 0.1448)			

antebellum Senate

Group	Congresses	Mean Petitions by Congress	Standard Error
No majority shift	26	679.8077	132.1937
Majority shift	9	815.5556	207.9446
Combined	35	714.7143	110.7477
Difference		135.7479	246.4065
T-test with unequal variances: t = 0.5509 (p = 0.5898)			

House after 1860

Group	Congresses	Mean Petitions by Congress	Standard Error
No majority shift	34	6971.647	512.4936
Majority shift	10	8416.5	1462.241
Combined	44	7300.023	515.7446
Difference		1444.853	1549.451
T-test with unequal variances: t = -0.9325 (p = 0.3706)			

Senate after 1860

Group	Congresses	Mean Petitions by Congress	Standard Error
No majority shift	35	2330.8	247.9781
Majority shift	9	1984.333	360.6176
Combined	44	2259.932	209.9525
Difference		346.4667	437.6508
T-test with unequal variances: t = 0.7917 (p = 4398)			

Petitions, Parties and Democracy

Our aggregate portrait is one that presents the institution of petitioning as a form of representation that stood alongside electoral and partisan systems for centuries and that was irreducible to those institutions. We do not claim full "independence" of petitioning and partisanship, for several reasons. First, we have actively claimed that in some cases petitioning movements facilitated the organizational development of new parties (citation). Second, it is often the case that when parties offered clear ideological markers to voters on certain issues, that contestation and advocacy were done within electoral and partisan institutions and that petitions played less of a role (Carpenter 2016). Where fault lines developed in the American party system–such as the active suppression of slavery and race-related issues, as well as those relating to Indian removal, from the Second Party System of Democrat-Whig contestation–petitioning campaigns often arose en mass to attempt to place those issues on the national agenda (Carpenter 2021). As Dahl (1989), Schattschneider (1975 (1960)), Kingdon (1984) and other theorists have maintained, the ability of the people to shape the agenda is a core feature of any democracy.

Beyond this, petitioning as an institution of representation has been embedded in United States's constitutional understandings from the Founding onward (Krotoszynski 2012, McKinley 2016, McKinley 2018, Blackhawk 2020). Recognition of the right to petition as fundamental helped shape the formal Constitution, in the drafting and ratification of the First Amendment most notably. But it also helped shape the Article I, as well as helped guide Congress's powers of statecraft as it built out the American state and reinforced the right to petition and the forms of representation it protected (McKinley 2018). Petitioning was fundamental and sacrosanct to the understanding of representation in the early United States, especially as visions of representation shifted from direct to more republican forms of government under the Articles of Confederation (Wood 1969, McKinley 2016, McKinley 2018, Schneer et al 2022). Petitioning provided for representation within the durée and, importantly, it offered an institution of representation that turned on advocacy. But it also allowed a channel for advocacy that was translated into the context of republican government. It offered representation that included formal process and the promise of response, without reducing petitioning to a form of direct democracy—thereby conflating the moment of petitioning with the force of elections, as the institution of instruction once had done (McKinley 2016).

Beyond representation in the durée, petitioning has also served as an "alternative to revolution" in other ways—especially in the context of a representative democracy that denied universal suffrage. Petitioning offered those without the vote, or those who could vote formally but whose incorporation into the party system was weak, to aggregate and organize their voices in another manner, one that carried with it the direct norm of a response. Rather than turn to separatism and secession, excluded communities to leverage the petition to advocate for and begin to shape the terms of their inclusion (Masur 2021). But it is also worth further exploration to understand how these mechanisms fostered revolution, in addition to serving as an alternative to it. Petitioning not only allowed groups at the margins to advocate for inclusion, it also allowed them the ability drive national agendas toward issues disregarded by electoral and partisan politics (Carpenter 2021, Carpenter 2023)—paradigmatically, the institution of human enslavement.

As seen during the antebellum era, the highest peak of petitioning volume per capita occurred over the issue of human enslavement—an issue that neither party was willing to address. The introduction of petitions en mass, even in the face of a hostile Congress and the questionably constitutional "Gag Rule," allowed people at the margins and without political power to maintain national attention on abolition through their advocacy. In so doing, demonstrating the vital distinction between the forms of representation offered by parties and petitions as complementary, but dissimilar institutions.

The irreducibility of petitioning politics to partisan politics implies that not only do we need we also need to place other institutions of representation alongside elections in our understanding of American democracy and, indeed, democracy more generally, (see Miller 2023 for an example dedicated to the study of modern British democracy) we need to better theorize and envision representation within the durée as multiple institutions of representation operate and interact between elections. This theorization of the durée will likely also require distinguishing between representative institutions that maintain the relationship between representative and represented through passive means like ideology and those, like the petition, that require advocacy (Urbinati 2006).

As both an ideal of political equality and a system of governance (Pateman 1970, Barber 1984, Dahl 1989, Macedo 2000, Gutmann and Thompson 2004, Allen 2004, Pettit 2012, Allen 2016, Calhoun, Gaonkar and Taylor 2022), democracy demands literal accountability in the communication between citizen and officeholder. Accounts of generalized "inclusive institutions" (Acemoglu and Robinson 2006) also provide important room for petitioning, not merely as social

movement practice or mobilization, but also as a system of complaint and response. While a substantial literature has arisen around the concept of social movements to express some of this citizen voice (McAdam, Tilly and Tarrow 2001, Kitschelt 1993, Disch 2011, Woodly 2015, Forrester 2022, Tarrow 2022), the fact remains that petitions are often constitutive of such movements and have rarely been reducible to movements themselves. The institution of petition offers a means of advocacy to maintain representation between representative and represented that could be fostered by social movement organization, but does not require it—and it could allow for alternative forms of organization directed toward advocacy also, as well as no formal organization whatsoever (McKinley 2016). The institution of petitioning promised formal, equal, and transparent process, regardless of the political power of the petitioner or the number of petitioners (McKinley 2016, Blackhawk et al. 2020).

As we begin to better theorize representation in the durée, we can envision that petitions moved above parties, then, not in a hierarchical way, but in the particular sense that for much of American national political history, petitioning observed its own rhythms, stoking contests and raising issues that the party system had forgotten and emphasizing voices left aside in American electoral politics (Carpenter 2023). The decline of congressional petitioning also does not mean that these alternative, non-electoral energies of American politics have disappeared—supplanted by other institutions that promised representation between elections. It means, instead, that they have taken new and different forms (Krotoszynski 2012, McKinley 2016, McKinley 2018), and that our understanding of democracy must better encompass a range of forms of contestation outside of votes and their counting. Representation in the durée could comprehend an even more robust and complex form of representation than that described in the context of elections—including, but not limited to, the institution of the petition.

References

Acemoglu D, Robinson J. 2006. *Economic Origins of Dictatorship and Democracy*. New York: Cambridge Univ. Press

Ahmed S. 2021. *Complaint!* Durham, NC: Duke Univ. Press

Allen D. 2004. *Talking to Strangers: Anxieties of Citizenship since Brown v. Board of Education*. Chicago: Univ. Chicago Press

Allen D. 2016. *Education and Equality*. Chicago: Univ. Chicago Press

Bailey E. 1979. *Popular Influence upon Public Policy: Petitioning in Eighteenth-Century Virginia*. Greenwood, CT: Greenwood Press

Banaszak LA. 1996. *Why Movements Succeed or Fail: Opportunity, Culture and the Struggle for Woman Suffrage*. Princeton, NJ: Princeton Univ. Press

Barber B. 1984. *Strong Democracy: Participatory Politics for a New Age*. Berkeley: Univ. Calif. Press

Bartels LM. 2008. *Unequal Democracy: The Political Economy of the New Gilded Age*. Princeton, NJ: Princeton Univ. Press

Bateman D, Katznelson I, Lapinski J. 2018. *Southern Nation: Congress and White Supremacy after Reconstruction*. Princeton, NJ: Princeton Univ. Press.

Blackhawk, M. 2020. "Equity Outside the Courts," *Columbia Law Review* 129 (8) 2037-2128.

Blackhawk M, Carpenter D, Resch T, Schneer B. 2021. Congressional representation by petition: assessing the voices of the voteless in a comprehensive new database, 1789–1949. *Legis. Stud. Q.* 46:817–49

Calhoun C, Gaonkar DP, Taylor C. 2022. *Degenerations of Democracy*. Cambridge, MA: Harvard Univ. Press

Carpenter D. 2016. Recruitment by petition: American antislavery, French Protestantism, English suppression. *Perspect. Politics* 14(3):700–23

Carpenter D. 2020. Quand le pétitionnement contribue au façonnage de l'agenda politique: l'abolition de la tenure seigneuriale au Canada français, 1849–1854. *Participations* 3(28):205–19. https://www.cairn.info/revue-participations-2020-3-page-205.htm

Carpenter D. 2021. *Democracy by Petition: Popular Politics in Transformation, 1790–1870*. Cambridge, MA: Harvard Univ. Press.

Carpenter, D. 2023. "Agenda Democracy," *Annual Review of Political Science*.

Carpenter D, Brossard D. 2019. *L'Éruption patriote*: the revolt against Dalhousie and the petitioning explosion in nineteenth-century French Canada. *Soc. Sci. Hist.* 43:453–85.

Carpenter D, Moore CD. 2014. "When Canvassers Became Activists: Antislavery Petitioning and the Political Mobilization of American Women," *American Political Science Review* 108 (3) 479-498.

Carpenter, Daniel, and Benjamin Schneer. 2015. "Party formation through petitions: The Whigs and the Bank War of 1832–1834," *Studies in American Political Development* 29, no. 2 (2015): 213-234.

Carpenter, Daniel, Zachary Popp, Tobias Resch, Benjamin Schneer, and Nicole Topich. 2018. "Suffrage petitioning as formative practice: American women presage and prepare for the vote, 1840–1940." *Studies in American Political Development* 32, no. 1 (2018): 24-48.

Cox GW, McCubbins MD. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives*. New York: Cambridge Univ. Press

Dahl R. 1989. *Democracy and Its Critics*. New Haven, CT: Yale Univ. Press

Disch LJ. 2011. Toward a mobilization conception of democratic representation. *Am. Political Sci. Rev.* 105(1):100–14

Foner E. 1970. *Free Soil, Free Labor, Free Men. The Republican Party Before the Civil War*. New York: Oxford Univ. Press

Forrester, K. 2022. "Feminist Demands and the Problem of Housework," *American Political Science Review, 116*(4), 1278-1292. doi:10.1017/S0003055422000053

Gienapp W. 1987. *The Rise of the Republican Party, 1852–1856*. New York: Oxford Univ. Press

Greenstone JD. 1969. *Labor in American Politics*. New York: Knopf

Gutmann A, Thompson D. 2004. *Why Deliberative Democracy?* Princeton, NJ: Princeton Univ. Press

Hall RL, Deardorff A. 2006. Lobbying as legislative subsidy. *Am. Political Sci. Rev.* 100(1):69–84

Hall RL, Wayman FW. 1990. Buying time: moneyed interests and the mobilization of bias in congressional committees. *Am. Political Sci. Rev.* 84(3):797–820

Hansen JM. 1991. *Gaining Access: Congress and the Farm Lobby, 1919–1981*. Chicago: Univ. Chicago Press.

Kingdon J. 1984. *Agendas, Alternatives and Public Policies*. Washington, DC: CQ Press

Kitschelt H. 1993. Social movements, political parties, and democratic theory. *Ann. Am. Acad. Political Soc. Sci.* 528(1):13–29

Krehbiel K. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking*. Chicago: Univ. Chicago Press

Krotoszynski Jr. RJ. 2012. *Reclaiming the Petition Clause: Seditious Libel, "Offensive" Protest, and the Right to*

Petition the Government for a Redress of Grievances. New Haven, CT: Yale Univ. Press.

Lee FE. 2016. "Patronage, logrolls, and "polarization": congressional parties of the gilded age, 1876–1896," *Studies in American Political Development* 30 (2) (October 2016): 116-27.

Lee T. 2002. *Mobilizing Public Opinion: Black Insurgency and Racial Attitudes in the Civil Rights Era*. Chicago: Univ. Chicago Press.

Levi M. 2003. Organizing power: The prospects for an American labor movement. *Perspectives on Politics*, 1(1):45-68.

Lukes S. 1974. *Power: A Radical View*. New York: NYU Press

Macedo S. 2000. *Diversity and Distrust: Civic Education in a Multicultural Democracy*. Cambridge, MA: Harvard Univ. Press

MacKinnon, CK. 1989. *Toward a Feminist theory of the State*. Cambridge, MA: Harvard Univ. Press

Mansbridge J. 2018. Recursive representation. In *Creating Political Presence: The New Politics of Democratic Representation*, ed. D Castiglione, J Pollak, pp. 298-338. Chicago: Univ. Chicago Press.

Masur, Kate. 2021. *Until Justice be Done: America's First Civil Rights Movement*. New York: Knopf.

McAdam D, Tarrow S, Tilly C. 2001. *Dynamics of Contention*. New York: Cambridge Univ. Press

McConnaughy C. 2013. *The Woman Suffrage Movement in America: A Reassessment*. New York: Cambridge Univ. Press

McKinley M. 2016. Lobbying and the Petition Clause. *Stanford Law Review*. 68:1131–1205.

McKinley M. 2018. Petitioning and the making of the administrative state. *Yale Law Journal*. 127:1538–1637.

Mickey R. 2015. *Paths Out of Dixie: The Democratization of Authoritarian Enclaves in America's Deep South, 1944–1972*. Princeton, NJ: Princeton Univ. Press

Pateman C. 1970. *Participation and Democratic Theory*. New York: Cambridge Univ. Press

Pettit P. 2012. *On the People's Terms: A Republican Theory and Model of Democracy*. New York: Cambridge Univ. Press.

Pitkin H. 1967. *The Concept of Representation*. Berkeley, CA: University of California Press.

Poole K, Rosenthal H. 2006. *Ideology and Congress: A Political Economic History of Roll-Call Voting*. New York: Cambridge University Press.

Riker W. 1986. *The Art of Political Manipulation*. New Haven, CT: Yale Univ. Press

Rodgers D. 1998. *Atlantic Crossings: Social Politics in a Progressive Age*. Cambridge, MA: Harvard Univ. Press

Rosenblum, N. 2008. *On the Side of the Angels: An Appreciation of Parties and Partisanship* (Princeton:

Princeton University Press).

Rosenvallon P. 2006. *La Contre-Démocratie: La Politique à l'Âge de la Défiance*. Paris: Seuil

Sanders E. 1999. *Roots of Reform: Farmers, Workers and the American State*. Chicago: Univ. Chicago Press

Schattschneider EE. 1975 (1960). *The Semisovereign People: A Realist's View of Democracy in America*. Fort Worth, TX: Harcourt Brace Jovanovich

Schneer B, Resch T, Blackhawk M, Carpenter D. 2022. The popular origins of legislative jurisdictions: petitions and standing committee formation in late colonial Virginia and the early U.S. House. *J. Politics* 84(3):1727–45

Scott J. 1985. *Weapons of the Weak: Everyday Forms of Peasant Resistance*. New Haven, CT: Yale Univ. Press

Sinha M. 2016. *The Slave's Cause: A New History of Abolition*. New Haven, CT: Yale Univ. Press

Skocpol T. 1992. *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*. Cambridge, MA: Harvard Univ. Press

Skocpol T. 2006. *Diminished Democracy: From Membership to Management in American Civil Life*. Norman: Univ. Okla. Press

Sundquist, J. 1969. *Dynamics of the Party System*. Washington, DC: Brookings Institution Press.

Szymanski AME. 2003. *Pathways to Prohibition*. Durham, NC: Duke Univ. Press

Tarrow S. 2022. *Power in Movement: Social Movements and Contentious Politics*. New York: Cambridge Univ. Press. 4th ed.

Urbinati N. 2006. *Representative Democracy: Principles and Genealogy*. Chicago: Univ. Chicago Press

Vizenor G. 2008. *Survivance: Narratives of Native Presence*. Lincoln: Univ. Nebr. Press

Wilentz S. 2003. *The Rise of American Democracy: Jefferson to Lincoln*. New York: Norton

Woodly D. 2015. *The Politics of Common Sense: How Social Movements Use Public Discourse to Change Politics and Win Acceptance*. New York: Oxford Univ. Press.

Woodly, D. 2021. *Reckoning: Black Lives Matters and the Democratic Necessity of Social Movements* (Oxford: Oxford University Press).

Zaeske S. 2003. *Signatures of Citizenship*. Chapel Hill: Univ. North Carol. Press