

# Bootstrapping Sovereignty: Petitions and Power in Nascent States\*

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## Abstract

In nascent states, rulers may lack the coercive or hierarchical means to control their polities. We study the *petition-response system* as an alternative mechanism to establish sovereign authority in these settings. In this system, subjects incur costs to express their belief in the power of the ruler to help them. In turn, the expression of this belief by subjects contributes to a general belief in the ruler’s power, which may be sufficient to make the ruler powerful in fact. Thus, we posit that a petition-response system *creates* sovereign power and in turn aided state formation. We formalize this logic in a strategic model and discuss cases of the petition-response system in several medieval and early modern European polities: Frankish kings during the Merovingian era (300-751 AD), the Carolingian empire during and after Charlemagne through the Capetian kings, the medieval Roman Catholic church, Habsburg Spain’s Empire of the Indies and *ancien régime* New France (17th and 18th century Canada). Our model of petition-and-response systems explains why autocracies (and not just open-access orders) build them, why many petitions do not contain actionable information for addressing principal-agent problems or monitoring subjects, and why rulers solicited and responded to petitions from those external to (or at the margins of) their realms. What is now considered an inclusive institution has demonstrable imperial roots.

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*O, what a sweet thing it was to see how he came out after hearing mass to give audience to all the people, poor or otherwise! Noble ladies were seen there, and all ranks, high, middling, and low. He did not slip quickly among them, like a cock on hot coals, to avoid being bored by hearing them, or direct his followers to “take their petitions,” as if he took no account of them; rather, he himself stopped there. He heard them all out in turn, had their petitions read out, and gave them a very kind answer. And if there were matters which required forethought or longer deliberation, he commanded them that those petitions be presented to him again at the proper time and place. – Christine de Pisan, writing of Charles V, *The Book of Peace* (1412-1414)*

*A ruler ... should listen to all complaints and procure prompt justice for those threatened by oppression. A woman came to a King of Epirus with a petition; he snubbed her, telling her to leave him in peace. “And why are you King,” she replied, “if not to procure justice for me?” A good saying, which Princes should always keep in mind. – Frederick the Great, *Political Testament of 1752**

Rulers in nascent medieval and early modern states often used a *petition-response system* to interface with subjects and subordinates. Petition-and-response systems are characterized by the open ability of subjects to approach the ruler with a complaint or request, a set of rules governing proper presentation, and an expectation that petitions would generally receive a response from the ruler. In many regimes, petitions became the basis for decrees or laws from the ruler (Petit-Renaud 1998; Gauvard 1991; Millet 2003; Zaret 2019; Masters 2023), preceding the modern practice of petitions as the basis of bills in an assembly (Bailey 1979).

Petitions are today studied in political science and political economy as a mode of citizen participation (Caren, Ghoshal and Ribas 2011; Miller 2017), primarily in democratic regimes where survey-based studies measure it (Verba, Scholzman and Brady 1995) and it is connected to the study of lobbying (McKinley 2016; Veselov and Yarkin 2024). Scholars in political development and historical political economy also study petitions as part of movements or emergent pressure campaigns, especially in the European or North American context (Zaret 1996; Theriault 2003; Agn es 2013; Carpenter and Brossard 2019; Figueroa and Fouka 2023). Scholars have examined historical and contemporary petitioning patterns abundantly in modern politics, whether in parliamentary settings (Zaret 2000; Knights and Shapiro 2009; Miller 2023), in democratizing states (Carpenter 2021) or in autocratic regimes (Lorentzen 2013; Chen 2016). Moreover, scholars commonly recognize petitioning as an essential “inclusive institution” (Acemoglu and Robinson 2013) and the right to petition is embedded in many constitutional frameworks (the English Bill of Rights of 1688, the French Declaration of the Rights of Man of 1789, the U. S. Constitution’s First Amendment (ratified 1791), and Article 44 of the European Union’s Charter of Fundamental Rights). Importantly, these rights to petition are not restricted to legislative assemblies. The American First Amendment, for instance, specifies the right to petition “the Government for redress of grievances.”

Two historical facts about petitions cry out for explanation. First, the roots of petitioning are much older than early-modern revolutions and modern democracies; the institutions thrived first

in more autocratic regimes that were not principally governed by elective assemblies and did not acknowledge human or subject rights (Koziol 1992; Millet 2003; Zaret 2019). Second, historical petition and response systems were often massive in volume and administratively costly to run. Historians report approximately 900,000 petitions in Papal registers between 1471 and 1527 (Millet 2003: 1), and from 1742 to 1767 scholars have estimated 100,000 petitions in registers to the “Sublime Porte” of the Ottoman regime (Zaret N.d.; Zarinebaf 2010, 81). In other cases, the number of petitions can be estimated by aggregating the number of decrees or judgments issued in response to them. A recent exhaustive study of the Council of the Indies in sixteenth-century Spain (Masters 2023) reports estimates of more than 100,000 pages of decrees that resulted from petitions, with 300,000 to 600,000 such decrees that each resulted from a petition. Preliminary studies of the *Chambre des Requêtes* of the French Crown suggest that from 1611 to 1624, annual decisions made in response to petitions (*requêtes*) ranged from 1,250 to over 7,000 (Baudouin-Matuszek 1995). Scholars have detailed the administrative apparatus and expense of these systems (Zaret 2019; Masters 2023).

In this paper we articulate a strategic logic for these systems in the context of empire and colonial regimes, especially the attempts to build them before they became mature and flourishing. Our central idea is that of the *sovereignty bootstrap*: that petition-and-response helped rulers in nascent states to establish and consolidate sovereignty as the common recognition of who had authority—an essential condition for state formation. We set this rationale alongside two other logics that plausibly undergirded petitioning systems: (1) as a means of monitoring populations and reducing information asymmetry between ruler and people (Lorentzen 2013, Chen 2016) and (2) as a means of addressing agency problems (Davis 2015; Gailmard 2024).<sup>1</sup>

The starting point of our analysis is that in nascent states the power of rulers is often tenuous and ambiguous. A lucid hierarchy of political control within the state may be weak or absent. Shared expectations of deference to the state by subjects may not be established. As a result, the ruler in such a state lacks the means to enforce its commands either within the state administrative apparatus or over society.<sup>2</sup>

Governing through a petition-response system can bolster the ruler’s sovereign power because it creates a shared belief that other subjects find the ruler to be powerful (Chwe 2000). This belief emerges from a ubiquitous aspect of early-modern petitioning: it was costly in both time and resources to petition. Subjects may safely infer that others will not petition the ruler if it is a waste of time, that is, unless the ruler can do something useful. Put differently, there is strategic value in being the one to whom subjects “beg pardon and favor” (Koziol 1992): occupying this position signifies a belief that one has power to help, and when this belief is widely shared it creates power in fact. In advancing this argument, we recognize that not all

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<sup>1</sup>The latter dynamic has not been adequately formalized and we are working on this problem in a separate paper.

<sup>2</sup>As with with Grzymala-Busse (2023):18, nothing in our argument requires that any of the regimes we study amount to a full-fledged state. The point is that petition-and-response systems were a part, and a neglected part, of state *formation*.

nascent states became fully formed absolutist monarchies or empires. We focus on *the quest* for recognition as sovereign and at least partial success in attaining it, and our model suggests that petition and response systems that characterize many empires usually predated the military or diplomatic supremacy of those regimes.

Our baseline model posits a single ruler and a mass of subjects, who may petition or not. We assume there are two sources of ruler power: one exogenous, outside the model, which we take as given; the other endogenous, determined by the petitions of subjects. Together, these sources determine the ruler's power. We assume that power is both good in itself for the ruler, *and* reduces the cost to the ruler of acting on petitions. The baseline model incorporates a "duke" under the ruler, whose authority the ruler can restrict but whom the ruler cannot force to take a specific action. We also present a model of "competitive petitioning," with multiple rulers that may take subject petitions.

These models produce several main results. First, endogenous power from petitions is self-reinforcing: the more subjects acknowledge this power, the more other subjects are inclined to acknowledge it as well. Second, rulers have strong incentives to govern through a petition-response system when they enjoy low levels of exogenous power, even though these systems are costly to operate in terms of time, personnel, and resources. Such rulers benefit from petitions because they harness a self-reinforcing power dynamic. Third, rulers may restrict the authority of their dukes and regional officials, so that the ruler receives as many petitions as possible. Fourth, with competitive petitions and overlapping power claims, any ruler's power may be highly sensitive to small differences in subjects' beliefs about their power. This rationalizes the particularly heavy use of petitioning systems and focus on court rituals by claimants to power in contested, non-institutionalized polities.

The insight produced by our theory of the petition-response system is sharper when contrasted with other explanations. A prominent one essentially treats petitions as "fire alarm" oversight. This explanation holds that petitions, either from subjects or subordinates, gives the ruler information about the performance of the state, and therefore enhances incentives for performance by subordinates. This explanation is compelling in certain contexts, but does not match important aspects of the petition-response system in nascent medieval and early-modern states. In the latter cases, petitions rarely led to remonstrations or punishment of subordinate officials, suggesting other strategic dynamics operate.

Following presentation of the models (baseline and competitive), we use the strategic logic to interpret prominent cases of petition-response systems in several nascent medieval and early-modern states. We focus upon "Western cases" in part because the records are better developed for those cases, but also because the later development of petitioning as an inclusive institution occurred more in the West, and in part after the developments in Europe and North America that we describe here.

Our study relates to three broad and intersecting literatures in political science and historical

political economy. The first is the literature on pre-modern and early-modern state formation. Recent work by Acharya and Lee (2022) treats recognition of the sovereign as a bilateral “transaction” between the sovereign and each potential subject. Their cartel theory of states is then applied to medieval state formation. In our model recognition by any one subject depends on recognition by other subjects, a level of recognized sovereignty is assumed by their framework. Similarly, the pathbreaking work of Grzymala-Busse (2023) shows that the medieval Catholic church constructed different institutions and practices of the modern state, and well before the modern period. Grzymala-Busse (2023) also mentions petitioning systems in the medieval Catholic church but does not study them directly. An important motivating stylized fact of this study points to massive petition-and-response systems in Christian Europe, not only among the Roman Catholic Church, where massive volumes of petitions have been documented for some time Millet 2003, but also among different “Christian kingships” after the fall of the Roman Empire, especially the Merovingians Tyrrell 2019 and the Carolingians (Davis 2015; Kramer 2020).

Second, our study points to non-democratic features of petitions and their adoption by autocratic regimes and provides a novel rationale for their adoption. The well-known puzzle is simple yet eludes a ready answer: Why would autocratic regimes without elective, assembly-based representation (or with weak levels of such representation) operate a system of regularized complaints in which rulers were expected to respond to petitions? There is a burgeoning literature on why autocratic regimes might “permit public protest” (Lorentzen 2013) or allow “useful complaints” (Chen 2016), yet the strategic value of complaints in these treatments relates to information gained by the ruler. Our study does not reject such rationales – indeed we believe that the cases we review should be studied in light of these models – but our model complements these perspectives by offering a coordination-based logic and by asking an even more fundamental question: how does it come to be that subjects see fit to complain, not just anywhere, but to a commonly acknowledged ruler?

Third and finally, our study offers a critical note of institutional and historical context to the contemporary understanding of petitioning. Petitioning may be an “inclusive institution” (Acemoglu and Robinson 2013) and a font of democratization today and in the *longue durée* of modernity (Zaret 2000; Carpenter 2021; Miller 2017), but as (Zaret N.d.) and others have emphasized, petitioning practices long predate modern statehood and modern democracy. While democratic practices flourished in assembly-based representation long before modern constitutional democracies (Stasavage 2020), petitioning appears to have flourished every bit as much, and likely more, in autocratic and imperial settings (Zaret 2019). A critical feature of our model and our empirical case studies is that they are consciously *developmental*. The creation of petition-and-response systems comes for those regimes that are neither fully absolutist and hegemonic nor entirely weak. Empirically, we focus in part upon the adoption of petitioning systems long before they became highly regularized, and/or in those moments or areas (New

Spain, New France in Canada) where otherwise strong states had less autocratic sway.

## 1 A Model of Petitions and Power

In his study of petitions in medieval France, Koziol (1992) observes, “[T]hose who rule on behalf of God receive petitions from those who are ruled by them” (p. 43). We take this as a structural element of the world in a nascent state, and turn it around: What if hearing petitions can signify power to rule? Our model posits that receiving petitions, in itself, is a source of power for those who claim to rule. We want to understand the strategic incentives of subjects to petition in an environment where the ruler’s power is endogenous to petitioning, and the incentives of the ruler to operate a petition-response system when the system can itself be a source of power.

### 1.1 Structure

There are three classes of players: a Rex (R), a Duke (D), and a unit mass of subjects in  $[0, 1]$  indexed by  $i$ .

Rex has a degree of exogenous power  $\xi \in [0, 1]$ , and receives petitions from a share  $\rho_R \in [0, 1]$  of subjects. We posit that Rex’s power is

$$\pi = \rho_R + (1 - \rho_R)\xi \tag{1}$$

and observe  $\pi \in [\xi, 1]$ . Thus, a structural element of the world is that hearing petitions increases R’s power, but the effect of petitions on power is decreasing in  $\xi$ . The power of the Duke, who is not a strategic actor in our analysis, is further specified below. A given subject petitions either Rex or Duke or neither, but not both. Let  $\rho_R$  and  $\rho_D$  denote the share of subjects who petition R and D respectively.

We further posit that Rex’s objective depends on (1) its degree of power  $\pi$ , (2) the cost of hearing petitions, and (3) the cost of unheard petitions. These elements combine in R’s utility function:

$$U_R = \begin{cases} \pi - \rho_R \left(\frac{\gamma}{\pi}\right) - (1 - \rho_R)(1 - \rho_D)\eta & \text{if R operates a PR system} \\ \xi - \eta & \text{otherwise.} \end{cases} \tag{2}$$

R’s cost of hearing petitions is the second component. It depends on (1) the share of subjects who petition, (2) a cost parameter  $\gamma$  per petition, (3) R’s power  $\pi$ . We include  $\pi$  in the denominator to capture the idea that it is easier for R to induce other officials to comply with their directive on a given petition, when R is more powerful. That is, R’s power is useful to R in part because it makes other officials more compliant with R’s directive. In this sense, we hard-code a result from Gehlbach and Simpson (2015) but endogenizing this effect could be interesting in future drafts. This captures an important aspect of politics in which hierarchical power of the state,

including R’s power over other officials, is not fully institutionalized. Other officials comply when R is powerful, but not necessarily because of relative positions in a governing hierarchy.

R also incurs a fixed, commonly known cost  $\eta \in [0, 1]$  for each petition unheard by either R or D. This captures the idea that unmet grievances of subjects are a problem for the Rex. Further, this cost is alleviated as long as grievances are heard and met by someone in R’s service, whether R himself or D. If R operates a petition-response system, then a share  $(1 - \rho_R)(1 - \rho_D)$  petition no one. We also assume in our baseline analysis that if R does not operate a petition-response system, then neither R nor D hear any petitions.

Subjects are distinguished by the “magnitude” of their concerns, denoted  $\beta_i$ . We assume  $\beta_i$  is uniformly distributed on  $[0, 1]$  and this is common knowledge,<sup>3</sup> so the share of subjects with  $\beta_i < \beta$  is simply  $\beta$ . Subject  $i$ ’s utility is

$$U_i = \begin{cases} \beta_i \pi_R - c & \text{if } i \text{ petitions } R \\ \beta_i \pi_D - \delta c & \text{if } i \text{ petitions } D \\ 0 & \text{otherwise.} \end{cases} \quad (3)$$

The subject’s expected benefit from petitioning in a given venue is  $\beta_i \pi_j$ : the product of the size of their grievance and the magnitude’s power. R’s power is as defined in equation 1 above. Observe that subject  $i$ ’s utility of petitioning R increases with the share of all subjects who petition R. The subject incurs a commonly known cost  $c \in [0, 1]$  to petition R, and cost  $\delta c$ , where  $\delta \in (0, 1)$ , to petition D. Thus, it is less costly for any subject to petition D, which reflects closer geographic proximity or a less congested ducal court.

Although we assume that the distribution of grievances  $\beta$  is common knowledge to all actors including R, one may assume that R does not know the grievance of any specific subject  $i$  until and unless that subject petitions. Our model does assume that subject  $i$  knows  $\beta_i$  before petitioning, and R accurately learns  $\beta_i$  for all petitioning subjects in the course of petitioning. Thus, petitioning is a process by which R learns the redress sought by individual subjects. Substantively, our model comports with, e.g., the process of petitioning depicted in Masters (2023), in which the Spanish monarchs took care to ensure that petitions reflected grievances actually attested by subjects (see also section 3.3 below). Analytically, the assumption that R knows the distribution of grievances differentiates our model from information transmission models such as Lorentzen (2013), where popular action reveals the distribution of grievances.

Distinguish between “positive” and “negative” hierarchical power of Rex. Positive power is R’s ability to ensure that subordinates will follow a command to take a specific action. Negative power is R’s ability to prevent subordinates (such as D) from acting on an issue. Conceivably, negative power may exceed positive power. This section assumes a high degree of negative

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<sup>3</sup>The uniform distribution produces closed-form equilibrium solutions, but is not necessary for existence of a cutpoint equilibrium or comparative statics. A Beta $[0, 1]$  distribution with strictly increasing CDF would suffice for those results.

power.

The game between R, D, and subjects  $i$  proceeds as follows.

1. Nature draws  $\xi \in [0, 1]$  and reveals it to all players.
2. R decides to open petition-response system or not. If no, game over. If yes, next step.
3. R decides the limit of D's authority,  $\beta^D \in (0, 1)$ .
4. Each subject  $i$  observes  $\beta_i$ , decides to petition R, petition D, or not petition.

We analyze this game for subgame perfect Nash equilibria in pure strategies. In equilibrium, R's power is realized by subjects' collective acknowledgement of power through their petitions. That is, the rex's power and its recognition by subjects are co-constituted and mutually reinforcing. We view this as an essential attribute of constituting power in a nascent state: hearing petitions is a way for R to constitute power, provided subjects respond by presenting petitions.

The co-constitution of power and petitions means that power is in part a coordination problem among subjects. This problem has multiple equilibria for some parameters. While our theory clearly assumes that petitions can make a ruler powerful, we wish to capture these assumptions in the political "fundamentals" of the model rather than equilibrium selection. Accordingly, we focus on the *minimal petitioning equilibrium* for any set of parameter values. This is the SPNE with the smallest share of petitions to R,  $\rho_R$ .<sup>4</sup>

## 1.2 Analysis

We first analyze subject petitioning behavior when R operates a petition-response system; then analyze R's optimal structuring of ducal authority given equilibrium petitioning; and finally analyze R's decision to operate a petition-response system.

**Petitioning.** Consider the petitioning subgame such that R has chosen to operate a petition-response system. Suppose for simplicity  $\beta^D = 0$  so there is no ducal venue. Observe that subjects with  $\beta_i < c$  have a dominant strategy not to petition for any  $\xi$ , so there is never an all-petition equilibrium.

Further, when  $\xi \leq c$ , no subject has a dominant strategy to petition. Thus there is an equilibrium in the petitioning subgame with  $\rho_R^* = 0$ . If  $\rho_R = 0$ , then  $EU_i(R) = \beta_i \xi - c < \xi - c < 0$  so no subject petitions R. This is the minimal petitioning equilibrium for  $\xi < c$ . While other equilibria exist if  $c$  is not too large (characterized below), coordination by subjects on non-recognition of R's power in fact undermines R's power.

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<sup>4</sup>A common approach to ensure equilibrium uniqueness in coordination games is to introduce small private information to each subject about  $\xi$  (the global games approach). However, payoff heterogeneity in  $\beta_i$  complicates this, and strong assumptions on signal distributions may still be required to ensure uniqueness. Our complete information environment is simpler and, with our equilibrium selection, retains some of the flavor of key results.



On the other hand, when  $\xi > c$ , then all subjects with  $\beta_i \geq \frac{c}{\xi}$  have a dominant strategy to petition. Thus there is no equilibrium with  $\rho_R^* = 0$ . Further, petitioning from these subjects raises  $\pi$ , which induces other lower- $\beta$  subjects to petition as well. Given monotonicity of petitions in  $\beta$  whenever  $\rho_R > 0$ , equilibria must follow a *cutpoint rule*: a type  $\beta^*$  such that  $i$  petitions R if and only if  $\beta_i \geq \beta^*$ . A cutpoint equilibrium consists of simultaneous solutions to:

$$\begin{aligned}\beta^* &= \frac{c}{\pi^*} \\ \pi^* &= 1 - \beta^* + \beta^* \xi\end{aligned}\tag{4}$$

The first condition states that the cutpoint subject  $\beta^*$  is indifferent about petitioning or not. This implies  $\rho_R^* = 1 - \beta^*$ . The second condition uses this fact and equation 1 to specify equilibrium power.

For  $\xi > c$ , there is a unique cutpoint  $\beta^* \in (c, 1)$ . Implicit differentiation of the equilibrium condition shows that greater cost  $c$  of petitioning R reduces petitions to R (i.e., increases  $\beta^*$ ), and greater exogenous power  $\xi$  increases petitions to R (reduces  $\beta^*$ ). R's power  $\pi^*$  is increasing in the share of subjects who petition. That is, a petition-response system increase R's power, given the definition  $\pi$ . In this sense, R benefits from a petition-response system which causes subjects to coordinate on recognizing R's power.

We collect these results in the following proposition.

**Proposition 1** *In the petitioning subgame,*

1. *If  $\xi \leq c$ , there is an equilibrium such that  $\rho_R^* = 0$ : No subjects petition R.*
2. *If  $\xi > c$ , there is a unique equilibrium such that subjects petition R if and only if  $\beta_i \geq \beta^*(\xi, c) \in (c, 1)$ . R receives petitions from a share of subjects  $\rho_R^* = 1 - \beta^*(\xi, c)$  that is increasing in  $\xi$  and decreasing in  $c$ . The petition-response system increases R's power  $\pi^*$ .*

**Ducal Authority.** Next consider a petition-response system with a ducal venue. We assume that R sets D's authority  $\beta^D$  such that D can discharge any petition  $\beta_i \in [0, \beta^D]$ . D has complete authority (exogenously) for grievances in this range, and no authority to discharge a petition with  $\beta_i \notin [0, \beta^D]$ . That is, D's power is  $\pi_D = 1$  for  $\beta_i \in [0, \beta^D]$ , and  $\pi_D = 0$  for  $\beta_i \notin [0, \beta^D]$ . For now, we assume no power struggle between R and D, though we turn to a model of competitive petitioning below that partly addresses this.

Observe from equation 2 that R's objective is to ensure that subject grievances are heard by someone, but also to ensure that D does not receive petitions that R would prefer to receive. The cost of petitioning D is  $\delta c$  with  $\delta < 1$ , so any subject who petitions R will petition D if possible. Thus R will set ducal authority so that D does not compete with R. This is accomplished by setting a binding cap on ducal authority, so that D takes petitions from subjects with  $\beta_i$  below the cap, and R takes petitions from subjects above the cap. If R sets  $\beta^D = \beta^*$ , D will not

siphon petitions from R because types  $\beta_i < \beta^*$  will never petition R anyway. This intuition is formalized in the next result.

**Proposition 2** *Given  $\delta < 1$  and  $\xi > c$ , R sets  $\beta^D = \beta^*$ .*

The strategic limit on D's authority differs from the level which would maximize subjects' welfare, which is obviously  $\beta^D = 1$ . Given that the ducal venue is easier for subjects to access, it benefits subjects when the Duke can resolve all issues. But it benefits R to act as the font of authority. A corollary of this result is that, if R controls D's authority, the ducal venue does not receive petitions that R would prefer to receive.

Proposition 2 implies that Rex caps ducal authority so that the Duke hears relatively less important issues (smaller  $\beta_i$ ), while Rex hears relatively more important issues. The logic of this cap is not about controlling D as an agent, nor about a jurisprudential objective for consistency of law for significant issues. Rather, it is for R to receive as many petitions as possible, because doing so bolsters its power, while maximizing the share of grievances heard.

**The Petition-Response System.** The final issue to consider is whether R chooses to operate a petition-response system. R's net utility from a PR system when  $\rho_R$  subjects petition is

$$EU_R(\rho_R) = \rho_R \left( 1 - \xi - \frac{\gamma}{\rho_R + (1 - \rho_R)\xi} \right) + \eta(1 - \delta(1 - \rho_R)) \quad (5)$$

and R operates a PR system if and only if  $EU_R(1 - \beta^*) > 0$ . This essentially imagines that there is a small fixed cost to R of a system, for example due to administrative resources it requires even if no petitions are sent. To see the forces at work in R's decision, it is helpful to assume  $\eta = 0$ , so there is no cost of unheard petitions, then add  $\eta$  back into consideration later.

First note if  $\xi \leq c$ , no subjects petition in the minimal petitioning equilibrium. R will not operate a petition-response system in this case.

Next consider  $\xi > c$ . Observe that for any  $\xi \in (c, 1)$ , the function  $EU_R$  is strictly convex over  $\rho_R \in (0, 1)$ ; is linear-increasing in  $\rho_R$  when  $\xi = c = 0$ ; is linear-decreasing in  $\rho_R$  for  $\xi = 1$ . These properties imply that for any  $\xi$ ,  $EU_R$  is maximized at either  $\rho_R = 0$  or  $\rho_R = 1$ . Observe also that, fixing  $\gamma$ ,  $EU_R(\rho_R = 0)$  is constant in  $\xi$ , while  $EU_R(\rho_R = 1)$  is a continuous and strictly decreasing function of  $\xi$ . These properties imply that for a given  $\gamma$ , there is a threshold  $\bar{\xi}(\gamma)$  such that for  $\xi \geq \bar{\xi}(\gamma)$ ,  $EU_R$  is maximized at  $\rho_R = 0$ . The threshold  $\bar{\xi}(\gamma)$  is unique and decreasing in  $\gamma$ . This means that as the cost of hearing petitions grows, so does the set of exogenous power levels  $\xi$  such that R operates no PR-system.

The key question for R's decision to accept petitions is whether  $\bar{\xi}(\gamma) \leq 1$  or not. If  $\gamma$  is large enough, then  $\bar{\xi}(\gamma) \leq 1$ . In these cases, R does not create a PR system for  $\xi \geq \bar{\xi}(\gamma)$ .

If  $\gamma$  is small enough, then  $\bar{\xi}(\gamma) > 1$ . If R can ensure  $\rho_R$  large enough, then R would operate a PR system. Of course, in equilibrium R can only ensure  $\rho_R \leq 1 - \beta^*$ . Define  $\rho_R(0)$  as the

largest share of petitioning such that  $EU_R(\rho_R(0)) = 0$ . If  $1 - \beta^* \geq \rho_R(0)$ , then R operates a PR system. Observe from equation 4 that for any  $\xi \geq c$  and  $\rho_R(0) \in (0, 1)$ , there is a  $c^*$  such that for any  $c \leq c^*$ ,  $1 - \beta^* \geq \rho_R(0)$ . If so R operates a PR system; for any  $c > c^*$ , R does not operate a PR system.

The following proposition collects these results. (Note: Still loose.)

**Proposition 3** *For  $\eta = 0$  and fixing  $c$ ,*

1. *If  $\xi \leq c$ , R does not operate a petition-response system.*
2. *If  $\gamma$  and  $\xi$  are large enough or  $c$  is large enough, R does not operate a petition-response system*
3. *If  $\gamma$ ,  $\xi$ , and  $c$  are small enough but  $\xi > c$ , R operates a petition-response system.*

Allowing  $\eta > 0$  (R's cost of unheard petitions) does not fundamentally change these results. Observe from equation 5 that  $\eta$  shifts the linear term in  $\rho_R$ , but does not change convexity. Thus, larger  $\eta$  increases the  $c$  and  $\gamma$  values such that R prefers to operate a petition-response system.

Overall, this analysis shows that R operates a petition-response system to generate political power. This occurs because petitions by subjects are recognitions of the sovereign's power, and greater recognition of this power actually creates power. But a petition-response system is costly for R to operate in terms of the attention and bureaucratic resources it requires. If R is exogenously endowed with a high degree of power the cost is not worth the benefit to R. And, if R's exogenous power is very low, it cannot be sure that a petition-response system will add anything, because subjects may coordinate on a no-petition equilibrium. However, if R's power lies in an intermediate range, then R uses the petition-response system to expand its power.

## 2 A Model of Competitive Petitioning

So far we have only considered a single ruler, which is not applicable in settings with overlapping, competing claimants to power—a common condition when state systems were consolidated. In this section we shift to a model of competitive petitioning. Subjects fall in one of two “jurisdictions,” and each jurisdiction has one Rex as a nominal sovereign. Subjects can petition either Rex, though it is less costly to petition in their own jurisdiction. We explore the idea that petitioning the Rex in another jurisdiction adds to the power of that Rex, and subtracts from the power of the petitioner's nominal Rex. We explore the nature of equilibria in this system, and its effect on incentives for each Rex to project signals of exogenous power.

## 2.1 Structure

There are two jurisdictions,  $j = 1$  and  $2$ . The jurisdictions have equal populations, each  $1/2$  a unit mass. Each jurisdiction  $j$  has a Rex  $R_j$ . Subjects from jurisdiction  $j$  can petition either  $R_1$  or  $R_2$ . Subjects in jurisdiction  $j$  incur cost  $c > 0$  to petition  $R_j$ , and  $\delta c$  to petition  $R_k$ , where  $\delta > 1$ . Subject  $i$  in jurisdiction  $j$  obtains a value  $\beta_i^j$  from a fulfilled petition. Suppose that  $\beta_i^j$  ranges from 0 to 1 in each jurisdiction. An important limitation of our analysis is that each subject petitions only once.

The power of  $R_j$  is  $\pi_j = \rho_j + (1 - \rho_j)\xi_j$ , where  $\rho_j$  is the share of all subjects (from all jurisdictions) who petition  $R_j$  and  $\xi_j$  is  $R_j$ 's commonly known exogenous power. Assume  $\xi_j > c$  for each Rex, and without loss of generality,  $\xi_1 \geq \xi_2$ .

The utility of  $R_j$  is

$$U_R = \begin{cases} \pi_j - \rho_j \left( \frac{\gamma}{\pi_j} \right) & \text{if R operates a PR system} \\ \xi & \text{otherwise.} \end{cases} \quad (6)$$

The utility of subject  $i$  in jurisdiction  $j$  is

$$U_i^j = \begin{cases} \beta_i^j \pi_j - c & \text{if } i \text{ petitions } R_j \\ \beta_i^j \pi_k - \delta c & \text{if } i \text{ petitions } R_k \\ 0 & \text{otherwise.} \end{cases} \quad (7)$$

We focus only on petitioning equilibria, assuming both rulers operate a petition-response system. We restrict attention to parameters such that there is petitioning by subjects of both jurisdictions (though not necessarily to both rulers), and assume subjects petition their own Rex when indifferent.

## 2.2 Analysis

As before, a basic point in the analysis is that subject incentives to take an action exhibit monotonicity in  $\beta_i^j$ . That is, if a subject with  $\beta_i^j$  prefers to petition in a particular venue, then a subject with  $\beta' > \beta_i^j$  from the same jurisdiction prefers that petitioning action even more.

Thus, the equilibrium possibilities in the petitioning game are: (1) subjects only petition their own Rex, (2) some jurisdiction 2 subjects petition  $R_1$  and others petition  $R_2$ , (3) some jurisdiction 2 subjects petition  $R_1$  and none petition  $R_2$ , (4) some jurisdiction 1 subjects petition  $R_2$  and none petition  $R_1$ . We refer to these equilibria as **own rex**, **some crossover**, **all crossover–Rex 1**, and **all crossover–Rex 2**, denoted **O**, **S**, **A1**, **A2** equilibria for short. There is no “double crossover” equilibrium in which subjects of  $j = 1$  petition  $R_2$  and subjects of  $j = 2$  petition  $R_1$ .<sup>5</sup>

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<sup>5</sup>Such an equilibrium requires a subject  $\beta_i^1$  such that  $\beta_i^1 \pi_1 - c < \beta_i^1 \pi_2 - \delta c$ , and a subject  $\beta_i^2$  such that

Taking the power of each Rex  $\pi_j^*$  as given provides some clarity about when subjects will comply with each type of equilibrium. First, given subject monotonicity and equilibrium power levels  $\pi_j^*, \pi_k^*$ , a necessary condition for an own-rer petitioning equilibrium (O-equilibrium) is that subjects  $\beta_i^j = 1$  weakly prefer to petition  $R_j$  rather than  $R_k$ :  $\pi_j^* - c \geq \pi_k^* - \delta c$ , or

$$\pi_1^* - \pi_2^* \leq (\delta - 1)c. \quad (8)$$

Thus, an own-rer petitioning equilibrium requires that power levels of the rulers are not too different, relative to the cost of crossover petitions.

On the other hand, an equilibrium with some crossover (S-equilibrium) requires that subject  $\beta_i^2 = 1$  from  $j = 2$  strictly prefers to petition  $R_1$ :  $\pi_1^* - \delta c > \pi_2^* - c$ , or

$$\pi_1^* - \pi_2^* > (\delta - 1)c. \quad (9)$$

Thus a necessary condition for crossover equilibrium is that the power difference of the rulers is relatively large, given the cost of crossover. Equation 9 is the complement of the own-rer condition (equation 8). The strict inequality in condition 9 implies that a strictly positive share of  $j = 2$  subjects petition  $R_1$ .

Further, an S-equilibrium requires that some  $j = 2$  subjects prefer to petition  $R_2$  rather than petitioning  $R_1$  or not petitioning at all. Given that subject  $\beta_i^2 = \frac{c}{\xi_2}$  is indifferent about petitioning  $R_2$  or not petitioning, this requirement is met if the said subject strictly prefers not to petition  $R_1$ :  $\frac{c}{\xi_2}\pi_1^* - \delta c < 0$ , or

$$\pi_1^* < \delta \xi_2 \quad (10)$$

When this condition holds, then a strictly positive share of subjects prefers to petition  $R_2$  rather than  $R_1$  or no one.

Finally, an equilibrium where all petitioners crossover to  $R_j$  and  $R_k$  receives no petitions (A1 and A2 equilibria) requires:

$$\pi_j^* > \delta \xi_k \quad (11)$$

This condition ensures that, given petitioning behavior of other subjects, all subjects who have a dominant strategy to petition  $R_k$  rather than not petition, strictly prefer to petition  $R_j$ . Therefore,  $R_k$  will receive no petitions.<sup>6</sup>

In equilibrium, each ruler's power  $\pi_1^*, \pi_2^*$  is generated according to equation 1, given the subject best response conditions above. We lay out the full equilibrium conditions in the appendix

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<sup>6</sup> $\beta_i^2 \pi_2 - c < \beta_i^2 \pi_1 - \delta c$ . Given  $\delta > 1$ , the first condition requires  $\pi_2 > \pi_1$  and the second requires  $\pi_2 < \pi_1$ , which is impossible.

<sup>6</sup>Note equation 11 can be rewritten as  $\pi_j^* > (\delta - 1)\xi_k + \xi_k$ , which is the special case of equation 9 for  $\rho_k = 0$ , so this condition also implies that  $k$ -subjects prefer to petition  $j$  rather than not petition.

and sketch the overall points here (note: still loose).

**Proposition 4** *In competitive petitioning with  $\xi_1 \geq \xi_2$ ,  $c > 0$ ,  $\delta > 1$ ,*

- *When  $\delta$  is large enough, the unique petitioning equilibrium is an  $O$  equilibrium.*
- *When  $\delta$  is small enough,  $c$  is large enough, and  $\xi_2$  is large enough relative to  $\xi_1$ , the unique petitioning equilibrium is an  $S$  equilibrium.*
- *When  $\delta$  and  $c$  are small enough, there is a petitioning equilibrium in which all petitions from both jurisdictions go to  $R_1$ , and another in which all petitions go to  $R_2$ .*

Equilibria A1 and A2 have an analytic symmetry: one Rex consolidates power by securing recognition of power from subjects in both jurisdictions. The other Rex loses power not because they are incapable of fulfilling any petitions, but because broad subject recognition of a ruler’s power makes them powerful. Further, equilibria A1 and A2 both exist in an overlapping, positive-measure subset of parameter values. In particular, even though  $R_1$  has an exogenous “advantage” in the competition for power, in that  $\xi_1 \geq \xi_2$ , it is possible that coordination by subjects on  $R_2$  actually confers enough power to negate  $R_1$ ’s exogenous advantage. This underscores a fundamental point of our argument: in the competition for ascendancy among rulers, coordination by subjects on recognition of power is not solely an epiphenomenal result of strategic, economic, or geographic fundamentals; it *is* a strategic fundamental.

Overall, the analysis suggests the importance to rulers of increasing their exogenous power  $\xi_j$ . Increasing  $\xi_j$  can make the difference between a precarious battle with other rulers for coordinated recognition by subjects, and a firm base of subjects who recognize a ruler’s power and thereby secure it. In turn, this suggests important future directions to treat  $\xi_j$  as endogenous. Public displays such as submission to a Rex’s authority by other potentates or elaborate court rituals can serve as signals of a Rex’s power  $\xi_j$ , and thereby change the recognition by subjects—and the Rex’s power  $\pi_j$ —in equilibrium (Chwe 2000). While these ideas are beyond our formal analysis, they are natural next steps, and help to connect the model to empirical observation.

### 3 The Practice of Petitioning in Nascent States

Absolute and frictionless control characterizes few if any empires in human history, and as those empires emerged they, too, confronted issues of coordination and control. Before the modern period and the emergence of highly organized mass armies centralized under monarchical or imperial control, there were few empires capable of ruling with low friction. Issues of coordination and control beset a range of regimes now endowed with the title of “empire”: Charlemagne and subsequent Frankish kings, the premodern Roman Catholic Church, the Holy Roman Empire, the British Empire, the Spanish Empire. Plausible exceptions to this pattern were the Roman Empire at its zenith and the long reign of imperial China (Wang 2022). Yet from the fall of the

Roman Empire onward, rule in medieval and much of early-modern Europe was characterized by fragmentation and the absence of hegemony (Bisson 2009; Scheidel 2019; Grzymala-Busse 2023: 4, 8, 16). A second feature of these empires is that they had a range of institutions for receiving complaints, whether delivered in person to the royal or imperial court or via letters (often by vellum or parchment, later written on paper and later in print).

For cases to speak to the model, several basic features of a regime must hold.

- *Non-absolute control*; the state has to be nascent, at least partially.
- There must be a *sufficient number of subjects* that our “unit mass” assumption with continuity has plausibility, and so that subjects cannot coordinate on cutpoint status. Village politics may have petitions but such phenomena are weakly addressed by our model.
- There must be *alternative venues*. Viceregal officials are not alone sufficient to provide this venue if all they do is process petitions for the Rex. If there is a pope then there must be semi-independent bishops. If there is a King or Queen there must be semi-independent lords or dukes.

### 3.1 Frankish Kings in the Merovingian Era

In the wake of the Roman Empire’s dissolution, a range of rival regimes competed for power and Europe was decentralized, a fact that would only be partially reversed under Charlemagne and his successors and then reinforced again by Catholic institutional legacies (Grzymala-Busse 2023). Sixth-century Europe saw the Visigoths largely in control of the Iberian Peninsula, Ostrogoths controlling the Italian peninsula, a range of tribes contesting the Baltic region, and the British Isles controlled by a mix of (Roman) Britons, Angles (or the English), and Picts in the North, with Ireland not having been conquered by the Romans. In what is modern-day France, the areas stretching from Normandy through modern-day Belgium and the Netherlands were governed by the kingdom of the Franks, while parts of the *massif central* and the transalpine regions were ruled by the Burgundian Kingdom. The West and South were held by the Visigoths.

The history of Frankish and Burgundian kings from the fourth century onward has been of great interest to scholars, in part because many of the fundamentals of the Carolingian Empire and later Holy Roman Empire emerged from these two pre-Carolingian kingdoms (Moore 2011). Important developments in medieval bureaucracy and the adaptation of Roman law emerged from the Frankish kings (Moore 2011), as did early developments in Christian kingship that were later universalized by Charlemagne and medieval kings in France, Spain, Normandy, and England (Kantorowicz 1957). In the longer history of France, the Merovingian kings inaugurated precedents of being coronated at Reims (Clovis was actually baptized there, but later coronations followed this precedent) and being buried at the Abbey of Saint-Denis.

Unlike later petition-and-response systems, we lack substantial archives for the Frankish kings of the Merovingian era, but a range of primary sources from the period testify to a constant and robust system of regal “listening” to appeals and complaints. These were institutionalized in what might be called a patron-client system, what recent scholarship by Tyrrell 2019 terms as a system of *amicitia* (friendship). Letters and letter-writing characterized much of Merovingian appeals and much of complaint-making. Extant records show that lords, bishops, Jews and women all wrote supplicating letters to the Merovingian kings, and Merovingian clerks were also plausibly the first in Europe to develop response formulae for petitions (Wood 2017; Zaret 2019). Gregory of Tours wrote of the regent queen Fredegunda sending deputies in 587 to King Guntram of Burgundy, “who, opening the supplication and [having] made response,” then saw the deputies depart on their way (*Qui, reserata petitione, accepto responso, vale dicentes abscedunt*).<sup>7</sup> So customary was supplicating in the Frankish kingdom, and to the kings, that subjects of the realm developed different rhetorical and emotional strategies for doing so. Of women, (Tyrrell 2019: 130) writes of “letters span[ning] two centuries [that] represent a wide range of women and situations that include diplomatic negotiation, formal laments, and family communication.” Tyrrell observes that “the women involved appear to have adopted the stance and emotions of helplessness in order to enhance what they were writing and increase the odds that their petitions would be granted.”

As with other regimes we study, princes and kings were often counseled by advisors, lords and bishops to hear petitions in a particular way. Often the kings and their deputies viewed petitions in letters, as with Guntram in 587 above, but in other cases they heard appeals in person at their palace or “headquarters” (*praetorium*). A striking letter of advice appears in the words of Bishop Remigius of Reims (later canonized and known as “the Apostle of the Franks”) to perhaps the most famous Frankish king of the Merovingian era, Clovis, who was not coincidentally the first to be baptized at Reims in a sign of sovereignty. The letter probably dates from before 486 but expresses norms that characterized much of Merovingian kingship for two centuries afterward.

Raise up your citizens, refresh the addicted, foster the widows, nourish the orphans, if it is better than teaching them, that all may love and fear you.

Let justice flow forth from your mouth, let nothing be expected of the poor or immigrants, so that you do not receive gifts from them; let your palace be open to all, that no one thus departs in sadness.<sup>8</sup>

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<sup>7</sup>The source is *Gregorii episcopi Turonensis Historiarum libri X*, (eds.) B. Krusch and L. Levison, (Hanover, 1951, rpt 1993), Liber VIII.44, in *Monumenta Germaniae Historicae* (MGH) *Scriptores rerum Merovingicarum* (SRM) 1.1, 410. Our translation invokes the ablative absolute (*petitione, accepto*). Note that there was more than one Frankish king of the realm at this time, and Guntram held what was called the Kingdom of Orléans (later Burgundy).

<sup>8</sup>The original is *Civos tuos erige, addictos releva, viduas fove, orfanos nutre, si potius est, quam erudies, ut*



Four critical features of the Merovingian era among the Franks are relevant to our model. First, while the system was not bureaucratized, there was something of a stable equilibrium of petitioning in letter-writing, as evidenced by Tyrell’s study of women’s petitioning patterns and Bishop Remigius’ understanding that an open palace would serve the king well. Second, there were multiple venues to which a person could petition. As (Tyrell 2019 15) observes, “a petitioner need not approach the highest echelons of power for aid, for there were many lesser officials and individuals who could dispense favours or act as intermediaries.” The widespread nature of “begging pardon and favour” that Koziol (1992) regards as a “ritual” was thus embedded in Frankish culture well before Charlemagne. Third, the Frankish kings were at the head of nascent states and their power was both firm within certain boundaries but contested at the margins; they never had anything like a mature empire or an absolute monarchy.

Fourth, Bishop Remigius’ advice in the late fifth century to Clovis points to the *symbolic* feature of many regal acts and the need to be both “loved and feared.” Remigius recognizes that Merovingian power was not supported by the force of arms alone but by an equilibrium of beliefs and emotions. The sacral nature of European kingship at this time goes well beyond the Merovingians (Kantorowicz 1957), and symbols of merciful and generous rule are of course observed in many monarchies. What is critical to our model is that the same bishops with whom Frankish kings are striking up strategic alliances (Moore 2011), and the same bishops who are joining with Frankish kings in rites of coronation, baptism and burial that support common beliefs in sovereignty, are also explicitly counseling these kings to keep an open palace for the regular receipt of complaints.

### 3.2 Carolingian Europe and the Medieval Catholic Church

The rise of Charlemagne after the Merovingians marks a transformative break in European history, such that “Karolus Magnus” brought many previously scattered kingdoms under one domain, albeit briefly. Recent scholarship has emphasized the highly strategic nature of Charlemagne’s empire (Davis 2015), showing that Charlemagne employed practices of double delegation and overlapping office to keep tabs on lords and emissaries (*missi*). Charlemagne also bestowed and withheld honors in such a way as to create incentives for loyal behavior among subordinate lords. The existence of these strategies points to the absence of a highly bureaucratized, absolutist state during the Carolingian era. The other constant feature of Carolingian society was the abundance of venues that could be petitioned (Koziol 1992; Bisson 2009); essentially, anyone with lordship (*dominatio*) could be petitioned, and the culture of begging pardon and favor was so deeply ingrained that lords petitioned one another in both the secular domain and the ecclesiastical domain (keeping in mind that these were not fully separated at the time, either

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*omnes te ament et timeant. Iustitia ex ore vestro procedat, nihil sit sperandum de pauperes vel peregrinis, ne magis dona aut aliquid accipere vellis; praetorium tuum omnibus pateatur, ut nullus exinde tristis abscedat;* in *Epistolae Austrasicae*, ed. W. Gundlach. MGH, Epistolae 3.3. Berlin, 1888, p. 113; the passage has been identified but not translated by Tyrell, the translation is ours.

practically or theoretically).

While archives of petitions to Charlemagne do not exist, there is abundant evidence for a regular practice of lords and bishops petitioning Charles and his successors on a variety of matters. Two of the most famous examples come from the contested region of Lombardy, which existed on the margins of Charlemagne's rule. The principal magnate resisting Charlemagne's rule was Arichis the Second of Benevento, head of the Benevento duchy that had long fought off Frankish incursions. Arichis was held in captivity after battles with Charlemagne's forces, and in 784 his brother, the Deacon Paul, composed a poetic petition to Charlemagne pleading for his release. Paul was in Francia at this time and soon became established at the Frankish court, but the beseeching character of Paul's prose is an example of earnest supplication that recognizes another's sovereignty, even though Charlemagne was not in *de facto* or *de jure* control of Lombardy at the time. The petition is written in poetic form, and begins with the formulaic salutation and exordium that would later become part of the *ars dictaminis*: "Consider peacefully the words of your servant, high king. ... I am wretched, as I deserve to be, so much that one else on earth is." Paul explains the seven years in captivity of his brother Arichis and then beseeches Charlemagne to "have mercy" and release him, recognizing Charlemagne's status as "powerful ruler." The deacon concludes that "He alone is worthy who can render rewards," pointing to Charlemagne as the only person – *solus*, the same language used to conclude the *Gloria* – who could be so powerful as to receive and act upon this petition, the only person who could show such mercy to Arichis.<sup>9</sup>

A second example from this region comes from the year 788, when Arichis the Second and his eldest son died, leaving the Benevento duchy headless. The people came together in a council and then their leaders sent emissaries to Charlemagne to petition for the release of Arechis' second oldest son, Grimwald, to become the new duke. As something of a condition for Grimwald's release, the Beneventos began silver coinage (added to their gold coinage) and began affixing Charlemagne's name to their coins. The afterstory of this petition is complicated, as the sources suggest; Grimwald rebelled, the Beneventos momentarily stopped silver coinage, and four years later it was Charlemagne's sons who brought the Beneventos to heel, after which point they adopted Carolingian silver coinage. Yet the identification of Charlemagne as the one who could restore the duchy's leadership after 788 was a profound recognition of Charlemagne's sovereignty.<sup>10</sup>

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<sup>9</sup>Opening of prayer of Diaconus Paulus: *Verba tui famuli, rex summe, adtende serenus. ... / Sum miser, ut mereor, quantum vix ullus in orbe est.* The appeal to Charlemagne as powerful ruler: *Sed miserere, potens rector, miserere, precamur / Et tandem finem his, pie, pone malis. / Captivum patriae redde et civilibus arvis.* The recognition that Charlemagne can alone grant what is asked: *Reddere qui solus praemia digna potest.* Karl Neff, *Die Geschichte des Paulius Diaconus: Kritische und Erklärende Ausgabe*, (München: C. S. Beck, 1908), 53-55. Translation ours.

<sup>10</sup>Source: MGH *Scriptores Rerum Langobardicarum et Italicarum* (SS rer Lang.), Saec. VI-IX, (Hannover: Hahn, 1878), *Erchempeti Historia Langobardorum Beneventanorum*, Cap. IV, p. 236. On the coinage arrangement: *Set prius cum sacramento huiusmodi vinxit, ut Langobardorum tonderi faceret, cartas vero nummosque sui nominis caracteribus superscribi semper iuberet.* The passage has been identified but not translated by James (1835).

Potentially subjugated peoples at the Carolingian frontier were not the only petitioners to Charlemagne. A well-known petition of monks from Fulda (present-day Germany) complaining of the aggressive and imperial nature of their abbot was presented in the form of a booklet (entitled the *Supplex Libellus*) to Charlemagne in 812 Raaijmakers 2012. While Fulda was a royal abbey, the decision to petition Charlemagne and not Pope Leo III was notable, as the same monastic community had repeatedly supplicated to the pope (Raaijmakers 2012:156). The monks protested that their Abbot Ratger was constructing “an immense and superfluous building” at Moyennoutier, diverting monks from prayer and abbatial management and relegating them to construction work. As with many such controversies, it was Charlemagne’s sons who ended the disputes by either forceful or peaceable resolutions. In the 820s, monks from the French community of Moyennoutier traveled to the imperial court at Aachen to present their complaints to Louis the Pious, lamenting that their abbot was neglecting their care. The monks’ concerns were already known the court, as it had sent two emissaries (*missi*) to Moyennoutier, one a bishop (Frotharius of Toul) and the other an abbot (Smaragdus of Saint-Mihiel), to investigate. The *missi* reported that the situation had become irreconcilable absent the intervention (“judgment”) of the king, and they encouraged the monks to travel to Aachen and warned Louis of the impending visit. In light of Davis’s (2015) important study of Charlemagne and his use of multiple *missi* as agents, the petition shows that complaint-and-response systems were integrally bound up with other “practices of empire” for the Carolingians. When the *missi* could not solve a problem, and even when they could, the petition-and-response system was necessary for the peace of the realm, and only the emperor could solve some problems.<sup>11</sup>

What is fascinating about these petitions is that they end-ran papal authority. Indeed, scholars of the period note that contemporary popes viewed these diplomatic and complaint patterns with some degree of worry, bordering on resentment, as even ecclesiastical supplicants viewed Charlemagne and his sons as the ultimate venue for complaint. It was not until the late ninth century that patterns of petitioning for papal authority set in (Savill 2023)

These examples are striking in that they raise an important question. Why would Charlemagne entertain entreaties from subjects who were clearly not his, from lands not governed by his dukes and barons, and which could be a source of friction with other claimants to power over those subjects? Equally important, why would these actors petition Charlemagne? We do not think that principal-agent logics of petitions as fire alarms, or jurisprudential logics of petitions as tools for legal uniformity, can answer this. These petitions did not provide information about governance quality or hierarchical obedience of Charlemagne’s agents, because those agents did not govern these petitioners. On the other hand, our theory handles these cases naturally. Charlemagne accepted and responded to these petitions because they bolstered the sense that

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<sup>11</sup>Source: *Supplex Libellus*, c. 12, in MGH, *Epistolae Karolini aevi (II)* (Berlin: Weidmann, 1895), 549: *Ut Aedificia immensa atque superflua et cetera inutilia opera omittantur.*. The translation is from De Jong’ (1995). On the weak integration of paper authority at Fulda during the early Carolingian period, consult (Raaijmakers 2012: 299-300). On the Moyennoutier monks, see Kramer (2020).

he was a powerful ruler. And subjects petitioned Charlemagne because of that very perception of power.

While there are abundant petitions in the early Carolingian era through the Capetians, was there anything like a system? The transformative work of Koziol (1992) suggests that indeed there was, and that its parameters, while not fully determined by the Carolingian emperors, were heavily shaped by them, especially Charlemagne's sons. Examining a culture of "ritual and political order" in early medieval France, Koziol defines supplication as "the act of begging a favor or forgiveness in a formal language of entreaty" (1992: 8). Aspects of this supplication ritual were prayer-like, but "by the reign of Louis the Pious in the early ninth century, the various strands of supplication received from late antiquity had been gathered together and organized into a coherent paradigm of political order" (1992: 11, also xiii-xiv). This "coherent paradigm" included royal formulas of petition (25-26) and an ethic of deference (35). Yet as Koziol details, it also included response. Widespread ethics of lordship, which applied to kings as well, dictated that assuming the supplication had been sufficiently humble, "it was fitting" (*dignum erat*) that the lord receive the petitioner 'reverently.'"<sup>12</sup>

The ethic (and equilibrium) by which petitions met with a response would continue well past the Carolingian kings into Capetian dynasties of the 11th and 12th centuries. Of the 46 acts issued by Robert the Pious (the son of Hugh Capet, who ruled 996-1031) for the northern ecclesiastical provinces (Sens, Tours, Reims, Rouen), forty were granted in response to some form of petition addressed to the king (Koziol 1992: 42). The emergence of regal histories of mandates, diplomas, edicts and charters (Kantorowicz 1957; Bisson 2009) is also shaped by petitions. The very first "mandate" issued by Philip I (one of the longest serving Carolingian kings, 1059/60-1108) was given in response to a petition by Ivo of Chartres (soon to become bishop of Chartres), in which Ivo represented the requests of the canons (clerics) of the larger community for the investiture of an abbot. Philip's first mandate, then, was given in response to a collective petition, which was acknowledged at length in the mandate's text. (The petition of the Saint Quentin canons did not have a signatory list as would be found in the modern period, however.) The longer evolution of Carolingian office can be described in part by the responsibility of anyone with lordship or authority to hear complaints: "the model of petition perpetuated Carolingian models of authority – in this case, the idea of public office as a *ministerium* whose moral responsibilities bound king or count more straitly than any accountability to public wishes" (Koziol 1992: 56).<sup>13</sup>

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<sup>12</sup>Koziol implies that response often meant assent: "True, when scribes wrote that a lord had acquiesced in a petition or deigned to grant one (*adquiescere, condescendere*), they implied that he had the freedom to refuse it. But their formulas also implied that he would not; for when a petitioner approached a lord with the humility, devotion, and reverence which were the lord's due, the lord was called upon to act his part by giving his assent to the petition"; Koziol (1992: 54-55).

<sup>13</sup>The mandate appears in *Recueil des actes de Philippe Ier, roi de France (1059-1108)*, ed. Maurice Prou (Paris, 1908), CXIX (1089), pp. 302-4. The mandate is addressed to the canons of Saint Quentin parish, and Philip acknowledges both the fact of the communal petition and, in granting it, the fact that the community had already "endorsed" (*collaudare*) the idea: *supplicans nobis tam per se quam per fideles nostros ut aecclesiae sibi*

The Carolingian (and later, Capetian) model of petitioning emphasized the formal openness of the Rex even as an equilibrium of hierarchy development. Local matters in civil government were often taken care of by lords, while in ecclesiastical matters bishops and abbots were the first line of most petitions. Ivo of Chartres petitioned Philip I and other French kings, and in ecclesiastical matters often the pope. Yet Ivo was himself the recipient of many petitions from diocesan priests, lords and even noble women, as well as from “the people” of his cathedral chapter (such petitions may well have been organized by the leading men or *magnates* of Chartres. Scholars like Koziol and Bisson make clear that there were many venues for a petition from the ninth through the twelfth centuries in Europe, but Koziol’s study of France suggests that ability to take a petition to the king was an increasing function of social status. Koziol on the multi-venue nature of Carolingian petitioning: “The ninth-century Carolingians had been careful to project an image of a power accessible to men and women of all stations; as a result, even small landholders could approach the king to make requests, while monks and canons collectively sought the confirmation of donations made to their houses. For the most part, however, only the political influential petitioned the king – queen, palace cantor, or *fideles*” (1992: 70-71).<sup>14</sup>

The post-Carolingian world also saw the emergence of broader petitioning patterns within the medieval Catholic Church (Millet 2003). Again the practices of monks are illustrative, as different monastic communities made a practice of taking their complaints directly to the pope or to councils that were announced and organized by the popes. Eleventh-century monks at Saint Riquier took their collected complaints about their abbot to a council of bishops convoked by Pope Urban II held at Reims (Koziol 1992: 193). In another essay, Koziol (in Millet (2003)) observes that established formularies for presenting petitions to the Roman curia matured during the 13th century, such that any *supplique* had to follow the “style-sheet” of the curia (*secundum cursum Romane curie*). With the rise and rule of Innocent the IV, who pleaded for a much stronger papal state, “formulas of petition became still more standardized and restrictive – which is to say, even briefer and even more tightly focused on the legal content of the request or claim” (Koziol 2003: 23, in Millet 2003).<sup>15</sup>

Importantly, these transformations occurred before and during what Grzymala-Busse (2023) has called the period of the “Church triumphant” (27-31). At the same time that the Vatican was establishing what Grzymala-Busse argues were the trappings of a state – taxation, a more centralized court system, penitentiary institutions, a system of censuses (Chapter Three) – the Vatican established its most extensive and bureaucratic petition and response system to date

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*commisse prebendam unam in vestra aeclesia pro remedio animae patris mei et matris meae perpetuo habendam concederemus. Cujus petitioni ideo libenter assensum prebuimus, quia vos id in capitulo vestro jam collaudasse per quosdam ex vobis audivimus.* On this as the first mandate of Philip I, consult Koziol (1992): 42.

<sup>14</sup>On some of the petitions received by Ivo, see Ivo, *Epistola*, V (the countess Adèle), VIII (the church of Chartres), LVIII (the canons of Saint-Étienne de Sens) (Migne 1854: 15, 18-19, 68-69). Because Ivo’s letters were widely read and influential among jurists of the medieval and early modern period (Rolker 2010), these petitions and responses likely shaped the behavior of other clergy in Europe.

<sup>15</sup>Koziol’s essay in (Millet 2003: 22-23) refers to the formulary of notary Boncompagno of Florence (in his *Rhetorica Antiqua* written between 1215 to 1226) and another of Cardinal Guala Bichieri in a *Libellus petitionem*.

(Berlière 1906; Herde 1967; Millet 2003). Petitions to popes took a particular form called the “supplique” (*supplicatio*), and while it was always considered best to present suppliques to the pope at Rome, the process for doing so became vastly more bureaucratic from the thirteenth century onward, producing the ever vaster volumes of paper correspondence and casework of the thirteenth and fourteenth centuries. From these institutional foundations grew the systems that would record hundreds of thousands of petitions and responses in the fifteenth and sixteenth centuries. By this later date, it is true, what might be called the papal state was no longer nascent. Yet the decisive shifts in papal *establishment* or *advancement* of regularized petition and response systems come roughly at the same time as its other state-building moves.

The medieval Roman Catholic church and its petition system have been the subject of considerable study (for a bibliography that is voluminous but dated, see Millet 2003 and the chapters therein). Several features of the timing and characteristic of the papal petition and response system are interpretable in terms of our model. First, there were multiple venues and popes did not, until much later in the development of the petition-and-response system, have a clear monopoly on recognized authority. Second, the popes of the period did not have massive exogenous power, even as they built the fundamentals of a state. Indeed, the very claims to such dominance made by Innocent III and Innocent IV and their successors gesture to the fact that such hegemony was contested, in part by kings and in part by powerful European bishops who had allied with kings and lords (Grzymala-Busse 2023: 7). Third, the system was officially open to all subjects, and while higher ecclesiastical officials likely made the most use of the petition system, those below the top elite systems (such as monks complaining of an abbot or commoners wishing for re-entry after excommunication) also used the system.

### **3.3 The Spanish Empire under Habsburg Rule**

One of the best documented examples of a petition-and-response system comes in recent studies of Spain and the Spanish empire under the Habsburgs. The records of the Council of the Indies have been remarkably well preserved, and scholars of Spanish empire and of North and South America have drawn on them for illumination of Indigenous, imperial history and the development of capitalism (Brendecke 2016; Masters 2023).

The breadth of the Habsburg empire at this time was astonishing. Spanish monarchs claimed vast swaths of North and South America. By the early 16th century there was no serious competition from other rulers or centralized polities for ascendancy in most of the Spanish New World. Thus the Spanish empire case differs from the cases above in an important way. Formal government the Spanish New World was well-institutionalized under the monarch’s rule. Unlike medieval Europe before the state system, the Spanish Empire did not exhibit a large constellation of overlapping, potentially competing claimants to rule in a given territory. For these reasons, the case of the Spanish Empire maps more clearly to the baseline model of a single ruler with ducal authority, than to the model of competitive petitioning.

At the same time, formal claims by the Habsburgs did not equate to real control, sovereignty, or allegiance—especially from indigenous Americans. The Spanish struggled for centuries to expand their zones of real sovereignty beyond their urban cores, and their success was never complete (Blackhawk 2023). Outside of major urban centers, formal state power under the Habsburg Empire was tenuous (Elliott 2007). Spanish monarchs faced a problem of gaining recognition of sovereignty, but the chief competitor in the empire’s hinterland was not other claimants to power—it was no centralized recognition at all. Moreover, while the Crown governed through a network of officials it appointed and supervised, it had difficulty controlling these officials in the sense of forcing them to take any particular action (Garfias and Sellars 2021; Guardado 2022).

In this environment, gaining recognition from the subjugated populace by imposing a top-down, state-centered apparatus was untenable (Blockmans, Holenstein and Schläppi 2009). The empire’s well-known institutions of extractive domination, both directly planned by the Crown and indirectly following from its plans, were only part of the picture of sovereignty (Irigoin and Grafe 2008).

To penetrate and know their far-flung domain, the Spanish monarchs improvised a network of colonial information production with astonishing dimensions. The reports that the Spanish ministry constantly demanded from its New World officials, while voluminous, amounted to only a thumbnail sketch of this information. The vast bulk of its information came from petitions: direct communication from subjects or officials to the monarch. Petitions reported on conditions, asked for intervention, and sought redress. Within a few decades, the Council of Indies in Madrid began an overhaul of petition organization. This perpetually ongoing project, never fully complete due to the volume of documents, nevertheless revolutionized technologies of early modern imperial governance. The typical end result of a petition was a royal decree (*cédula real* from the monarch ruling on the issue in question. By 1630, Spanish scholars of the Council of Indies enumerated 600 books of decrees containing some 400,000 individual rulings (Masters 2023: 12). These decrees ranged from a mass of small rulings on local or personal affairs, to major holdings on high-level administration and policy.

Managing this system of documents was costly. When the Spanish monarch was itinerant (to 1561), his documents alone occupied six to ten wagons in his train. When the ministry took up a fixed location in Madrid, petitions filled official meeting rooms, ministers’ homes, and eventually large physical archives. The monarch heard as many petitions as possible, which generated a volume that required major administrative overhaul in the process of responding to them several times in the 16th and 17th centuries. Though some petitions concerned the highest orders of policy and administration, there was no “lower bound” on the importance of the issues heard. Ministers and the monarch developed heuristics to sort and address petitions, but no organizing system could overcome the fact that analyzing and responding to petitions required the constant attention of several high advisors, internal consultation on decisions in response to

petitions, and several hours per day of the monarch himself (Masters 2023, chapters 4-5).

Despite the volume and cost of the petition system in imperial governance, it did not and could not succeed in bestowing *noticia entera* or “total knowledge” on the ministry. Paradoxically, the crown’s information from petitions was at once enormous in volume and of questionable-to-low value for actually asserting control in governance; indeed these elements of the system may have been mutually reinforcing (Brendecke 2016). The permeable boundary around the monarch that afforded direct access to all subjects also enabled everyone involved to present their distinct version of events and facts on the ground. Every subject with a stake in an important matter, such as disposition of a piece of property, a trade concession, or the behavior of a royal administrator, was free to offer their input. Consequently, it was impossible for petitions to identify a singular truth with direct implications for royal action on any contested matter. For its part, the ministry was fully aware that petitions from interested parties could create a distorted view of the world (Masters 2023, chapter 3). Claims in petitions could not be taken as authoritative without investigation and follow-up by the ministry; otherwise the crown would have been deeply exposed to strategic manipulation by its subjects.<sup>16</sup> Yet time-consuming investigation into matters of petition by an overworked, understaffed ministry meant that the crown’s picture on any matter was necessarily partial. Value was certainly not jurisprudential for deriving a general body of law and ensuring consistency of application across cases.

In short, the petition-response system was costly; it produced a mass of documents so large and fluid as to undermine the informational value of any given petition for governance; and it focused the attention of the crown and high ministers on matters that could have easily been handled by local officials. As an instrument of control, the petition-response system is not easy to rationalize. Yet the system endured. There was no real thought of alternatives: direct engagement of the monarch with subjects was deeply rooted in the Habsburg practice of rule. As Erasmus of Rotterdam advised King Charles V, “take all humble pleas.” Charles and his successors worked hard to live up to this dictum. Why?

Our model suggests that the strategic value of this system to the crown was not in controlling any one administrator or policy matter, but in constituting the crown’s sovereignty in general. This occurred precisely because of the large volume of petitions, which we posit created a shared sense in both the populace and the administrative hierarchy that the monarch was generally recognized as the sovereign power. Petitioners routinely professed belief in the monarch’s wisdom and justice (“we have understood that the clemency and justice abounds in Your royal breast”), and the potency of the monarch’s intercession (“acquit your royal conscience well and [provide] the conservation of these Indians, your vassals”) Masters 2023, 29-30. This system created a “fiction of vassal-lord dialogue” that was “a cornerstone of vassals’ trust in the monarchy” (Masters 2023: 7,156).

By the late 17th century the Habsburgs had a rich hierarchy of royal officials to whom they

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<sup>16</sup>This is not to imply that the crown was never strategically misled through petitions; only that it was keenly aware of this possibility, and knew that mitigating it meant that petitions could not always be taken at face value.



might have delegated authority to hear petitions. Yet there was no “lower bound” on the importance of what the monarch would hear—and there was an “upper bound” on the authority of local officials, up to and including viceroys, to make policy through decrees. The baseline model conveys a clear logic for both observations: hearing as many petitions as possible maximizes the monarch’s power; capping the authority of local officials ensures that even the most minor issues were heard by someone, without compromising the ruler’s power.

In summary, the petition-response system in the Habsburg Spanish empire was voluminous and demanding for the ministry. It did not afford the monarch complete control over local conditions or the behavior of subordinates. Yet it helped the crown consolidate its power by giving subjects a vehicle to express belief in that power, and in turn the monarch an opportunity to demonstrate it.

### 3.4 Ancien régime New France (Canada)

It is easy to forget that in the colonial development of North America, it was France, and not Britain or Spain, that claimed the largest spaces north of the Panamanian isthmus. These claims were of course fragile and often fictive, as much of the continent was in fact dominated by Indigenous nations until well into the nineteenth century (Hämäläinen 2013), but the territorial claims were no less fragile for British North America or much of New Spain (Blackhawk 2023). Yet the historical persistence of French institutions, language and place-names, ranging from land laws and administrative units in Louisiana and the “Old Northwest” in the United States (Ablavsky 2021) to much of modern Canada (including parts of contemporary Manitoba where French is the sole language in some rural areas) testifies to the reach of the French colonial regime. As late as 1850, Canada was home to substantial seigneurial holdings (replete with seigneurial fees (*cens*) and restrictions on tenant marketing in the *droit de banalité*) long after these two feudal legacies had been abolished in France (Carpenter 2021, Chapter 12).

For most of the colonial period until the Treaty of Paris in 1763, the principal settlements of the French in North America were along the Saint Lawrence River, in Montréal, Québec, Trois Rivières: the principal cities of New France. The experience of New France in Canada testifies to an enduring attempt to build a petition-and-response system in a nascent state. *Ancien régime* France had a petition-and-response system, studied extensively elsewhere (Gauvard 1991; Petit-Renaud 1998; Baudouin-Matuszek 1995). The French system had less space for regular, common petitioning of assemblies as occurred in England, in part because estate-based systems of representation were occasional at the national level—only when the *États-Généraux* were convoked by the king—and, after the Fronde, largely disappeared except at the provincial level and then only in some provinces (most notably Languedoc, Burgundy, Brittany). As England in the sixteenth and seventeenth century moved more towards collective petitioning, petitioning in France remained individualized, juridical, and often casuistic. Two common forms of petition sent directly to the court were the *requête* and the epistolary appeal called a *placet*. Early-

modern French monarchs were known to prefer administration in response to *placet* over calling an *États-Généraux*, a forum over which they had far less control and which invited collective action (Carpenter 2016). By this time, of course, most historians would characterize early-modern France as having had a real state (Collins 2009).

The government of New France was no consolidated sovereignty, however. Establishing sovereignty was difficult from the start, in part because of geographical barriers and climatic and soil conditions less conducive to large-scale agriculture and settlement (Eccles 1964), and even more because of the presence of Indigenous nations, some of whom were only erstwhile allies (like the Haudenosaunee or Iroquois). This fact, combined with the settlement-intensive French imperial model, created a different colonial world, one characterized in the Great Lakes region by a “middle ground” (White 1991) and the absence of either European or Indigenous hegemony. Still, New France operated a petition-and-response system in its North American colonies, and its contours are telling. Drawing upon the French colonial archives (*Fond des Colonies, Série C11A*), we have produced a database of 1,126 documents running from 1658 to 1760 (most are 1682 and after) that comprise requests, complaints, harangues or *placets* to the French colonial or royal government, or which describe diplomatic negotiations between Native Nations and the French Crown. The data contain 644 *requêtes*, 150 *placets*, seven documents directly described as *pétitions* and six described as *suppliques* and, finally, four described as *harangues* (usually a speech complaint delivered orally). There are 311 documents described as *paroles* which essentially describe the back-and-forth of complaints and requests by Native Nations and the French governor at treaty councils.

Four features of this system cohere with the logic of our model. First, New France tried to induce Indigenous nations to come to them with their grievances and requests. They did so by holding councils at Montréal, a system of diplomacy that existed alongside a system of *requêtes* and *placets*.<sup>17</sup> These councils often served diplomatic purposes, but the French regularly gave presents to the Natives as an expected part of the process, and Natives also requested material and spiritual goods. Ottawa chiefs from Michimilimackinac (near present day Mackinaw City) requested munitions from the French Governor Vaudreuil in 1706, and Vaudreuil gave them,<sup>18</sup> while in 1712 the Senecas (known in French records as *Tsonnontuans*) asked for a blacksmith and a missionary and also received them.<sup>19</sup> As (White 1991, Chapters 2-4) has documented, these meetings were an annual affair, and often did not result in new treaties. The system of presents offered by the French was an inducement to dialogue, during which Natives would present requests and complaints orally, and the meeting of these requests often resulted in further

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<sup>17</sup>This system became more ritualized after the 1701 Treaty of Montréal, which helped to establish New France as the dominant broker among Native interests in North America at the time (White 1991; Havard 2001). The 1701 agreement also strengthened the independence of the Haudenosaunee (Iroquois) (Brandão and Starna 1996), while giving some protection for “Algonquian” villages (Odawa, Ojibwe and others) vis-a-vis the Haudenosaunee.

<sup>18</sup>*Paroles adressées à monsieur le marquis de Vaudreuil par Onaskin Chef des Outaouais*, 1 août 1706, C11A, Numéro de bobine de microfilm : F-24, F-24

<sup>19</sup>*Lettre de Vaudreuil au Conseil de Marine avec avis du Conseil*, 14 octobre 1716, Archives Nationales de l’Outre Mer (ANOM), C11A, v. 36, fol.77-78v; Numéro de bobine de microfilm C-2384–C-2385, F-36.

transfer of material goods to the Natives.

Second, this more informal, council-based mode of request-making was partially converted to a more formal *requête* mechanism for some tribes. In 1692, three tribes near French settlements in Québec and Montréal (the Christian Iroquois at Sault-Saint-Louis, the Hurons at Lorette and the Wabanaki at Saint-François) addressed a *requete* to the colonial governor asking for assurances of the rewards and protection they felt they merited by fighting against the English as French allies. In a document with a similar request but which had a different address and a different presentation, the Wabanaki tribe (*Abénaquis* in the French records, probably living at the village of Odanak) wrote Louis XIV a *requête* in epistolary form in about 1715, also asking for protection from the English. This document is noteworthy because it had transliterated Wabanaki language on one side of the page and a French translation on the other, suggesting that Wabanaki elders probably had a hand in composing the document, and/or that the document was shown to those elders as authentic before being transmitted to the crown (see Carpenter 2021, Chapter 13, for a similar case in nineteenth-century Québec).<sup>20</sup> In several cases the same tribes used councils for making other requests or complaints.<sup>21</sup>

Third, many requests and complaints contain little in the way of complaints about agents of the colonial regime. For claims made by Natives, the reason is simple: New France was not an administratively extended empire (Eccles 1964; White 1991). We have no evidence, for instance, of Natives writing directly to the Crown to complain about the Governor-General. For those military officials, missionaries (largely Jesuits) and others in the service of the French regime, there are occasional complaints to the Governor-General at Montréal, but these are greatly outnumbered by requests and by complaints about the Natives' Indigenous enemies (the Ottawas complaining about the Haudenosaunee and vice versa, for instance) If anything, the exchange of requests and gifts gave the Governor-General a platform from which to claim a degree of respect and deference from allied Natives to the colonial administration as a whole. Upon receiving the requests of the Ottawa from Michilimackinac in 1706, Governor-General Vaudreuil warned the Ottawa that “if you show the slightest disregard to my men, I will deprive you of all help, for all must respect me.”<sup>22</sup>

Fourth and finally, there were multiple venues to which claimants could take petitions. Oc-

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<sup>20</sup>On the 1692 document, see *Requête adressée au ministre Pontchartrain pour que les Indiens du Sault-Saint-Louis, de Lorette et de Saint-François aient part à la gratification que le roi accorda l'an passé aux Sauvages qui font la guerre aux ennemis des Français*, ANOM, MG1-C11A, vol. 12, fol.137-138v; Numéro de bobine de microfilm : C-2379, F-12. The Wabanaki *requête* appears at *Lettre des Abénaquis au roi de France pour obtenir son appui alors que les Anglais cherchent à s'emparer de leurs terres*, c. 1715, ANOM, C11A, Numéro de bobine de microfilm : C-2374, F-1.

<sup>21</sup>See for instance *Paroles adressées au gouverneur général par les Indiens du Sault-Saint-Louis qui sont allés à Manate*, 1 août 1705, ANOM, C11A, Numéro de bobine de microfilm F-22, fol. 264.

<sup>22</sup>*Réponses de monsieur le marquis de Vaudreuil [aux] paroles des Outaouais du Michillimackinac apporterai par le S. Bondor*, 1 août 1706, C11A, Numéro de bobine de microfilm : F-24, F-24. The original is “... mais aussi Si Vous Faites la moindre insultes a mes gens, ... je Vous priverai de tous les Secours pour Tous devez attendre de moi” (translation ours). We do not doubt that such requests may not have been honored, though historians regard the very early 18th century – the decades after the Treaty of 1701 – as the period when the French could most credibly make claims upon Great Lakes Natives (Eccles 1964; White 1991; Havard 2001).

asionally a First Nation took a request directly to the King, as when the Nipissings sent a petition through a Jesuit directly to Louis XV, but this was a request to perform a ceremonial condolence for the recently deceased Louis XIV.<sup>23</sup> Second, French settlers also took *requêtes* and *placets* to the Governor-General but occasionally took matters to a bishop, as in when Acadian residents at the town of Pisiquit who were worried about English settlement at Halifax composed a petition to the Bishop of Québec. They asked for protection for “the free exercise of our religion” and for “priests to educate us.” The priests would normally have been provided by the bishop, who had appointment powers at this time in the colonial French church, but the appeal for protection to the bishop and not to the colonial governor was notable, perhaps because the parishioners—who signed with a signatory list that was uncommon in French *requêtes* of the mid-eighteenth century—felt that the Bishop would be best positioned to make the case to the Crown.<sup>24</sup> These petitions speak to a general (though not perfectly tidy) division of labor as predicted by our theory; the Rex was happy to delegate relations with Natives to the Governor-General at Montréal, and both were happy to have ecclesiastical matters be handled first by a bishop. The critical difference with New Spain is that, in that case (as seen above), Native petitions were sent directly to the Crown (the Council of Indies). But in French Canada, the empire was less centralized than that of Spain, and also less extractive, one reason why the French were willing to give up Canada after the Seven Years’ War but held on to many of their Caribbean possessions Lawson 1990.

In summary, the imperial regime in New France provided consistent material inducements to First Nations to petition the monarch; worked to organize those petitions and its response into a system; rarely received petitions complaining about low-level administrators; and established multiple venues to hear petitions. These findings are all consistent with and explained by our argument that the French Crown used petitions to bootstrap sovereignty in a world of contested claims. They are difficult to reconcile with a model of petitions as fire alarm oversight.

## 4 Conclusion

Petitions suffuse the modern world but have a much older history. Complaints and requests from subjects to those claiming power were ubiquitous in nascent states. Our cases illustrate that managing the system of petitions and responses was costly for rulers, and responding to any individual petition often yielded little to no tangible benefit to them. Moreover, petitions often provided no actionable information about the ruler’s subordinates, which precludes ratio-

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<sup>23</sup>The Nipissing petition is in another archival collection; *Requête des Népissingues*, février 1717; Bibliothèque Nationale de France, nouvelles acquisitions françaises 2449, f. 69. The document is described as a *pétition* in the archival records.

<sup>24</sup>The original is *nous devons avoir le libre exercice de notre Religion et des prêtres pour nous instruire*; translation ours from *Copie de la Requête des Habitants de l’Assomption de Pigequit (Pisiquit/Pisiquid) envoyée à Monseigneur l’Evêque de Québec le 18 Février 1748*; Fonds Placide-Gaudet, boîte 18, 1.18-15, Library and Archives Canada. The copy lists a transmission year of 1748 while the archival register dates the document a year later.

nalization through a standard principal-agent logic. Yet as counselors and observers ranging from Bishop Remigius of Reims (5th century) to Christine of Pisan (early fifteenth century) to Erasmus (early sixteenth century) and Frederick the Great (middle eighteenth century) all attested, kings were advised to keep their doors open for complaints and requests and to respond generously. These systems should not be read idyllically, as they were shot through with inequalities (Koziol 1992; Masters 2023). Yet they were far from mere systems of lobbying that simplistically perpetuated estate-based hierarchies or medieval orders.

In this paper we propose that rationalization occurs at the level of the petition-response *system*. These systems involved subjects acknowledging the power of rulers or would-be rulers. We posit that when this acknowledgement of power is widespread and ongoing, it creates actual power. Our formal model shows that this logic reduces to a game of coordination among subjects. It is when the ruler has only modest exogenous sources of power that inducing this coordination by subjects through a petition-response system is most useful. Thus, the analysis shows how petition-response systems helped to constitute the power of rulers in nascent, poorly-institutionalized states, and thereby were integral to state building in these environments.

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## Appendix: Proofs and Equilibrium Conditions

### Formal Proofs

**Proposition 1** *In the petitioning subgame,*

1. *If  $\xi \leq c$ , there is an equilibrium such that  $\rho_R^* = 0$ : No subjects petition R.*
2. *If  $\xi > c$ , there is a unique equilibrium such that subjects petition R if and only if  $\beta_i \geq \beta^*(\xi, c) \in (c, 1)$ . R receives petitions from a share of subjects  $\rho_R^* = 1 - \beta^*(\xi, c)$  that is increasing in  $\xi$  and decreasing in  $c$ . The petition-response system increases R's power  $\pi^*$ .*

*Proof:* Part 1 is proved in the text. The equilibrium in part 2 is unique because there is no equilibrium with  $\rho_R = 0$ , and the cutpoint  $\beta^*(\xi, k)$  is unique in  $(0, 1)$  when  $\xi > c$ . A cutpoint  $\beta^* \in (c, 1)$  is assured given  $\xi > c$  because the left hand side of equation 4 is continuous in  $\beta^* \in (0, 1)$ ; is strictly positive for  $\beta^* = 1$ ; and is strictly negative for  $\beta^* = 0$ ; hence the intermediate value theorem implies LHS crosses 0. Observe further that LHS is strictly concave in  $\beta^*$ ; hence it crosses 0 only once. Implicitly differentiating equation 4 shows that  $\beta^*$  is strictly increasing in  $c$  and decreasing in  $\xi$ . ■

**Proposition 2** *Given  $\delta < 1$  and  $\xi > c$ , R sets  $\beta^D = \beta^*$ .*

*Proof:* Define  $\pi^*(\beta^D)$  as R's equilibrium power  $\pi$  given ducal authority  $\beta^D$ , and  $\rho_0^*(\beta^D)$  as the equilibrium share of subjects who do not petition in any venue given  $\beta^D$ . Note R's utility under a PR-system is increasing in  $\pi^*$  and decreasing in  $\rho_0^*$ . Observe if  $\beta^D = \beta' > \beta^*$ , then  $\pi^*(\beta') < \pi^*(\beta^*)$ , while  $\rho_0^*(\beta') = \rho_0^*(\beta^*)$ . If  $\beta^D = \beta'' < \beta^*$ , then  $\pi^*(\beta'') = \pi^*(\beta^*)$  while  $\rho_0^*(\beta'') > \rho_0^*(\beta^*)$ . Therefore,  $\beta^D = \beta^*$  is the joint maximizer of  $\pi^*(\beta^D)$  and minimizer of  $\rho_0^*(\beta^D)$ . ■

## Competitive Petitioning: Equilibrium Conditions

**All Petitioning Subjects Petition Their Own Rex.**  $j$  subjects have cutpoint  $\beta_j^*$  such that all  $j$  subjects petition  $j$  if  $\beta_i^j \geq \beta_j^*$ , and no one otherwise.  $k$  subjects have cutpoint  $\beta_k^*$  such that all  $k$  subjects petition  $k$  if  $\beta_i^k \geq \beta_k^*$ , and no one otherwise.

The equilibrium conditions are:

$$\begin{aligned} \beta_j^* \pi_j^* - c &= 0 \\ \beta_k^* \pi_k^* - c &= 0 \\ \pi_j^* &= \frac{1}{2} - \beta_j^* + \left( \frac{1}{2} + \beta_j^* \right) \xi_j \\ \pi_k^* &= \frac{1}{2} - \beta_k^* + \left( \frac{1}{2} + \beta_k^* \right) \xi_k \end{aligned} \tag{12}$$

The equilibrium also needs no-crossover conditions. In an own-rer equilibrium, subject  $\beta_i^k = 1$  petitions  $R_k$  not  $R_j$ , which implies there is no crossover petitioning:

$$\pi_k^* - c \geq \pi_j^* - \delta c$$

Combined with  $\xi_j \geq \xi_k$  this implies

$$(\delta - 1)c > \pi_j^* - \pi_k^*$$

or, using the equilibrium conditions,

$$\delta - 1 > \frac{\beta_k^* - \beta_j^*}{\beta_k^* \beta_j^*}.$$

Given that all factors under rulers  $j$  and  $k$  are identical except  $\xi_j, \xi_k$ , it follows that  $\beta_j^*$  and  $\beta_k^*$  differ only due to the  $\xi$ 's. Note that  $\xi_j \geq \xi_k$  implies RHS is non-negative. Further, if  $\xi_j - \xi_k$  is small enough, the unique equilibrium is an own-ruler petitioning equilibrium.

Note if  $\delta \approx 0$ , then even small differences in  $\xi$ 's eliminate this equilibrium. Then the stakes for a rex to raise  $\xi$  are very large.

**Crossover Equilibrium.** All petitioning  $j$  subjects petition  $R_j$ , some  $k$  subjects petition  $R_j$ , some  $k$  subjects petition  $R_k$ . Note crossover incentive is increasing in  $\beta_i^k$ . So there is a cutpoint  $\beta_1$  such that  $k$  subjects  $\beta_i^k > \beta_1$  petition  $j$ , and a cutpoint  $\beta_2$  such that  $k$  subjects  $\beta_i^k < \beta_2$  do not petition. So  $\pi_k = \beta_1 - \beta_2 + (1 - \beta_1 + \beta_2)\xi_k$ .

There is a cutpoint  $\beta_3$  such that all  $\beta_i^j > \beta_3$  petition  $j$ . So  $\pi_j = 1 - \beta_1 - \beta_3 + (\beta_1 + \beta_3)\xi_j$ .

So  $\pi_j - \pi_k = 1 - 2\beta_1 + \beta_2 - \beta_3 + (\beta_1 + \beta_3)\xi_j - (1 - \beta_1 + \beta_2)\xi_k$ .

The equilibrium conditions are

$$\begin{aligned}
\beta_1 \pi_k^* - c &= \beta_1 \pi_j^* - \delta c \\
\beta_2 \pi_k^* - c &= 0 \\
\beta_3 \pi_j^* - c &= 0 \\
\pi_j^* &= 1 - (\beta_1 + \beta_3)(1 - \xi_j) \\
\pi_k^* &= \frac{\xi_k}{2} + (\beta_1 - \beta_2)(1 - \xi_k)
\end{aligned} \tag{13}$$

In addition, in a crossover equilibrium, subject  $\beta_i^k = 1$  petitions  $R_j$ :

$$\pi_j^* - \delta c > \pi_k^* - c$$

or

$$\pi_j^* - \pi_k^* > (\delta - 1)c$$

which, using the equilibrium conditions, is equivalent to

$$\delta - 1 < \frac{\beta_2^* - \beta_3^*}{\beta_2^* \beta_3^*}.$$

It also requires

$$\pi_j - \pi_k \leq (\delta - 1)c$$

or

$$\frac{(\delta - 1)c}{\beta_1^k} < \pi_j - \pi_k \leq \frac{(\delta - 1)c}{\beta_2^k}$$

For a crossover equilibrium to exist, some  $k$  subjects must want to petition  $k$ , not  $j$ , even though top  $k$  subjects cross over.

Does subject  $\beta_i^k = \frac{c}{\xi_k}$  prefer to petition  $j$ ? If not, there are subjects with a dominant strategy to petition  $k$ . This occurs when

$$\begin{aligned}
\frac{c}{\xi_k} \pi_j^* - \delta c &< 0 \\
\frac{c}{\xi_k} \pi_j^* &< \delta c \\
\pi_j^* &< \delta \xi_k
\end{aligned}$$

**All Petitioning Subjects Petition a Single Rex** Given  $\xi_j \geq \xi_k$ , this equilibrium will involve all petitions go to  $R_j$ , none to  $R_k$ .

Equilibrium conditions: a cutpoint  $\beta_j^*$  such that  $j$  subjects petition  $R_j$  if  $\beta_i^j \geq \beta_j^*$ , otherwise do not petition; and a cutpoint  $\beta_k^*$  such that  $k$  subjects petition  $j$  if  $\beta_i^k \geq \beta_k^*$ , otherwise do not petition. An equilibrium consists of simultaneous solution of the following system:

$$\begin{aligned}
\beta_j^* \pi_j^* - c &= 0 \\
\beta_k^* \pi_j^* - \delta c &= 0 \\
\beta_k^* \xi_k - c &\leq 0 \\
\pi_j^* &= 1 - (\beta_k^* + \beta_j^*) (1 - \xi_j) \\
\pi_k^* &= \xi_k
\end{aligned} \tag{14}$$

The first two condition imply

$$\frac{c}{\beta_j^*} = \frac{\delta c}{\beta_k^*}$$

or

$$\beta_k^* = \delta \beta_j^*$$

Note these conditions imply  $\beta_i^k \pi_j^* - \delta c > \beta_i^k \xi_k - c$  for any  $\beta_i^k > \beta_k^*$ . So if they hold, indeed no  $k$  subjects will petition  $R_k$ .

The second and third conditions imply

$$\delta \leq \frac{\pi_j^*}{\xi_k}$$

and, using the first condition,

$$\delta \leq \frac{c}{\beta_j^* \xi_k}.$$

Fixing  $\xi_k$ ,  $\beta_j^*$  is a decreasing function of  $\xi_j$ . So, if  $\xi_j$  is large enough and  $\xi_k$  is small enough, equilibrium entails all petitions go to  $R_j$ .

$$\begin{aligned}
\delta \xi_1 &= \rho_2 + (1 - \rho_2) \xi_2 \\
\delta \xi_1 &= \rho_2 - \rho_2 \xi_2 + \xi_2 \\
\delta \xi_1 &= \rho_2 (1 - \xi_2) + \xi_2 \\
\rho_2^* &> \frac{\delta \xi_1 - \xi_2}{1 - \xi_2} \\
\rho_2^* &> \frac{(\delta - 1) \xi_1 + \xi_1 - \xi_2}{1 - \xi_2}
\end{aligned}$$

Note  $R_2$  cannot get more petitions from 1 subs than from 2 subs: need  $\beta_2 < \beta_1$ .

Max share of petitions to  $R_2$ :

$$\rho_2^m = 1 - \beta_1 - \beta_2$$

where  $\beta_1, \beta_2$  solve

$$\beta_2(1 - \beta_1 - \beta_2 + (\beta_1 + \beta_2)\xi_2) = c$$

$$\beta_1(1 - \beta_1 - \beta_2 + (\beta_1 + \beta_2)\xi_2) = \delta c$$

so

$$\beta_1 = \delta\beta_2$$

(thus satisfying  $\beta_2 < \beta_1$ ). Substituting,

$$\rho_2^m = 1 - (\delta + 1)\beta_2$$

and

$$\beta_2(1 - (\delta + 1)\beta_2 + ((\delta + 1)\beta_2)\xi_2) = c$$