

money could buy. It became very common for peasants to obtain personal freedom, holding their own lands, in return for an annual money payment to the lord for an indefinite period into the future. As early as the twelfth century serfdom began to disappear in northern France and southern England, and by the fifteenth century it had disappeared from most of western Europe. The peasant could now, in law, move freely about. But the manorial organization remained; the peasant owed dues and fees to the lord, and was still under his legal jurisdiction.

The Growth of National Monarchies

Changes in monarchical rule

Meanwhile the kings were busy, each trying to build his kingdom into an organized monarchy that would outlast his life. Monarchy became hereditary; the king inherited his position like any other feudal lord or possessor of an estate. Inheritance of the crown made for peace and order, for elections under conditions of the time were usually turbulent and disputed, and where the older Germanic principle of elective monarchy remained alive, as in the Holy Roman Empire, there was periodic commotion. The kings sent out executive officers to supervise their interests throughout their kingdoms. The kings of England, adopting an old Anglo-Saxon practice, had a sheriff in each of the 40 shires; the kings of France created similar officers who were called bailiffs. The kings likewise instituted royal courts, under royal justices, to decide property disputes and repress crime. This assertion of legal jurisdiction, together with the military might necessary to enforce judgments upon obstinate nobles, became a main pillar of the royal power. In England especially, and in lesser degree elsewhere, the kings required local inhabitants to assist royal judges in the discovery of relevant facts in particular cases. They put them on oath to declare what they knew of events in their own neighborhood. It is from this enforced association of private persons with royal officers that the jury developed.

Taxation

The kings needed money to pay for their governmental machinery or to carry on war with other kings. Taxation, as known in the Roman Empire, was quite unknown to the Germanic and feudal tradition. In the feudal scheme each person was responsible only for the customary fees which arose on stated occasions. The king, like other lords, was supposed to live on his own income—on the revenue of manors that he owned himself, the proceeds of estates temporarily under his wardship, or the occasional fees paid to him by his vassals. No king, even for the best of reasons, could simply decree a new tax and collect it. At the same time, as the use of money became more common, the kings had to assure themselves of a money income. As the towns grew up, with a new kind of wealth and a new source of money income, they agreed to make stipulated payments in return for their royal charters.

The royal demands for money, the royal claims to exercise jurisdiction, were regarded as innovations. They were constantly growing and sometimes were a source of abuse. They met with frequent resistance in all countries. A famous case historically (though somewhat commonplace in its own day) was that of Magna Carta in England in 1215, when a group of English lords and high churchmen, joined by representatives of the city of London, required King John to confirm and guarantee their historic liberties.

Origins of parliaments

The king, as has been said, like any lord, was supposed to act in council or "court" with his vassals. The royal council became the egg out of which departments of government were hatched—such as the royal judiciary, exchequer, and military command. From it also was hatched the institution of parliaments.

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