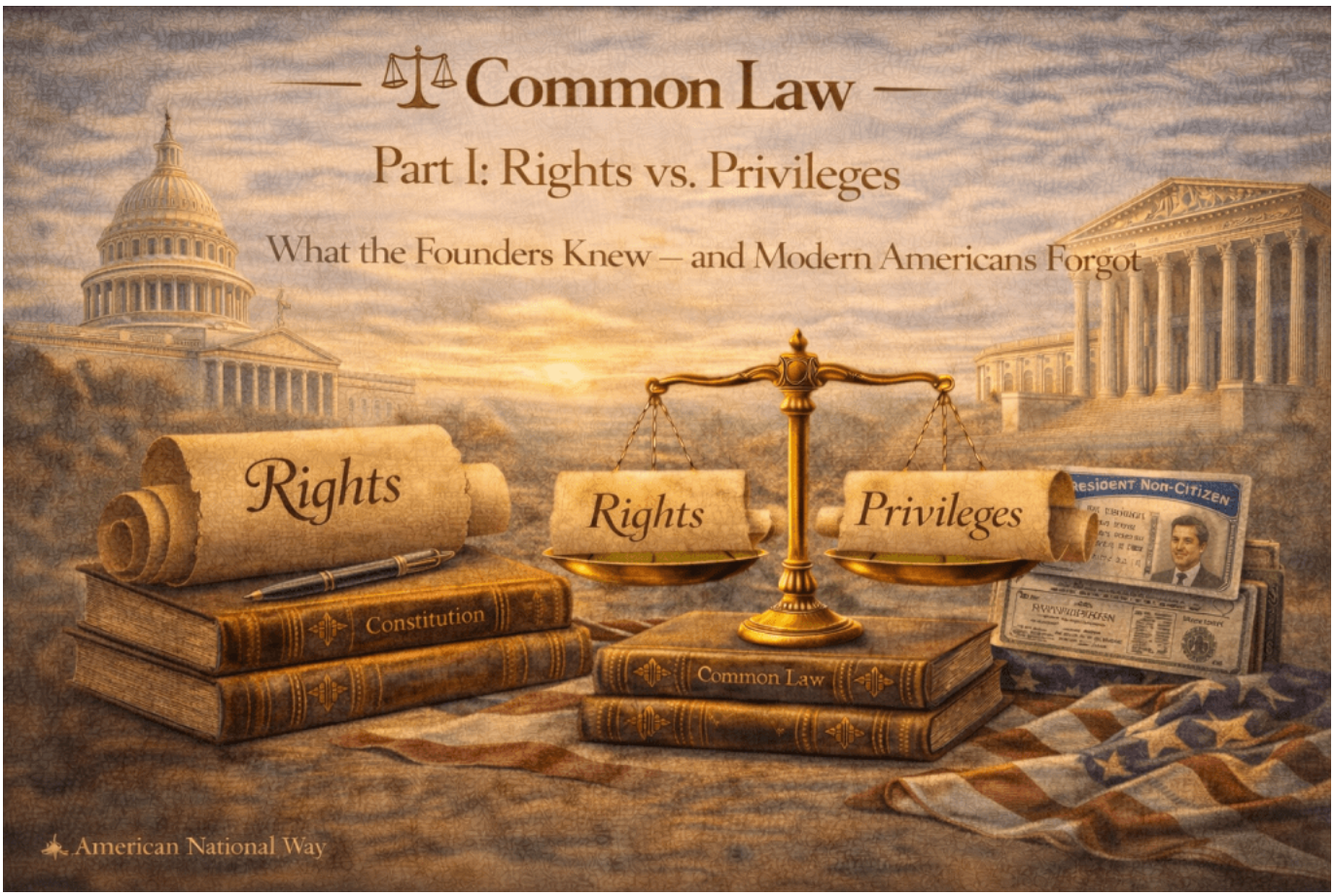
⚖ Common Law — Part I: Rights vs. Privileges

January 3, 2026



This article is part of a structured series based on the work of John Quade. Each installment builds on the previous one. If you're new here, I strongly recommend starting with the ***Series Introduction****, which explains the purpose, scope, and proper way to read this work.*

The Most Important Distinction No One Is Taught

John Quade begins his argument where nearly all modern confusion begins: **the failure to distinguish between a right and a**

privilege.

This is not a semantic issue. It is not philosophical hair-splitting. In law, this distinction determines **what can be taxed, regulated, revoked, or conditioned**—and what cannot.

Quade's position is blunt:

> ***Rights come from God. Privileges come from men.***

Everything that follows in this series depends on whether that distinction is true—and whether it still matters.

What Is a Right?

In the classical understanding shared by the Founders, a **right** has three defining characteristics:

1. It exists **prior to government**
2. It does not require permission
3. It cannot be lawfully revoked by human authority

Rights were understood as **endowments**, not grants.

This is why the Declaration of Independence does not say rights are *given* by government, but that they are **endowed by the Creator**. Government, in this framework, exists only to **recognize and protect** what already exists.

A right, therefore, cannot be licensed.
It cannot be taxed.
It cannot be conditioned on compliance.

□□ What Is a Privilege?

A **privilege**, by contrast, is something that:

- Is granted by an authority
- Exists only by permission
- Can be altered, suspended, or revoked

In legal terms, a privilege is always **conditional**.

Quade summarizes it this way:

> ***A privilege is something that can be granted—and taken away—at the whim of the grantor.***

Privileges are useful. They are not inherently evil. But they come with a cost that is rarely disclosed upfront: **jurisdiction**.

⚠□ Why This Difference Changes Everything

Under American law, a crucial rule applies:

> ***Only privileges can be taxed. Rights cannot.***

This is why income, activities, and property tied to licenses, registrations, and benefits are taxable—while rights, in principle, are not.

The mechanism is simple:

- Accept a privilege
- Agree to conditions
- Enter jurisdiction
- Become subject to regulation and penalty

This process does not require force.
It requires **consent**.

The Psychological Trap of “Rights Talk”

Quade points out a modern irony: people talk constantly about *their rights*, while almost never exercising any.

Much of what is called a “right” today is actually a **regulated privilege**:

- Licensed activities
- Permitted use of property
- Conditional benefits
- Contract-based protections

When disputes arise, individuals are encouraged to *sue*—entering deeper into contractual systems that further remove them from natural rights and place them under administrative control.

> *“You sue, the attorney gets it all, and then you wonder why your rights are gone.” — John Quade*

⚖️ Choose This Day

Quade frames the issue not as political, but moral:

> ***Choose this day whom you will serve.***

To live under rights is to accept responsibility, self-governance, and moral restraint.

To live under privileges is to accept supervision, permission, and dependency.

One offers freedom with accountability.
The other offers comfort with control.

🔥 Why the Founders Thought This Was Worth Dying For

The men who framed the American system believed that surrendering rights—even voluntarily—was a form of quiet enslavement.

They understood that once rights are exchanged for benefits, **they are nearly impossible to recover without sacrifice**.

This is why Quade insists the question is not merely legal, but existential:

> ***Are rights worth dying for—or have we already traded them away for privileges we refuse to question?***

What Comes Next

If rights and privileges are different in kind—and if privileges operate by consent—then the next question becomes unavoidable:

How is consent actually given in modern society?

That question leads directly to contracts, benefits, licenses, and jurisdiction.

— *Next: Part II: Consent, Contracts, and Jurisdiction*