

□ Common Law – Part VIII: The Church, Jurisdiction, and the Price of Tax Exemption

February 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 Forgotten Shield

For much of Western history, the church functioned as more than a place of worship.

It was a **jurisdiction**.

Its grounds were protected.

Its authority was recognized.

Its members stood under a separate government – **ecclesiastical law**.

John Quade reminds his audience that this was not symbolic.

It was enforceable.

□ **What Is Ecclesiastical Jurisdiction?**

Ecclesiastical jurisdiction refers to the authority of the church to govern its internal affairs – including doctrine, discipline, and protection of its members – without interference from civil power.

Historically, this meant:

- Church property was inviolable
- Civil authorities hesitated to cross its boundaries
- Members enjoyed a form of legal shelter under church authority

This was not immunity from justice.

It was **separation of jurisdictions**.

□ A Power Even Armies Respected

Quade offers a striking example from modern history.

When Manuel Noriega sought refuge, he did not hide behind soldiers or weapons.

He entered a church.

Why?

Because even the most powerful military forces recognized the danger of violating ecclesiastical jurisdiction.

The boundary mattered.

□□ How It Once Worked in America

Until the early 20th century, American churches retained this same authority.

Church grounds were sacred.

More importantly:

Members of the church were protected by the church's jurisdiction.

This carried real consequences:

- Protection of property
- Recognition of moral law
- Resistance to arbitrary civil intrusion

Quade argues this protection was deeply connected to **common law**.

□ **The Offer That Changed Everything**

The shift did not come through persecution.

It came through an offer.

Tax exemption.

Under the modern **501(c)(3)** framework, churches were invited to register as non-profit corporations.

The promise was simple:

- Relief from taxation
- Administrative ease
- Institutional security

The cost was rarely disclosed.

△□ **What Was Surrendered**

By accepting corporate status, Quade argues, churches:

- Voluntarily entered civil jurisdiction
- Surrendered independent authority
- Accepted conditions on speech and action

Ecclesiastical jurisdiction did not vanish.

It was **signed away**.

□ **Why This Matters to Ordinary People**

This was not merely an institutional decision.

When churches surrendered jurisdiction:

- Members lost a layer of protection
- Moral law lost a public defender
- Civil authority expanded unchecked

Quade's critique is sharp:

The church removed itself from the battlefield – and left the people exposed.

□ **From Authority to Accommodation**

Once jurisdiction was surrendered, churches adapted.

They became:

- Program-oriented
- Tax-compliant
- Politically cautious

Law was avoided.

Responsibility was softened.

Grace was detached from obedience.

Quade sees this as a catastrophic misunderstanding – not of politics, but of faith.

□ Why the Price Was Too High

Without an independent moral authority, civil power faces no counterbalance.

The result is predictable:

- Expansion of regulation
- Erosion of conscience
- Loss of self-governance

Quade does not argue that churches should seek power.

He argues they **once exercised responsibility** – and abandoned it.

□ What Comes Next– Transition to Part IX

If the church surrendered its jurisdiction voluntarily, then one question becomes unavoidable:

Who will bear the cost of liberty when institutions no longer will?

That question leads to sacrifice, history, and blood.

– Next: Part IX – Blood, Sacrifice, and the True Cost of Liberty