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Habeas Corpus as a Means for Economic Freedom in the Progressive Era

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Abstract + Background

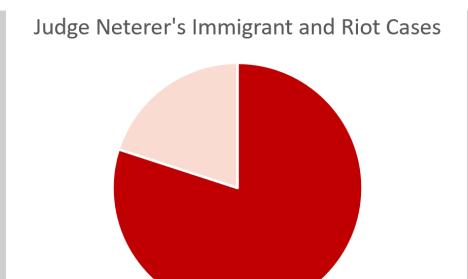
HISTORY

Habeas Corpus protects individual freedom by allowing detained individuals proper trial. Economic liberty, or the "right to earn a living in an occupation of choice without unnecessary government interference", is a key component of individual freedom. Following the depression of 1893, the Progressive Era ushered in a sharp increase in productivity. This was in part because of an immigration boom. While immigrants sought

economic opportunities for the betterment of themselves and their families, ideologies of nativism rose.

Research Question

How are Habeas suits, which are typically used to gain personal freedom, utilized to further the economic freedom of the petitioners? To what extent does an immigrant petitioner's economic background affect their legal outcomes?



Writ Denied Writ Accepted

Using a law and society lens, data is extracted from Washington State legal archives between 1890 and 1920. Washington was a hub for immigration and progressive reform, making it apt for our research. Individual immigrant habeas corpus cases are analyzed for respondent's background, line of work, time in the United States, and the result of the petition. Cases judged by Jeremiah Neterer in the Washington District Court are qualitatively observed. Riot cases like the Roy sisters' were also chosen for their relevance to increasing labor conscientious of the era.

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Habeas Corpus as a Means for Economic Freedom in the Progressive Era

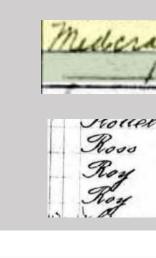
Janana Khattak

Method

IV. That complainant is informed and believes that there are only two copies of the testimony introduced on the hearing of the charges upon which she is restrained of her liberty and that one of said copies is in the possession of the secretary of labor of the United States at Washington, D.C., and the other in the possession of Henry M. White, Commissioner of Labor of the United States at Seattle . Washington. That complainant demanded a copy of said evidence in order that she might attach the same to this petition, but her demand therefor was refused by said Henry M. White. That complainant is a wage earner and as a result of her long confinement and the deprivation of her usual means of support she is unable, by reason of her poverty, to pay for the preparation of such a copy, but deponent is informed by her attorney, and believes that if the said Henry M. White is required to produce the transcript of said evidence, now in his possession, and make the same a part of his return herein, or exhibit the same to the court, the verity of complainant's allegations in relation thereto will clearly appear therefrom.

Roy's financial status affects the proceedings of her case as noted On January 21, 1919, she marries a Scottish-American in part to lster her status and improve her chances of staying in America.

Background Occupation Time in U.S. Time in detent Nature of Disp Outcome



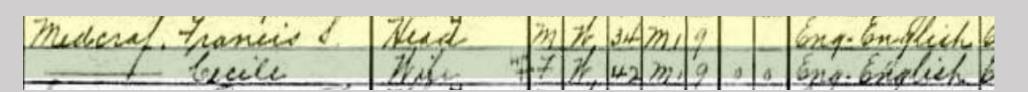
Both the Roy sisters' and Medcraf's writ is denied. In denying writ and in deporting these petitioners, the state not only denies their personal economic freedom but also their ability to lay roots in America, and as such denies the ability for a family to progress. Medcraf however, was able to further engage the legal system and eventually become a naturalized citizen.

Habeas Corpus is an inefficient vehicle for furthering the economic freedom of immigrant petitioners in the progressive era.

This research enhances our understanding of *who* most benefitted from the social reforms of the Progressive Era and the drastic effect financial status has on immigrant's path to citizenship in America.

Cases Compared

	Roy Sisters	Francis S. Medcraf
	Scottish	British
	Housekeepers	Dentist
	2 years	10 years
ntion	1 year	<1 year
pute	Sedition	Liscensing
	Denied	Denied





Outcome + Significance

