



Poverty and Legal Problems in Jordan: Defining the Relationship

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Introduction: Many persons will experience some type of legal problem during their lives stemming from civil, criminal or family matters. Jordanian citizens are no exception – a household survey conducted in Jordan in 2011 found that roughly 20% of families had a member experience a legal problem in the previous five years. Legal problems will range in severity from the minor to the incredibly complicated. They may affect an individual only, but are also likely to somehow impact the family unit.

There is a relationship between legal problems and poverty. Legal problems, left unaddressed, can cause an economic or social shock that pushes vulnerable persons into poverty. For example, pre-trial detention and imprisonment, wrongful termination of employment, financial debt or denial of social safety net benefits can cause persons vulnerable persons to fall into poverty. Unresolved legal problems can also prevent an individual in poverty from escaping it. Data at least suggests that in some contexts legal problems are likely to multiply once an individual falls into poverty, complicating any attempts at poverty alleviation.

Understanding this relationship is important for targeting public sector services to address legal problems. These services are important on a number of levels. From an equity standpoint, the poor and near-poor need equal access to services that subsequently enhance opportunities to exercise their rights. Taking the equity argument a step beyond equal access to existing services, governments should

develop special services that target the specific needs of the poor in resolving legal problems.

These services also have value as social protection and poverty alleviation measures. They can protect the vulnerable from falling into poverty because of economic shocks caused by legal problems. For example, an employee could be reinstated in a job from which they were wrongfully terminated before loss of salary has detrimental effect. They can also resolve legal problems that are perpetuating poverty for those already in it. Ensuring financial transfers related to wrongfully denied social safety net benefits or nonpayment of alimony and child support payments to poor female-headed households.

Defining the Relationship: Defining the relationship between legal problems and poverty is not a simple task. The first step is identifying the types of legal problems that are most likely to affect the poor and the near poor, and comparing this with wealthier citizens. There are two dimensions. The first is assessing the general frequency that specific problems affect the poor. The other dimension is identifying legal problems with considerable gaps in the extent to which they effect the poor versus the non-poor, even if the overall frequency of such problems is relatively smaller.

This first step is relatively more straightforward. Household surveys are increasingly being used to identify such legal problems. The downside of household surveys are that they are expensive and rely to an extent on individual respondents' understanding of what constitutes a legal problem. Another source of data is case information from legal

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aid service providers, but this source does not allow for comparisons with the non-poor. Useful data can also be found from courts and administrative complaints mechanisms if there is information on income levels, or a way to identify it, of the complainants.

The second step is to identify within this group the types of cases that are most likely to have some kind of poverty impact on the poor and near-poor. This is considerably more complicated. And data sources are much more limited.

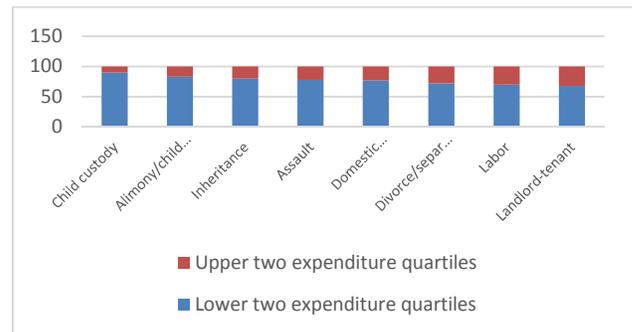
Identifying relevant legal problems: Defining the relationship between legal problems and poverty in Jordan is complicated by the lack of comprehensive data. There is more evidence available for taking the first step – identifying the types of legal problems most likely to affect the poor. A 2011 household survey in Jordan (Statistical Survey on the Volume of Demand of Legal Aid Services - Legal Aid Survey) is the most comprehensive attempt to collect relevant data. Among its general findings were the following:

- The near poor were most likely to face legal problems, followed by the poor. Together these two expenditure quartiles accounted for 68% of reported legal problems.
- The poor and near poor were less likely to have access to courts or lawyers to help address legal problems.
- Awareness of special services, namely legal aid services, targeted to assist the poor resolve legal problems is almost non-existent (roughly 2% of respondents).
- The types of legal problems reported by respondents varied by expenditure quartiles.

The last point above can be elaborated as follows. Families in the lower two expenditure quartiles, which cover roughly the poor and near poor, were more likely to experience legal problems related to all types of general legal problems – family law, civil law and criminal law. But the gap is widest in relation to family law problems, where they account for nearly 80% of reported legal problems, versus 68% for civil law and 65% for criminal law.

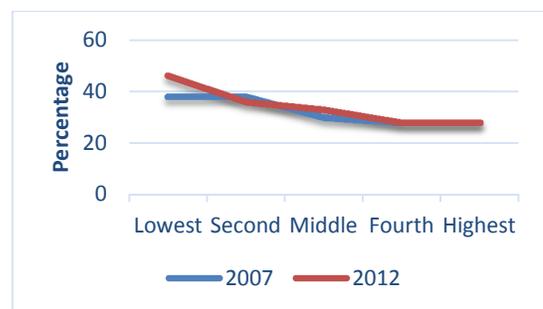
There is additional variation within these broad categories of legal problems, furthering identification of the most relevant legal problems. (Figure 1)

Figure 1 - Legal problems, by expenditure quartiles
Source: Statistical Survey on the Volume of Demand of Legal Aid Services



Regular household surveys can also be useful sources of information. For example, the Population and Family Health Survey administered by the Department of Statistics on a regular basis includes questions on domestic violence. It has shown that women in the lowest wealth quintile were the most likely to report having been a victim of physical, sexual and emotional violence.

Figure 2 - Violence against women (since age of 15), by wealth quintile
Source: Jordan Population and Family Health Survey



Data from civil society organizations (CSOs) providing services to poor persons is also useful. In interpreting such data it needs to be considered that CSOs often serve particular constituencies. For example, in some context women may be more likely to access CSOs for assistance. The Justice Center for Legal Aid provides legal aid services (awareness, information, counseling and legal representation) to the poor and near-poor. Roughly 70% of their counseling and legal representation services are related to family law problems, 20% for civil law problems and around 10% for criminal problems. The most common type of problem for which services are

provided is alimony, encompassing spousal alimony and child support, which accounts for nearly 25% of cases, followed by separation/divorce (15%), theft (15%), child custody (4%) and landlord-tenant (4%).

Nearly 18% of Tkiyet Um Ali (TUA) beneficiaries, a civil society organization providing food assistance to the poorest, nearly 18% have reported some type of legal problem. The most common type of problems, in order of decreasing frequency, are: divorce; alimony and child support; criminal matters; domestic violence; and family estrangement.

Linking legal problems and poverty: The data already available helps us identify good starting points for assessing links between legal problems and poverty. We know what types of problems the poor and near-poor are most likely to experience, and we know what types of problems are likely to impact the poor and near poor versus others.

It is then important to consider the poverty characteristics of Jordan. The most recent poverty estimates, from 2010, put poverty at 14% of the population, which is relatively low by regional and international standards. Shared prosperity, measured by consumption growth of the bottom 40% of the population, showed positive trends between 2006 and 2010, though Jordan's performance on this measure is modest in comparison to other upper middle income countries. Progress on reducing welfare inequality, measured by the Gini coefficient, was more erratic during the same period.

One of the more unique aspects of Jordan's poverty profile is the relatively high levels of transient and seasonal poverty. Nearly 19% of Jordanians, though not officially considered poor, experience poverty in at least one quarter of the year, making them 'transient poor'. This transient poverty is also experienced by some lower-middle income families, which we know from the Legal Aid Survey are some of the most likely to experience legal problems. Combining the poor and transient poor means that 33% of Jordanians experience poverty during the course of a year.

It is also important to consider the extent to which social and economic characteristics affect legal problems. For instance, the low labor force participation of women makes them more vulnerable to poverty in relation to legal problems around

alimony, child support and inheritance. Access to public services is highly dependent on location, with areas of higher poverty usually underserved. So there are likely to be considerable problems linked with accessing basic services. The majority of poor in Jordan are working poor, and likely susceptible to legal problems related to labor abuses, such as unpaid wages, non-payment of benefits and illegal termination.

There are areas where additional data would be **helpful**. **The Legal Aid Survey suggests that the poor** and near-poor are more likely to experience multiple legal problems, which is likely to exacerbate vulnerability and poverty. What is less understood is how certain legal problems trigger additional problems, for example wrongful termination from employment triggering debt and housing problems. This is particularly important in the context of assessing whether legal problems are in any way linked with transient poverty. Also in need of further understanding is the way in which legal problems cluster for the poor. Better understanding of both triggering and clustering of legal problems will come from more in-depth surveys in the near future of the beneficiaries of JCLA and TUA.

Conclusion: Understanding the relationship between legal problems and poverty is important for a number of reasons. Legal problems cause and exacerbate poverty. They can also undermine some poverty alleviation mechanisms. Legal problem cause not only direct economic costs, but undermine other aspects of development such as exercise of civil and political rights, well-being and agency. Greater knowledge of this relationship will help policy-makers develop the appropriate tools to address these problems.

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