

Legal Aid and Human Rights Education: A Grassroots NGO's Approach to Empowering the Poor in Jordan

Justice Center for Legal Aid*

THERE IS NO INSTITUTIONALIZED LEGAL AID SYSTEM in Jordan. Under the Criminal Procedures Law of 1961 (Article 208[2]) government-funded legal aid is only provided to those accused of crimes punishable by life imprisonment or execution. The law does not extend legal aid services to persons with lesser criminal charges, or involved in matters relating to civil law or *Sharia* law. Another law also requires legal representation for civil matters brought to court. Under the Magistrates Court Law of 1952 (Article 9[2]) a person cannot participate in court proceedings on civil matters involving more than one thousand Jordanian Dinars (JODs) (around one thousand four hundred us dollars) without legal representation.¹ In addition, while Article 100A(7) of the Jordan Bar Association Law (1972) states that the president has the discretion to assign one pro bono case to each Jordan Bar Association (JBA) member each year, in practice the number of pro bono cases is minimal.²

With the ongoing regional turmoil and influx of refugees, most recently from Syria, the number of poor and vulnerable people in Jordan continues to grow.³ For many who make up the growing population of poor and vulnerable people in Jordan, access to legal information, advice or representation lies far beyond their means.

Taken together, this reality poses a significant barrier to the ability of the poor and vulnerable to access the justice system in Jordan. The vast majority of poor Jordanians are required to represent themselves, despite their lack of knowledge of the laws and the complex court procedures. For example, the 2012 research conducted by Justice Center for Legal Aid (JCLA) on

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criminal cases with final judgment in Jordan found that during the criminal investigation and pre-trial stage, 83 percent of accused persons were unrepresented, and when a matter was brought to court, 68 percent of defendants were unrepresented.⁴ Research conducted by the Department of Statistics also found that, in 2011, 98 percent of the people surveyed had never heard of legal aid.⁵

The Justice Center for Legal Aid: Enhancing Access to Justice

In the absence of an institutionalized legal aid system in Jordan, civil society provides crucial legal aid services to the poor and vulnerable. In 2008, three Jordanian women who worked in the justice sector and saw a need for more legal aid services in Jordan established the Justice Center for Legal Aid (JCLA). JCLA began with one volunteer lawyer and one local partner organization, Ruwwad, which provided office space for the legal aid services.

JCLA's vision is to empower all poor and vulnerable people in Jordan, with a view to realizing a society where everyone has equal access to justice. JCLA does this by providing poor and vulnerable people in Jordan with access to essential legal aid services, including legal consultations and legal representations with legal consultants. Through awareness sessions, JCLA informs the community about legal aid and the law. Through advocacy for the enhancement of Jordan's legal aid system, JCLA strives to uphold the right of all to access the justice system in the country.

Since 2008, JCLA has grown from one legal aid clinic in Amman to become the largest legal aid provider in Jordan, providing legal aid services at twenty-three clinics located across all twelve governorates. JCLA utilizes a network of over seventy local partners to reach out to poor and vulnerable people throughout the country, including various government ministries, and international and community-based organizations. Each month, JCLA assists approximately three hundred seventy-five beneficiaries through legal consultations, provides legal representation to approximately one hundred fifty beneficiaries across two hundred cases, and reaches approximately three thousand six hundred vulnerable people through its awareness sessions.

Young people are a growing caseload for JCLA. In 2015, following amendments to the Juvenile Law enshrining access to legal aid, JCLA entered into a partnership with the Ministry of Social Development (which deals with juveniles), leading to an increase in referrals of juveniles to JCLA for legal

help. In 2015 alone, JCLA provided young people with two hundred eighty five legal consultations and three hundred sixty seven legal representation services. The legal issues experienced by young people that constitute a significant portion of JCLA's juvenile caseload relates primarily to criminal law matters, including fraud and theft, drug offences, and violence.

Women, however, constitute JCLA's largest beneficiary group: approximately 70 percent of awareness session attendees and beneficiaries of legal aid services. In 2015 alone, JCLA served vulnerable women and girls through over three thousand legal consultation sessions and over one thousand seven hundred free legal representation services. The majority of women seeking JCLA's legal aid services have *Sharia* law issues, including marriage, divorce, alimony, child custody and inheritance. JCLA's predominant caseload involving women also aligns with a 2011 national household survey conducted by the Jordanian government, which found that women are more likely than men to avoid the court due to customs or a lack of funds, and be unrepresented when appearing before a court.⁶ The survey also found that women were more likely to be exposed to *Sharia* law issues: females constituted 56.7 percent of those surveyed who faced *Sharia* law issues, compared to 17.1 percent on civil law issues, and 19.2 percent on criminal law issues.

Despite efforts by JCLA, the demand for legal aid in Jordan is far greater than the services currently provided under the law by the JBA and by all Legal Aid Organisations (LAOs) combined. A 2011 household study by the Jordanian Government (Department of Statistics) found that approximately 52,608 people in Jordan encountered 68,485 legal issues. Of those reporting a legal issue, 25.9 percent (13,625 persons) had an income of less than JOD 250 per month (353 US dollars) and 44 percent (23,147 persons) an income between JOD two hundred fifty to JOD five hundred (around seven hundred US dollars) per month. The study estimated that close to 17,000 people need legal assistance each year. Yet on an annual basis LAOs provide legal assistance to poor and vulnerable people in only about three thousand cases. This leaves more than ten thousand people each year without access to essential legal aid services.

JCLA's Human Rights Education Program

The need for legal awareness efforts targeting the poor and vulnerable

A 2011 household survey conducted by the Jordanian Department of Statistics in collaboration with JCLA found that poor people are more likely

to face legal issues, while only 2 percent of the respondents were aware of the availability of free legal assistance.⁷ Anecdotal evidence collected through JCLA's awareness sessions confirms the lack of legal awareness particularly affects already marginalized or vulnerable groups, including women and children.

The government-approved secondary school curriculum in Jordan lacks a solid legal awareness program that informs school-age children about their rights and duties under Jordanian and international law. Lacking a clear learning objective on legal awareness, the educational material in approved secondary school textbooks does not promote a culture of human rights among Jordan's youngest citizens. The United Nations Global Survey on violence against children considered awareness raising as a tool for preventing violence against children.⁸

To fill this gap, JCLA and other LAOs in Jordan started delivering legal awareness programs to poor and vulnerable women, men, boys and girls. In this section, we review JCLA's non-formal curriculum, the methods used to develop the materials, the best ways to address the target groups and how to assess the impact of those programs.

Designing awareness campaigns and educational awareness programs

JCLA's awareness sessions usually follow the same structure. After an initial assessment of the participants' knowledge and attitude, the trainer provides information on rights and obligations in relation to a pre-determined topic, before providing tailored information about how and when they can access JCLA's legal assistance. Participants assess each finished session to measure improvement in knowledge and attitude.

In the first years of implementation, JCLA predominantly relied on its partners in identifying topics for legal awareness sessions that were most relevant to the poor and vulnerable groups. The JCLA partners, civil society organizations (CSOs) with strong roots in local communities across Jordan, have specialized knowledge of the issues faced by their beneficiaries. Usually, partners would approach JCLA with a request to deliver legal awareness sessions to their beneficiaries on identified topics.

Throughout the years, JCLA has enhanced its approach in identifying legal awareness needs in local communities, and in delivering legal awareness sessions. Currently, JCLA develops annual awareness strategies that identify awareness campaigns on strategic topics, and has uniform curriculum on a

number of key awareness programs. JCLA's strategies and campaigns are developed on the basis of field assessments, including meetings with relevant partner representatives, and seeking out feedback from beneficiaries. These assessments have allowed JCLA to identify legal issues prevalent in certain geographical areas.⁹ Field assessments also help JCLA to develop the awareness material for each campaign. JCLA's awareness team designs simplified awareness material tailored to the target beneficiaries, which are disseminated during awareness sessions.

Child Rights: A Snapshot

JCLA has three awareness programs targeting children. First, Al Qanoni Al Sagheer (The Little Lawyer) is a three-day program aimed at educating children about their human rights under the United Nations Convention on the Rights of the Child. JCLA designed an activity book, *Hokoki* ("My rights" in English), in which two cartoon characters, Adel and Ensaf, explain the child rights in a humorous and simplified way (see Box 1 for a detailed overview of the *Hokoki* resource). Second, *Ehmini* (Protect me) is a program aimed at protecting children from domestic violence and violence at schools. The program explains to children what acts constitute abuse, how to protect themselves from abuse, and who can help them in case they experience abuse. Third, *Himayeh* (Protection) covers a wider range of topics relevant to child protection, including early marriage, emotional abuse, gender-based violence and bullying.

These programs and resources are being utilized and implemented in schools and community centers across Jordan. At the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) schools alone, JCLA was able to reach out to more than eight thousand students in 2015 covering several topics such as child labor, drugs, early marriage and domestic violence. Analysis of the data on JCLA's delivery of awareness sessions to children at UNRWA's schools between 2012 and 2015 revealed three programs clearly standing out: general child rights programs, and two tailored sessions on drug awareness and sexual harassment (see Graph 1, page 93).

JCLA's drug awareness program accounts for the highest number of sessions and attendees between 2012 and 2015, totalling one hundred seventy eight sessions to 5,536 girls and boys. This program was designed as a result of JCLA's engagement with the Narcotics Department, which identified drugs as a growing issue among children and young people in Jordan. In

Box 1. The *Hokoki* Exercise Books: A resource for promoting and understanding of child rights among children

In 2015, JCLA set out to develop resource materials to assist its trainers in discussing child rights issues with the young people it was reaching out to during its awareness sessions. *Hokoki*, which means “my rights” in English, was developed by JCLA staff a short while later. The material resources consist of two books, each targeting a different age category: young children (around 5-8 years) and older children (around 8-11 years). Below is the inside illustration for the latter age category.

Photo 1: About *Hokoki* exercise books – “Let’s Learn About Our Rights Together”



Translation: (Boy: “Hi. My name is Adel”) (Girl: “Hi. My name is Ensaf”); “A child is every person below the age of 18. All children have rights just like adults. The state and all the institutions must respect those rights. We have also to respect the rights of others.”

Many of the exercises in the *Hokoki* books aim to generate discussion among the

children on the rights of the child set out under international human rights conventions, including the rights of the child. Photo 2, for example, aims to generate discussion among children on the rights of children with disabilities.

Photo 2: Exercise for young children: Understanding the rights of persons with a disability

الاطفال ذوو الإعاقة 🧒🧒

من حقي، كطفل ذي إعاقة، المشاركة في المجتمع مثل أي طفل آخر،
من حقي كذلك الحصول على الرعاية والخدمات المناسبة

اكتب كلمة "وافق" أو "لا أوافق" أسفل كل صورة

لا يشركونني في
اللعاب لأنني لا أسمع



وجود الممرات الخاصة
بالكراسي المتحركة ساعد
صديقتي أن تأتي إلى المدرسة



ابن الجيران لا يستطيع الكلام،
لذلك تعلمت لغة الإشارة حتى
أتمكن من التواصل معه



Translation: Children with disabilities - As a child with disability, I have the right to be engaged in the community and receive all the needed care and services. The exercise: Write whether you agree or disagree under each photo. (Boy on the right: "My neighbour cannot speak, therefore, I have to learn sign language to communicate with him"); (Girl in the middle: "Having special lanes for wheelchairs have helped my friend to come to school"); (Boy on the right: "They do not let me play with them because I cannot hear what they are saying").

Photo 3: The rights of child refugees and the rights of children in armed conflict.



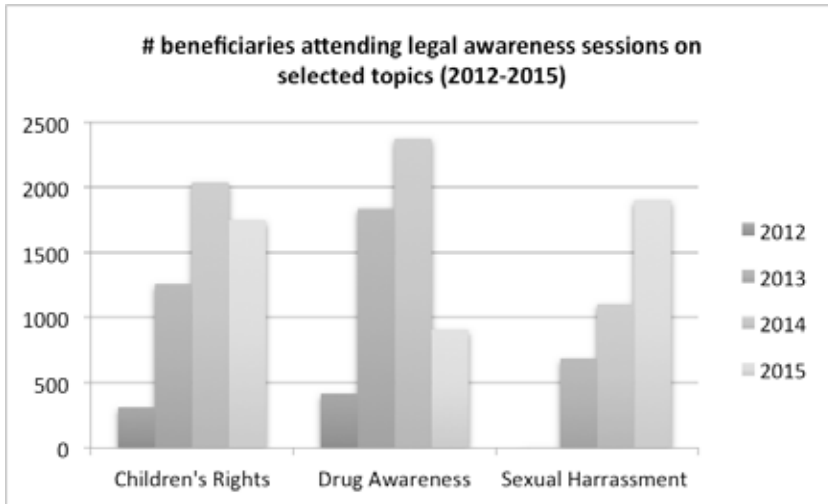
Translation: “Draw a smiley face under the picture that represents the place that you prefer to live in.”

The Hokoki books have been distributed widely among UNRWA schools by JCLA’s trainers, and are used to assist in the learning outcomes among the participating students. JCLA has received positive feedback from students who have utilized these books and aims to continue using and distributing them more widely in the future.

2015, as a result of JCLA engaging with UNRWA staff on the identified needs of their beneficiaries, JCLA developed a tailored awareness program on sexual harassment which was rolled out on a large scale (sixty three sessions to 1,902 girls and boys in 2015).

JCLA’s general children’s awareness programs, discussed above, account for the second highest number of sessions and attendees, totalling one hundred seventy three sessions to 5,358 girls and boys between 2012 and 2015. At UNRWA schools, the total number of general legal awareness sessions to children slightly dropped in 2015, in favor of the tailored awareness program

Graph 1



on sexual harassment. JCLA expects the 2015 numbers to remain consistent, as there is a need for general legal awareness sessions on child rights in addition to targeted interventions in line with UNRWA's protection priorities (e.g., drug awareness and sexual harassment).

JCLA hopes to be able to expand its awareness programs targeting children in the public school system.

Women's Rights: A Snapshot

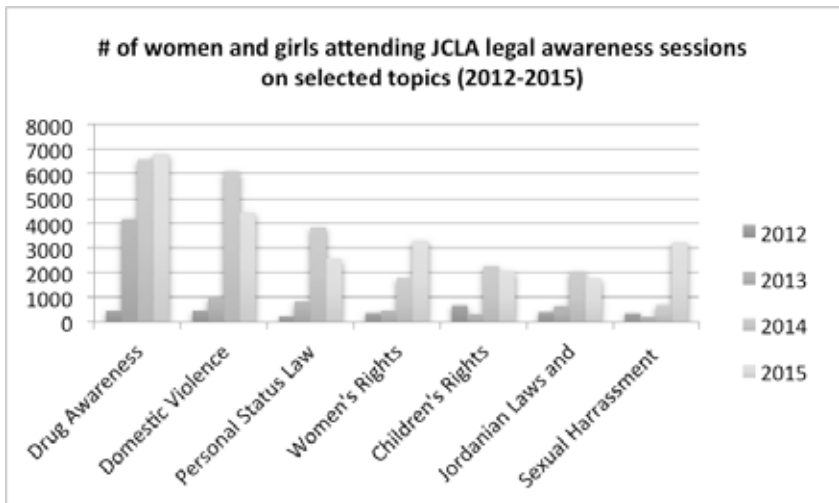
Over the years, JCLA has delivered awareness sessions to women and girls on a broad range of topics. In early 2016, JCLA designed an awareness program, Ensaf, which encompasses topics identified by beneficiaries as most relevant to their empowerment. The program discusses women's rights under Jordan's Personal Status Law (which covers marriage and divorce), sexual and gender-based violence, and labor rights.

Overall, women make up over 70 percent of JCLA's attendees at the awareness sessions. An analysis of the JCLA sessions conducted solely to women and girls (i.e., not including sessions for mixed audience) between 2012 and 2015, revealed that JCLA reached 73,192 women and girls through 2,911 awareness sessions. JCLA dedicated those sessions to women attendees only, in order to create a safe environment for women participants, as many of them are being subjected to violence from male relatives. Having those

male relatives present at the sessions will prevent women from effectively engaging in the sessions or from even participating. Moreover, in some areas, women cannot sit alongside their male counterparts and prefer women only sessions.

In the period between 2012 and 2015, the most common topics include drug awareness, domestic violence, personal status law, women's rights in general, child rights in general, Jordanian laws and regulations in general (targeting the refugee population), and sexual harassment (see Graph 2 below).

Graph 2



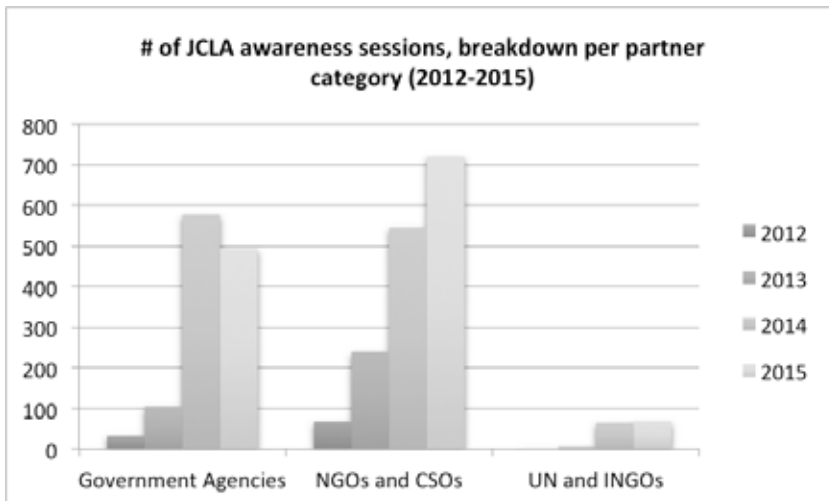
Similar to the sessions targeting children, drug awareness stands out as a key topic in sessions on women and girls. The drug awareness sessions were developed at the request of the Anti-Narcotics Department (within Jordan's Public Security Directorate), which identified drugs as a growing issue among the people they were encountering. The Department sought JCLA's assistance to reach out to the female family members of predominantly male drug users and traffickers. The awareness sessions are always delivered by a team of two trainers: one from the department and one from JCLA. JCLA's trainer provides information on the legislative framework around drug use and trafficking, as well as how drug users can seek help. The

trainer from the Department is also present to reinforce the latter message: under Jordanian law, the police will not prosecute a first-time drug user if he or she voluntarily presents him or herself for rehabilitation at the Anti-Narcotics Department. The trainer from the Department also provides information on how relatives can identify who among the family members use drugs. This strategy has worked, and the Narcotics Department estimates that since 2012, there has been an increase in first-time drug users seeking the assistance of the Department to overcome their addiction after hearing about the program through JCLA drug awareness sessions.

Tailored and general sessions on women's rights issues take the lion's share of the overall numbers: more than half of all sessions targeting women relate to women's (human) rights generally, and early marriage, personal status law, and sexual and other forms of gender-based violence (SGBV) specifically.

From the very beginning, JCLA has established strong partnerships with both government agencies and local non-governmental organizations (NGOs) and CSOs in order to implement its awareness programs in Jordan. This has been a natural development for JCLA, and it has allowed JCLA to provide services in a safe environment close to homes of JCLA's target beneficiaries, while reducing the cost of venue and catering (see Graph 3 below).

Graph 3



While JCLA has also successfully engaged with UN agencies and international NGOs (INGOs) on awareness-raising (in particular with UNRWA, Norwegian Refugee Council [NRC] and Danish Refugee Council [DRC]), these partnerships are quantitatively less significant. JCLA's partnership with UNRWA has the deepest roots, and was a natural fit for JCLA as UNRWA is a significant service provider to millions of Palestinian refugees in Jordan, with installations across the country. More recently, and following a shift in the government's strategy to the Syrian refugee influx (emphasis on "resilience" of host communities) in the 2016-2018 Jordan Response Plan, JCLA has more actively pursued partnerships with INGOs targeting Syrian refugees in Jordan.

JCLA's Awareness campaigns

In addition to the above-mentioned programs, JCLA organises yearly awareness campaigns to promote the rights of children and women. While awareness sessions are a key component of awareness campaigns, the campaign seeks to use a number of tools to maximize outreach. For example, in cooperation with partners and stakeholders and as part of the "United Nations 16 days of activism against gender-based violence" campaign, JCLA organizes an intensive awareness campaign about women's rights each year.¹⁰ During the 2015 campaign, JCLA conducted awareness sessions, meetings with stakeholders, and legal information days, in addition to appearing on TV & radio shows, and trialed a "tweet-up." In celebration of the International Day on the Rights of the Child (November 20), JCLA conducts legal days at schools and partner NGOs each year, and holds sessions, plays, drawing activities, and distributes the *Hokoki* book.

Successes and Challenges

JCLA's human rights education program, which falls within the broader legal awareness program being undertaken, has notable successes and clear challenges. Where JCLA has far exceeded its goal is in the area of outreach through awareness activities: in 2015 alone JCLA reached out to close to 50,000 beneficiaries; and since 2008, over 120,000 have had access to legal awareness sessions.

Box 2. A Snapshot of the Positive Impact of JCLA's Awareness Activities

Empowering Amal to Defend Herself

JCLA has helped a beneficiary to successfully represent herself before an investigatory committee. Amal (not her real name) is a student counselor who has worked for many years in the public school system. In recent times, Amal began to experience bullying by her supervisor, causing her stress and anxiety.

As the bullying continued, Amal became frustrated and submitted a formal complaint to the school's administrator, asking to be moved to another public school. An investigation commenced, during which time the administrator asked Amal to withdraw her complaint and stay at the school.

A relative of Amal's, who previously attended a JCLA awareness session, told her about legal aid and suggested she get in contact with JCLA. Amal contacted JCLA and, as she is a single mother earning less than 250 JODs a month, she was assessed as eligible to access JCLA's legal aid services. As Amal recounted: "I cannot afford a lawyer. Finding out that there is an entity such as JCLA was something I didn't expect."

Amal was assigned a legal consultant, who reviewed her case and provided her with ongoing advice on how to represent herself before the investigatory committee, including her rights and obligations while participating in the investigation.

Following the investigation, the administrator accepted Amal's request and moved her to another school.

Conclusions

The classification of Jordan as an "upper middle income" country according to various international instruments belies the growing number of poor and vulnerable people in need of basic services, including legal help. In the absence of an institutionalized legal aid system, the provision of essential legal information and legal services to those in need falls primarily on non-governmental organizations like JCLA. In line with international best practice, JCLA places emphasis on the ability of its legal awareness sessions to empower the poor and vulnerable to address their legal problems. Through a network of experienced trainers and partners, JCLA has reached out to close to 120,000 people in Jordan since its inception in 2008. The majority

(approximately 70 percent) of people who attend these sessions are women, and the legal issues discussed are primarily related to *Sharia* law, including divorce, alimony, and child custody. Interrelated to this is the issue of family and domestic violence experienced by female beneficiaries. Despite the growing recognition by the government of the obstacles faced by female victims of violence, much work needs to be done to enhance their access to the justice system in Jordan. Information on their human rights and access to legal aid services is an essential tool to empowering and enabling them to seek out this justice.

JCLA's single biggest partner-recipient of awareness services is UNRWA, where over two hundred awareness sessions were provided in 2015 alone. JCLA's human rights education program targets children at the UNRWA schools, and looks at the issues of child rights and, in recent years, has focused on the topic of drugs and sexual harassment. JCLA's growing caseload of juveniles within the justice system has enabled the organization to better analyze the legal information needs of young people, and more work needs to be done to formalize and expand the curriculum used by JCLA's trainers. In JCLA's experience, resources such as *Hokoki*, which have been elaborated in this article, work well at engaging young people on human rights issues.

The need for legal information, particularly among the growing number of vulnerable refugees entering Jordan, far outstrips the legal awareness sessions currently being provided. Yet such services are imperative to the legal empowerment of poor and vulnerable people. Through targeted, grassroots education programs, JCLA has helped empower people, but more work needs to be done, not just on an organizational level at JCLA but more broadly through institutionalized, funded legal aid services provided by the government. Through advocating for the enhancement of the Kingdom's legal aid system, JCLA strives to uphold the right of all to access justice in Jordan.

Endnotes

1 At the time of writing, 1 JOD is equivalent to 1.4140 USD.

2 Note that at the time of writing there are no publicly available statistics on the number of pro bono cases dealt with by the Jordan Bar Association on an annual basis. However, based on anecdotal accounts from members of the Bar Association and the legal community, JCLA is able to gauge that the amount of cases is minimal and in the approximate realm of a handful to about two hundred cases per year.

3 For example, in 2010 the United Nations Development Program, in conjunction with Jordan's Department of Statistics, found in a national "Household Expenditure and Income Survey" of that year that the "number of poverty pockets (defined as districts/sub-districts with 25 percent population or more below the national poverty line) increased from twenty-two poverty pockets in 2006 to thirty-two poverty pockets in 2008." See UNDP and the Ministry of Planning and International Cooperation, *Thinking Differently About the Poor: Findings from Poverty Pockets Survey in Jordan*, (2012), available at www.undp.org/content/dam/jordan/docs/Poverty/Jordan_Poverty%20Pocket%20Report.pdf.

4 Justice Center for Legal Aid, *Closed Case Survey of Criminal Cases in Jordan* (2012) (in Arabic only).

5 Statistics taken from a 2010/2011 national legal aid survey; see JCLA and Department of Statistics, *Statistical Survey on the Volume of Demand for Legal Aid (Justice Sector Household Survey)* (2012). A discussion on the survey can also be found in *World Bank Legal Review*, Volume 5, "Fostering Development through inclusion, unity and equity" (2014), pages 247 – 254.

6 See World Bank (Poverty Reduction and Economic Management Department, Middle East and North Africa), "Hashemite Kingdom of Jordan - Country Gender Assessment - Economic Participation, Agency and Access to Justice in Jordan," July 2013, *Report No: ACS5158*, page 14.

7 *Ibid.*, pages 79-80.

8 United Nations, Office of the Special Representative of the Secretary-General on Violence against Children, *Toward a world free from violence: global survey on violence against children*, October 2013, page 99.

9 For example, child labor issues are a major concern in Alghor area while involvement of children in drug use and trafficking is problematic in Amman.

10 The United Nations Secretary-General's Campaign UNiTE to End Violence against Women, see www.unwomen.org/en/what-we-do/ending-violence-against-women/take-action/16-days-of-activism#sthash.mQqDUVzN.dpuf.