

Private Law, Public Justice: Another Look at Imprisonment for Debt under the Jordanian Law

Authors : Haitham A. Haloush

Abstract : Debtors' imprisonment in Jordan is a problematic issue since it impinges upon required financial guarantees that are presumably offered by debtors on the one hand, and infringes flagrantly the International Covenant on Civil and Political Rights on the other hand. Jordan lacks regulatory provisions in this respect and debtors' imprisonment is indirectly exercised in Jordan without giving a special legal attention to this concern. From this perspective, this research reviews the available regulations, standard laws and codes of conduct that might guide the implementation of the International Covenant on Civil and Political Rights in the Jordanian context. Furthermore, this article will examine the suitability of the Jordanian legal system in providing sufficient protection for debtors. The author argues that there are serious obstacles in this aspect.

Keywords : the Jordanian civil code, the Jordanian execution law, imprisonment for debt, good faith, the Jordanian constitution, the international covenant on civil and political rights

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