

## Article 11: Human Development and Legal Issues

Scholarly research emphasizes the complex and vital connection between **legal issues** and **human development**, as laws can either support or hinder an individual’s well-being and capacity to thrive. Hence, studies have explored how legal issues ranging from **disparities in access to justice** (Hardy et al., 2019; Legal Services Corporation, 2022; Parrott, 2022) to **discriminatory laws** (Althoff, 2024; Schaefer, 2008; Siegel & Nicholson-Robinson, 2024), can undermine human development, particularly among low-income and marginalized populations.

### Human Development and Disparities in Access to Justice

Disparities in access to justice are a major barrier to human development, especially for low-income individuals and communities of color in the United States. Thus, academic studies have shown that a person's ability to navigate the legal system can significantly impact their well-being, economic stability, health, and social mobility. Moreover, justice is deeply intertwined with economic status, and unresolved legal issues can trap individuals in a cycle of poverty (Hardy et al., 2019; Legal Services Corporation, 2022; Parrott, 2022).

The Justice Gap Report released by the Legal Services Corporation (LSC)—a congressionally established nonprofit that funds civil legal aid—highlights how legal needs among low-income Americans are often unmet throughout multiple phases of life. The report drew on two main sources: a national survey of over 5,000 adults (including 2,000 low-income respondents) and intake records from LSC-funded legal aid organizations. It found that 74% of low-income households experienced at least one civil legal problem in the previous year, with many facing multiple issues at once. Common problem areas included housing, health care, income maintenance, and consumer matters, and more than half of affected households reported serious impacts on their finances, mental or physical health, safety, or family stability. The COVID-19 pandemic worsened the situation, with one-third of low-income households reporting pandemic-related legal problems, especially concerning income, housing, and education (Legal Services Corporation, 2022).

The report also highlighted the lack of access to help among such individuals. Only one in four significant legal problems led people to seek any kind of assistance, and when they did, most did not receive enough support. Overall, 92% of civil legal problems in low-income households received little or no legal help. Moreover, many people avoided seeking help because they assumed they could not afford a lawyer or doubted they could find assistance at all. Legal aid groups themselves struggled with limited funding: they had to turn away almost half of those seeking help, and even in accepted cases, they were only able to fully resolve about half. In total, roughly 1.4 million legal problems each year remain unsolved or underserved. The researchers concluded that the civil legal system is deeply underfunded and overstretched, leaving millions of Americans vulnerable, and called for stronger funding, more resources, and broader reforms to close this “justice gap” and ensure equal access to justice (Legal Services Corporation, 2022).

On that same note, the Center on Budget and Policy Priorities (CBPP) examined how federal and state programs have reduced poverty in the United States over recent decades, and the challenges that remain for low-income families. Using comprehensive poverty measures, the study analyzed data on

household income after taxes, social benefits such as SNAP, housing subsidies, and tax credits, as well as necessary expenses like housing, child care, and health care. Researchers highlighted how legal and administrative barriers can prevent families from fully accessing these programs, such as complex application processes, eligibility restrictions, and difficulties navigating public benefits systems. The study found that programs like Social Security, unemployment insurance, the Earned Income Tax Credit, and SNAP have substantially lowered poverty rates, preventing millions of Americans from falling below the poverty line each year—but only when families are able to overcome these legal and bureaucratic hurdles (Parrott, 2022).

Despite the tracked milestones, many low-income households continue to face significant financial strains, and legal obstacles remain a key challenge. High costs for essentials—especially housing, child care, and health care—force families to make difficult trade-offs, and complex rules or paperwork often limit access to critical support. The study concluded that while policy advances have been meaningful, further legal and administrative reforms are needed to ensure that families can fully benefit from economic security programs. Researchers emphasized the importance of simplifying access to benefits, reducing procedural barriers, and expanding affordable legal assistance so that economic support programs not only reduce poverty but also help families secure long-term stability and protect their rights under existing laws (Parrott, 2022).

### **Human Development and Discriminatory Laws**

Discriminatory laws can severely hinder human development across the life course by limiting access to education, healthcare, housing, employment, and legal protections. Thus, when opportunities and resources are systematically restricted for certain groups, these laws create cumulative disadvantages that affect individuals from early childhood through old age (Althoff, 2024; Schaefer, 2008; Siegel & Nicholson-Robinson, 2024).

For instance, a study looked at housing discrimination in the United States and how legal protections interact with biased practices. Using audit studies, researchers paired individuals who were identical in every way except for race or ethnicity and had them apply for the same rental or home purchase opportunities across multiple cities. The findings revealed clear patterns of discrimination: Black and Hispanic applicants were often told units were unavailable or given misleading information compared with white applicants. Even when units were available, minority applicants were shown fewer options, directed to less desirable units, or treated differently by landlords and agents. Researchers argued that these practices limit immediate housing opportunities and create cumulative disadvantages that affect human development across the lifespan, influencing access to quality schools, safe neighborhoods, healthcare, and economic stability from childhood through adulthood (Schaefer, 2008).

Legally, such discriminatory actions violate the Fair Housing Act of 1968, which prohibits housing discrimination based on race, color, religion, sex, familial status, or national origin. However, the study highlighted that enforcement is often inconsistent, and discrimination can be subtle or hidden. The researchers concluded that stronger oversight, more robust enforcement, and increased public awareness are essential to ensure fair access to housing. They also suggested proactive measures, such as regular audits and reporting mechanisms, to uncover and address ongoing discrimination. Tackling these legal and structural barriers is critical not only for upholding civil rights but also for supporting

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healthy human development throughout life, ensuring that children, adults, and families have equitable access to the resources and opportunities needed to thrive (Schaefer, 2008).

Another study examined how racial segregation in neighborhoods and schools in the United States affected racial health disparities from 2000 to 2020. Particularly, the study looked at ways related laws and policies shaped human development in that time period. Hence, researchers analyzed data on residential and school segregation alongside health outcomes to identify trends over the two decades. They found that while residential segregation decreased slightly, school segregation remained largely unchanged and even increased in some areas. This ongoing segregation, despite legal efforts to promote integration, continued to create cumulative disadvantages that influenced health, education, economic stability, and access to community resources among racial and ethnic minority groups from childhood through adulthood. Over time, these disadvantages limited educational attainment, reduced opportunities for stable employment, increased exposure to environmental hazards, and negatively affected physical and mental health, creating a cycle of inequity that persisted throughout the years (Siegel & Nicholson-Robinson, 2024).

The findings also revealed that legal protections alone were not enough to eliminate segregation or its long-term impact. Many communities remained divided, and subtle forms of discrimination continued to limit opportunities and resources. Researchers emphasized that addressing these challenges requires both stronger enforcement of existing laws and proactive policy measures, including targeted investments in schools, neighborhoods, healthcare systems, and community programs. In addition, policies that increase affordable housing options, promote inclusive zoning, and support equitable access to quality education and healthcare are critical. By tackling these structural barriers, policymakers can help ensure that children, adults, and families have equitable access to the resources, opportunities, and support networks needed to promote healthy human development, reduce disparities, and create more resilient communities across the entire life course (Siegel & Nicholson-Robinson, 2024).

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