

Rights of Women Married Under the Act: A Case Study of Legal Divorce

Solomon X. Y. Jallayu

Evangel Christian Foundation

ABSTRACT

The rights of women in divorce cases, particularly those married under the Act, have been a long-standing concern. Despite the existence of laws governing marriage and divorce, women often face challenges in asserting their rights during the divorce process. This study aims to assess the general concept of marriage and marriage under the Act, examine divorce and its effects, and evaluate the consequences of divorce on women's rights. The study seeks to identify the position of the law on divorce and women's rights in the process and at the end of the process. A mixed-methods research design was employed, combining qualitative and quantitative approaches. The study analyzed laws and statutes on marriage and divorce, reviewed cases adjudicated by courts of competent jurisdiction, and conducted interviews with divorcees, legal practitioners, and other stakeholders. The study found that women's rights in divorce cases are often compromised due to ignorance of the laws and lack of advocacy on their behalf. The Domestic Relations Law of Liberia, the Matrimonial Causes Act of Nigeria, and the Supreme Court of Liberia's opinions on divorce cases were found to be crucial in upholding women's rights in divorce cases. The study concludes that women's rights in divorce cases are often neglected, but the law provides avenues for redress. The study recommends increased awareness and education on women's rights relative to divorce, as well as the need for advocacy on behalf of women in divorce cases. The study's findings have implications for policymakers, legal practitioners, and women's rights advocates.

Keywords: women's rights; divorce; marriage under the Act; legal divorce; Liberia; Nigeria

CHAPTER ONE INTRODUCTION

1.1 Background

It has been an age-old problem on the rights of women who married under the Act when it comes to legal divorce. In this project, I have presented some of the constraints involved in the litigation process for the rights of women. There are laws on the books that govern the process for the advocacy of women's rights. The domestic relations law of Liberia is cardinal as well as the equity and property law of Liberia and many other laws. These laws are noted. In the discussion of women's rights. The Matrimonial Causes Act of Nigeria plays a major role as well.

The Supreme Court of Liberia opinions which are considered case law are also considered in some divorce cases in this research as the focus.

The Alimony issue in legal divorce cases was decided upon by the lower courts and the Supreme Court in the cases that are cited for our case study.

1.2 Problem Statement

Many marriages are not holding any longer. The concept of getting married is not well articulated before people get married. In other words, many women particularly do not understand what it entails when they are getting married customarily and particularly under the Act. Because of this reason many had divorced, and the man worked out of their life after living with them for a long period and sometimes a short period. Through this means many of their rights are abused without any redress or benefits.

This has posed a serious problem for women's rights over some time. It is believed that only men can file for divorce. Many women are not even abreast of the elements under the law that can constitute or be worth a relief of divorce. Ignorance of the rights of women in the process of legal divorce with marriage under the Act is a problem of this research.

1.3 Objectives of the Study

The objectives of the study are to assess the general concept of marriage and marriage under the Act and to examine divorce and how it affects marriage.

Evaluate the consequences of divorce if it is a blessing or curse. Finally, is to identify particularly what is the position of law on divorce and specifically what are women's rights in the process and at the end of the process.

1.4 Significance of the Study

This study is significant to the extent that it will reveal the obstacles to women's rights in divorce cases and what the Law also says about women's rights in legal divorce. It is an eye-opener for women to follow the legal course to obtain their rights when it comes to divorce issues stamped upon.

1.5 Research Design

The research design will be of a mixed design that is a combination of both qualitative and quantitative design. The qualitative involves data collection in word form while quantitative involves the collection of data in number form. The combination of both forms of data will provide a better understanding of a research problem than one type of data alone.

Laws and statutes on marriage and divorce will be examined, read, and analyzed. Cases that relate to the research and have been adjudicated by courts of competent jurisdiction will be cited and reviewed. Divorcees, legal practitioners, and others will be interviewed in the process of the execution of this project

1.6 Scope & Limitation of the Study

The study will look at marriage in general and focus on marriage under the Act with women's rights when it comes to legal divorce. The research will be limited to Laws, statutes, and cases in Liberia, Nigeria's legal jurisprudence and some cases in some common-law countries like America will be considered as well.

1.7 Research Questions

1.7.1 What Is Marriage?

Marriage is a universal institution between man and woman recognized and respected in the world. As a social institution, it is founded on, and governed by the social and religious norms of the society. It is universally accepted that marriage, being a union of man and woman, involves two persons of opposite

sex. Consequently, sex constitutes an essential determination of a marriage relationship. To establish the existence of a valid marriage, it must be proved that the persons involved are men and women.

Ordinarily, this seems a straightforward question; the issue has been complicated by the existence of hermaphrodites, and pseudo-Hermaphrodites had advances in medical science that have made sex change operations feasible. In the English case of [**Corbett V Corbett (1947) All ER 187**], the petitioner and the respondents had gone through a marriage ceremony in September 1963, the petitioner knew that the respondents had been registered at birth as male and had in 1960 undergone an operation for the removal of the testes and created an artificial vagina, since the operation, the respondents had lived as a woman. In December 1963, the petitioner filed a petition for a declaration that the marriage was null and void because the respondent was a person of the male sex or for a decree of nullity on the grounds of either incapacitated or willful refusal to consummate. The court held that the respondent had remained at all times a biological male and that accordingly, the so-called marriage was void.

1.7.2 What Is the Meaning of Marriage Under the Act?

Marriage under the Act is a marriage that has been performed in compliance with the Marriage Act. The first step to make marriage in compliance with the Act is to give notice of the impending marriage to the registrar of marriage in the Local Government where the marriage will be conducted. For example, the Marriage Act is the primary legislation that provides for the celebration of marriage in Nigeria. The only form of marriage recognized in Nigeria under the Act as well as in Liberia is Monogamous marriage, which is marriage between one man and one woman. That is also known as Statutory Marriage supported by statute of Law.

1.7.3 What Is Divorce?

Divorce which is also known as dissolution of marriage is the process of terminating a marriage or marital union.

1.7.4 How Does Divorce Affect a Marriage?

Divorce affects a marriage in various ways. After the divorce, the couple often experiences effects including, some level of decrease in terms of happiness, change in economic status, emotional trauma, and so on. The effects on children include academic, psychological, and relative behavioral problems.

1.7.5 Is Divorce a Blessing or A Curse?

It should be understood that divorce could be a blessing for an issueless couple being pivotal in resurrecting the lives of the man and woman. However, for the tormented child, divorce could prove to be a curse (dailytime.com.pk/divorce-ble...) (Ummah.com) It is said that divorce is neither a curse nor a blessing. Shaytaan's aims never include blessing and one of them is splitting a man. From the Biblical perspective, God addresses these issues of divorce, and Malachi 2:16 states that "God hates divorce."

1.7.6 What Is the Position of The Law on A Separated Marriage?

In terms of separated marriage, the court's position would be to look at what rights spouses have during separation. In a legal separation proceeding, the court can decide matters such as child custody and support, alimony, and property division. However, the spouse will remain legally married and cannot remarry unless and until they get a divorce (www.divorcenet.com).

1.8 Statement of Hypotheses

Women's rights have been an age-old problem. This has extended to the point of divorce when women are considered not to have property rights, access to children, and the list goes on. The research will unveil the fundamental women's rights which are human rights. One of the basic reasons for such has been

ignorance of the Laws and the lack of advocacy on behalf of women in divorce cases. When the Laws are revealed and properly explained and access to justice is given to women, this will help to mitigate such nightmare.

1.9 Definition

- Marriage: The state of being united to a person of the opposite sex as husband or wife in a Consensual and contractual relationship recognized by law.
- Right: Being by what is just, good, or proper
- Divorce: The end of a marriage by a legal process or Legal dissolution
- Statute: a written Law that is formally created by a government or a decided case
- Monogamous: the state or custom of being married to one person at a time

CHAPTER TWO HISTORICAL BACKGROUND

2.1 Literature Review

Some laws protect women's rights when married under the Act as well as customary marriage. Here we will review the Domestic Relations- law of Liberia 1973, Domestic Relations Law –title 9 Liberian Code of Law revised; the Inheritance Law of Liberia such as the Gender and Land Rights Database, Women's Property and Use of Rights in Personal Laws, Inheritance legal mechanisms, the Nigeria matrimonial causes Act and the Family Law of Nigeria. Supreme Court of Liberia's opinions on decided cases will be used as well as case studies relative to Divorce.

The first and foremost thing to be known before coming to the rights of women in divorce cases is that there are processes that lead to marriage before divorce. Some processes lead to divorce and the rights under divorce. We will survey some of the cardinal things that need to be known as we look at the laws involved.

In consideration of the Rights, duties, and liabilities of a married person under the domestic relations Law, a contract made between persons in contemplation of marriage remains in full force after the marriage takes place. Marriage does not render a spouse liable for the payment of ante nuptial debts or the contractual obligations or tort liabilities incurred by the other spouse before marriage, except that a spouse who acquires property of the other spouse, by ante nuptial contractor business trade or occupation and to exercise all powers and enjoy all rights in respect thereto and in respect to her contracts, and be liable on such contract, as if she were unmarried (15 prior legislation:1956 code10:22, L. 1935-36, Ch. XVII, sub s 14.16.17).

The Domestic Relation Law Title 9 subsections 3.4 addresses the property and rights therein of married women. Property, real and personal, now owned by a married woman or hereafter owned by a woman at the time of her marriage, or acquired by her as prescribed in this chapter of Rights, duties, and liabilities of married persons, and the rents, and profits thereof, shall continue to be her sole and separate property as if she were married and shall not be subject to her husband's control or disposal nor liable for his debts. The subject of the provisions of section 5.14 of the civil procedure Law, a married woman has a right of action for an injury to her person, property, or character or, for an injury arising out of the marital relation, as if unmarried. She is liable for her wrongful or tortuous acts her husband is not liable for such acts unless they were done by his actual instigation and such coercion or instigation shall not be presumed but must be proved.

When it comes to torts committed against a spouse, a married woman has a right of action against her hus-

band for his wrongful or tortious acts resulting in any personal injury or resulting in injury to her property, as if they were unmarried and, she is liable to her husband for her husband or to his property, as if they were unmarried (17 prior legislation: 1956 code 10:45; L 1942-43.ch XIV, sub,s 2, 3, 4), (Ref. Liberian Code Revised, VOL. III: page 102).

Women's rights include what is stated in chapter 7.1 of the domestic relations laws on voidable marriage. Subject to the provision of section 7.2 a marriage is voidable and shall be declared void ab initio from the time its nullity is declared by a court of competent jurisdiction, this happens at the time of the marriage either party thereto had any of the following disabilities under legal consent which is 21 for male and 18 for female (Section 2.2).

If any marriage be annulled from any cause or under any conditions for one or more years, if it is alleged and proved that the plaintiff has without avail endeavored to induce the defendant to return to marital duties. Desertion means the wilful and unjustified abandonment of a spouse by the other.

On the other hand, women's rights are taken into consideration very seriously. The commission of an act of adultery by the defendant after the marriage of the plaintiff and the defendant whereas a result of incompatibility of the temper the defendant is so extremely quarrelsome and intolerably pugnacious to the plaintiff life together between plaintiff and defendant becomes dangerous to the plaintiff. (Liberian Code Revised, VOL III pages 146-150).

2.2 Literature Review on Divorce

There are processes involved when it comes to divorce. Most of them are well articulated in the Law. However, there are limitations to these processes. For example, subsection 8.2 considers the limitation for the commencement of action.

No action for divorce may be maintained on a ground that arose more than five years before the date of the commencement of the action except where the ground of desertion and the defendant has not resumed living with the plaintiff. An action based on the ground of adultery comes into existence upon the discovery by the plaintiff of the offense charged.

Some defenses bar divorce such as pleading in an answer established at the trial shall bar the granting of a divorce in terms of connivance or condonation (Liberian Codes revised, Vol III page 152). The Laws that give women rights in divorce cases equal to men are very clear. When it comes to damages to be assessed against guilty co-respondent, a husband who is the man as well as the wife who is a woman prevails as plaintiff in an action to obtain a divorce on the ground of adultery in a case in which a known co-respondent is named in the complaint thereon, jury byway of special verdict shall determine the amount of damages to be assessed against the named co-respondent by the provisions of section 13.2 of the Liberian code revised VOL. III and their determination shall be included in the judgment of divorce as a money judgment against the co-respondent.

The Successful party in a divorce which could be a woman's right, shall pay a divorce tax of \$50 upon the entry of the final judgment granting the divorce. Alternatively, the final judgment may be entered and payment of the divorce tax deferred for 30 days upon filling of a bond conditioned thereon with good, and sufficient sureties, and if such payment is not made within 30 days after the entry of final judgment, the bond shall be forfeited and execution levied against the principal and sureties (prior Legislation 1956 code 10:77(b) 78; L 1935-36 XVII, subs 32).

The defendant against whom a judgment has been entered in a divorced action obtained on the ground of adultery may not contract another marriage until after the expiration of three years from the date of entry

of the judgment (prior Legislation 1956 code 10:79:L 1938, ch 11; L 1935-36, ch XVII.).

Sub-section 9.7 of the domestic relation law, Liberian code Revised VOL III: page 162, provides that the court determines title to or occupancy and possession of property of parties. In any action to declare the nullity of a void marriage or annulment of a voidable marriage, or for a divorce, the court may determine any question as to title to property arising between the parties and may make such direction, between the parties, concerning the occupancy and possession of property, as in the court's discretion justice requires, having regard to the circumstances of the case of the respective parties. Such discretion may be in the final judgment or by one or more orders from time to time before or after final judgment or by both such order or orders and final judgment. Where title to real property is affected, a copy of such judgment or order duly certified by the clerk of court wherein said judgment or was rendered shall be recorded in the office of the registrar of the county in which such property is situated.

There should be permanent support for an insane former wife (women's rights). If the marriage is dissolved such as divorce on the ground of the incurable insanity of the wife, the court shall include in the final order a provision directing the husband to provide for her suitable support, care, and maintenance during life specifying the amount thereof and, before rendering the final order, must exact security for her suitable support, care and maintenance during life. The provision of the final order relating to support, care, and maintenance of a wife during her life and to security therefore may be modified or amended at any time by the court upon due notice to the other party and other interested parties as the court may direct. The security exacted of the husband hereunder shall be available to the former wife or any person on her behalf or any person or agency providing support, care, and maintenance for the former wife if the husband shall fail to make any required payment for such support, care, and maintenance and upon application to the court the husband shall be ordered and directed to provide additional or further security (Liberian Codes Revised, VOL. III: PAGE 168).

2.2.1 Rights of Women in Legal Divorce Proceeding, A Case Study

An action for divorce may be maintained by a wife (woman) to procure a judgment divorcing her husband and dissolving the marriage on any of the following grounds as rights women have to proceed with legal divorce. These rights can be cited as the law provides in Chapter 8 section 8.1 of the Domestic Relation Law Title 9 of the Republic of Liberia as follows:

It is the cruel and inhuman treatment of the wife by the husband, such that the conduct of the husband makes the continued cohabitation as husband and wife dangerous to the physical or mental well-being of the wife.

The desertion of the wife by the husband for the period of one or more years, provided that it is alleged and proved that the wife has without avail endeavoured to induce the husband to return to marital duties. Desertion means the wilful and unjustifiable abandonment of the woman by the husband in this case.

It is the commission of an act of adultery by the husband after the marriage of the wife and her husband. Where as a result of incompatibility of temper, the defendant is so extremely quarrelsome and intolerably pugnacious to the wife that life together between wife and husband becomes dangerous for the wife.

There are cases cited in this research as the Supreme Court of Liberia opinion which is a precedent or case Law in the adjudication of divorce cases that recognizes the right of women in the legal divorce proceeding of marriage under the act.

In the case of Anderson V. Anderson, Mary E. Anderson who is the representation of women's right to legal divorce of marriage under the Act took the stand to exercise the right women have by initiating a lawsuit against Benjamin J. Anderson, her husband for her right of Alimony.

The decree of the lower court for the Appellant to pay Alimony to the plaintiff as her right was upheld by the Supreme Court of Liberia's opinion. See the case below,

Anderson v Anderson [1947] LRSC 9; 9 LLR 301 (1947) (9 May 1947)

BENJAMIN J. K. ANDERSON, Appellant, v. **MARY E. ANDERSON**, Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT, MONTSERRADO COUNTY.

Argued March 24, 25, 1947. Decided May 9, 1947.

1. Where one admits the truth of the facts stated in a complaint but sets up justification or excuse, the burden of proof shifts to him.
2. A wife abandoning her husband shall not be entitled to alimony except for good cause as set out in the statute.
3. Our statute does not make either the pendency or the termination of a matrimonial suit a requirement for the institution of a suit for alimony.

On appeal from a judgment in an alimony suit awarding alimony to the appellee, the *judgment was affirmed*.

B. G. Freeman for appellant. *T. Gyibli Collins* for appellee.

MR. JUSTICE SHANNON delivered the opinion of the Court.

Up to the year 1928, there was no statute of the Republic regulating alimony, so our courts had to resort to common law principles in the hearing and determination of suits for alimony. However, the legislators determined' that following the common law procedure was detrimental to, and against, the interests of the male citizens of the Republic, so in 1928 an alimony statute was passed, the preamble of which reads as follows:

"Whereas there is no statute referring to Alimony, but that Courts of this Republic has [*sic*] heretofore acted upon the Common Law Procedure; and

"Whereas the Common Law Procedure has been in many instances detrimental to the interest of the male citizens of the Republic when they are compelled to institute Actions of Divorce against their wives for the breach of their matrimonial covenants and vows; and

"Whereas, various decisions rendered against those husbands in such cases are not just [and] equitable when the surrounding circumstances are taken into consideration, Therefore. . . ." L. 1928, ch. XIV.

The enactment follows, the first section of which reads as follows:

"That any married woman who for any just causes hereinafter stated in the Third Section of this Act be compelled to leave her husband's home and live apart from him shall be entitled to receive a portion of his earnings for her maintenance which shall hereinafter be styled an 'Alimony.' "

After stating in section two of the said act that the award shall be limited to not more than one-third of the husband's income and that said award shall be discontinued after a divorce has been granted or the husband shall have removed "the difficulty for which his wife abandoned his home," or shall have, in good faith, made "reconciliations with his wife and ask[ed] her to return home" which the wife refuses to accept, section three thereof makes provisions as follows for cases wherein a wife would not be entitled to alimony:

"In no case shall the wife abandoning her husband's home be entitled to an Alimony except for the reasons which shall be considered good causes: — habitual and continuous drunkenness [*sic*] which results into perpetual annoyance and an unhappy home; incompatibility of temper creating a regular nuisance to the community and endangering the life of the wife; open and outrageous immorality against the good morals

of the community and for which the wife would be entitled to a divorce..."

It is readily seen that the legislators intended to have suits for alimony adjudicated strictly upon equity principles and in conformity with the said act just quoted, to narrow or restrict what to them appeared as a situation detrimental to the interests of the male citizens of the Republic.

By force of the provisions of the act just cited, Mary E. Anderson, appellee, commenced a suit for alimony against her husband, Benjamin J. K. Anderson, appellant, before the Civil Law Court of the Sixth Judicial Circuit, Montserrado County, at its June term, 1946, and in her complaint, she substantially alleged that she was lawfully married to the said appellant on a day named in said complaint and that thereafter they lived in tolerable peace and happiness, but that subsequently appellant, becoming unmindful of his marital covenant and obligations, began to abandon himself to habitual drunkenness, which has resulted in perpetual annoyance and an unhappy home, and to open and outrageous immorality with one Lucinda Thomas of the city of Monrovia, against the good morals of the community, thereby neglecting her, the said appellee, his wife, and rendering living between them unhappy. In addition, "as the result of the practices above complained of on the part of the defendant [appellant], defendant did, without any justifiable cause, on the 2cth day of April, A.D. 1946, evict plaintiff [appellee], from his bed and board and has neglected and refused from that time up to the instituting of this suit, to provide food, shelter, and maintenance for plaintiff." This complaint, after showing to the court the average income of the defendant, prayed for an award of fifty dollars per month in alimony and fifty dollars in counsel fees.

The answer appellant, in addition to raising certain legal issues regarding the sufficiency of the appellee's complaint, admitted that the appellee was his wife and that he evicted her from his home. But the appellant denied those points in the complaint which charged him with habitual drunkenness resulting in perpetual annoyance and an unhappy home and with living an open and outrageous immoral life with one Lucinda Thomas of this city, and also denied that part of the said complaint alleging the average income or monthly earnings of said appellant.

The appellant charged his wife with being person addicted to drinking and justified the eviction of his wife from his home on the ground that he found certain concoctions in the home which appeared to have been medicines that the wife had obtained to use on him and herself with a view of better ensuring their living together as husband and wife, a concoction which, however, has the tendency of rendering a husband peculiarly insensible to his interest and subservient to the will, whims, and notions of the wife and which is commonly known as "yarntonoh," an expression of the Kpellehs, we understand, which means "me alone" or "my one." The appellee in her reply categorically denied these imputations made against her by her husband, and the pleadings in the case having rested with the rejoinder of the defendant, now appellant, same came up for hearing before His Honor Monroe Phelps, circuit judge assigned to that circuit.

There were only two issues raised against the legal sufficiency of the complaint, and since the first, an alleged misstatement of the time of marriage, is one not sufficiently material to merit an opinion by this Court, which has been conceded by the defendant, now appellant, since he did not raise it and press it either in his bill of exceptions or his brief, we pass on to the other which is submitted in count one of the briefs in the following manner:

"The complaint was bad for duplicity in that it charged the appellant with having committed two separate and distinct wrongs constituting each a cause of action. His Honour the trial judge erred in overruling appellant's demurrer on said point and the law issues raised in his answer."

Referring to count two of the appellant's answer wherein the issue was raised, we find it was submitted that the complaint of appellee should be dismissed for duplicity "in that plaintiff declares that defendant

began to abandon himself to habitual drunkenness which resulted into perpetual annoyance and an unhappy home," and in the same count she contends that the unhappiness of the home was due to "open and outrageous immorality with one Lucinda Thomas of the City of Monrovia." Appellant contended in his said answer that since each of these is a separate and distinct cause of action each should have been pleaded in separate and distinct counts and each count commenced in the manner provided, required, and directed by the statutes. We are so much in agreement with the position of the trial judge in overruling this count of the appellant and in sustaining count two of the appellee's reply that we hesitate to disturb it. The notion of the appellant that these were two separate and distinct causes of action and hence should not have been joined is erroneous. The alleged habitual drunkenness and open outrageous immorality with the lady named were not pleaded as causes of action but rather as incidental facts to the act of eviction of the appellee and the refusal and neglect of the appellant to provide her with food, shelter, and maintenance, the actual cause of the action.

Said answer having been taken to admit his marriage to appellee and his eviction of her as his wife, it is our opinion that the burden of proof shifted to him to substantiate the imputations made against his wife since it appears that his answer in this respect was intended to place him within section four of the said act regulating alimony, *supra*, which reads thus:

"That where an action of divorce is instituted by the husband against the wife, and where the presumption of guilt on the part of the wife is great, *she shall not be entitled to receive an Alimony upon a suit brought by her.*" (Emphasis added.)

The appellant did not avail himself of the opportunity of instituting an action against his wife. Questions were directed to his counsel, whilst arguing before this Court, as to whether or not the appellant already had entered an action of divorce against his wife, the plaintiff below, upon the strength of the allegations which he pleaded in justification of his eviction of her from his home. Counsel was compelled to admit that no such action was filed.

It is our opinion that the imputations made against the appellee to the effect that she was addicted to heavy drinking have hopelessly failed in proof since the appellant did not bring anyone to support this charge, whilst on the other hand those whom he brought testified against the correctness of the allegation. We will now consider the imputation that appellee had undertaken to engage in witchcraft and had secured from Freetown a witch doctor and also one witch doctor by the name of Friday; and that appellant discovered concoctions which she had obtained to place in his food and some to use in her body with the view of hypnotizing him and having him accede to and obey her every whim and notion, the use of such concoctions from witch doctors usually leading one to insanity or death. We think that this was a subtle effort to becloud the truthfulness and effect of the appellee's claim. But these charges have fallen short of creating a great presumption of guilt against the appellee to affect her claim for alimony; for whilst the appellant did indeed discover these concoctions in the home where he had placed appellee nevertheless, upon inquiring from her as to their true and correct purport, she informed him, according to her evidence which was denied by appellant, that they were obtained by her whilst at Freetown to which her husband had sent her for medical treatment, and that they were to safeguard herself against ills and outward conditions of life. What is strikingly peculiar is the neglect on the appellant's part to have produced Doctor Decker whom the appellant, together with his sister Mary Anderson and his alleged paramour Lucinda Thomas, claims told them that he made medicine for appellee as against appellant, which medicine was bad. There is no evidence given to show appellee had obtained some of the concoctions from a Doctor Friday. Furthermore, there is no record to show why the testimony of these two persons was not required.

In addition, there is the boy Dennis, a ward of the appellant, who, appellant said, told him of his having seen appellee one night putting certain powdered concoctions in the food that had been cooked for dinner and who, it is further said, told appellant and his sister Mary Anderson about it. Even though the appellant bases his claim to the justification for the eviction of his wife upon an alleged use of certain concoctions on him that were harmful and deleterious and which he discovered, the record discloses no testimony of Dennis to show that he did see appellee do the act imputed to her. Needless to say, under the circumstances the testimony is hearsay and has no probative value. There is no evidence even that the appellee was ever confronted by the said Dennis regarding this incident. This accounts for our opinion that the whole thing was a subtle fabrication designed to becloud the truthfulness and effect of the appellee's claim against the appellant for alimony.

Prince Nelson, a willing witness for the appellant, testified that he was or is a steward of his church, that he advised the appellant to call in a witch doctor to analyze the concoctions that were found in the home, and that when the doctor came in he analyzed same and found them to be bad medicines, a fact considered of great importance to the appellant's plea of justification for eviction of his wife but overlooked by himself in his testimony whilst on the stand. From the said Prince Nelson's statement, it is gathered that the appellee was in the home when the alleged analysis of the medicines was done and was called to witness it and hear what the doctor had to say.

From the evidence of the appellant himself, the said Dr. Decker is said to have also told Mr. and Mrs. Joseph T. Dayrell, Jr., the latter being the youngest sister of the appellant, of his having made medicine for the appellee. Nevertheless, neither of these two persons was brought to testify, the appellant electing to rest his proof of this fact on the evidence of his sister Mary and of his alleged paramour Lucinda Thomas, both of whom, the record discloses, had quarreled with appellee because appellee charged her husband with an illicit and outrageous immoral relationship with the said Lucinda Thomas, a relationship which the record suggests was encouraged and condoned by appellant's sister Mary.

Whilst it is true that our statute, *supra*, seeks to discourage the common law procedure in the hearing and *determination* of suits for alimony, we find ourselves compelled to resort to the common law for the definition of alimony:

" 'Alimony' . . . [is] the allowance required by law to be made to a wife out of her husband's estate for her support or maintenance, either during a matrimonial suit or at its termination, where the fact of marriage is established and she proves herself entitled to a separate maintenance. . . ." 27A C.J.S. *Divorce* § 202, at 868.

It appears from the rules of the common law that alimony was available during the pendency of a suit or after its termination. In the former case, it is called temporary alimony, and in the latter permanent alimony. Our statute does not seem to make either the pendency or the termination of a matrimonial suit a requirement for the institution of a suit for alimony so that a suit for alimony can be maintained in the absence of a pending action for divorce. However, it appears that it is necessary that the appellant, to be able to relieve himself of the responsibility of paying his wife alimony, first institute an action of divorce against his wife where the greatness of the presumption of guilt against her can be determined. It does not appear to us from the statute that the appellant can make her a public charge and then sit complacently and wait until she sues for alimony before he for the first time takes a position to justify his eviction of his wife to relieve him of the responsibility for support, upkeep, and maintenance. To take it otherwise would be creating a source of injustice both to the wife and to the public who may not have been apprised of any unbecoming acts on the part of the wife which would leave her husband not responsible for her support,

upkeep, and maintenance.

Given the above, we think that the decree of the lower court in this matter should be affirmed to all intents and purposes and in every respect with costs against the appellant. And it is hereby so ordered.

As it is adjudicated by the Supreme Court of Liberia above, there is a similar case here below again relative to divorce with the issue law of the right of women in Alimony. The right of Mrs. Davis for Alimony is the representation of women's rights in the process of Divorce for a just cause.

In this case, the Supreme Court of Liberia which is the final orbital of justice affirmed the judgment of the lower court on an appeal from Mr. Davis before the court. The right of Mrs. Davis was not treated justly by Mr. Davis her husband per the domestic relation Law of Liberia. It was adjudicated that she was entitled to Alimony as was filed against her husband while Mr. Davis, her husband filed a divorce suit against her as a way of avoiding his obligation.

As you will see in the below case as I stated above the analysis shows how the right of women is upheld in divorce or issues surrounding divorce.

Women need to be abreast of their rights as well as men and what the law says in cases surrounding divorce to help proceed for fair justice or avoid fruitless litigation that takes time and money.

Davis v Davis [1969] LRSC 5; 19 LLR 150 (1969) (6 February 1969)

Mary G. Davis, Appellant, V. Willie R. Davis, Appellee.

Appeal From the Circuit Court of The Sixth Judicial Circuit, Montserrado County.

Argued November 5, 1968. Decided February 6, 1969.

1. When a wife is compelled to leave her husband for good and sufficient reason, she shall be entitled to support in the form of alimony pending the determination of a suit for divorce brought by her husband.
2. Where a party offers not a scintilla of evidence at a trial in denial of testimony against him, it shall be considered a concession by him of the truth of the testimony offered, though his answer contains denials.

In a suit for alimony support, the petition alleged the wife was driven from home by the abuse and threats of her husband, who thereafter instituted an action for divorce. At the trial, he did not testify in denial of the testimony of his wife and her witnesses. The wife was allowed support pending the outcome of the divorce suit, and it is from the judgment of the trial court that the respondent appeals. The decree was affirmed.

J. Dossen Richards for appellant. Thompson for appellee. MR. JUSTICE MITCHELL

C. P. Conger delivered the opinion of the court. We have closely inspected the record in this case and find that this is a matter in which Mary G. Davis, of Monrovia, filed a petition for alimony in the Circuit Court, Sixth Judicial Circuit, Montserrado County, sitting in its Equity Division, June 1967 Term, against her husband, Willie R. Davis, of Monrovia. The petition for alimony states that the petitioner and her husband were married on December 8, 1962, and thereafter lived together in peace and happiness until June 1965, when her husband began to harass her, asking her to leave his home, which continued until June 10, 1966, on which date she was obliged to leave, having exhausted all of her human resistance against this unhappy and unpleasant condition. She further averred that she had been ousted from the home by her husband, and he refused to provide her with support and subsistence regardless of the several appeals she made to him on several occasions. Instead, he instituted an action of divorce against her, which obliged her to procure the legal services of a lawyer to represent her interests in the divorce case, as well as in the case of alimony sought, whose charges for legal service aggregated \$500.00, which she is without means to

pay. Hence, she prayed that the court below award her a divorce allowing alimony and suit money. The respondent filed his answer, in which he alleged, inter alia, that the petitioner was by no means entitled to alimony because she had voluntarily and without just cause deserted him and abandoned her bed and board, and had stubbornly and insistently refused to return to him regardless of his repeated requests. Further, he said that the petitioner was not legally entitled to enjoy a share of his income and profits because she had failed to demean herself as a faithful and devoted wife, therefore, she had deserted him for questionable purposes. Pleadings in the case rested at the reply, and after disposition of the issue of law, the matter went to trial. Strangely, notwithstanding that respondent had in his answer challenged the grounds of the petition, the records before us verify that he did not take the witness stand nor did he introduce any witness to testify on his behalf. However, we will revert to this later. Having heard the facts, the court below entered its decree, reading, "We are of the candid opinion, sitting in Equity, that respondent should have been supporting his wife and is compelled to support her under the law, from August 1966, until now, even thereafter, until the divorce proceedings are determined. In this respect, the court hereby awards \$70.00 per month from August 1966 to August 1967, which is \$840.00, plus a \$350.00 counselor fee, making a total of \$1,190.00 to be paid by respondent forthwith, and thereafter he is to pay to his wife this \$70.00 per month until the determination of the divorce suit.

Costs in these proceedings are against the respondent. And it is hereby so ordered." It is from this decree that the respondent excepted and brought his appeal for a review by this Court on a bill of exceptions composed of one count: "Because respondent says that the evidence on both sides having rested and arguments pro et con having been heard, the court on the 25th day of August 1967, same being the third day's session, entered a final decree awarding the petitioner the amount of \$70.00 per month from August 1966 to August 1967, aggregating \$840.00, plus \$350.00 counsel fees, making a total of \$1,190.00, and thereafter respondent is to pay petitioner \$70.00 a month until the termination of the divorce suit with costs against respondent, to which final decree respondent promptly recorded his exceptions and announced his intention to appeal said decree to the Supreme Court, at its ensuing October Term, 1967." When this case was called and argued before us, the appellant maintained the view that the appellee had not shown sufficient legal grounds, or in other words, was not entitled to alimony under the law because it was she who of her own will abandoned the bed and board of her husband and had deliberately refused to return when asked by him so to do. This leads us to take a look at the testimony given at the trial, which we will make a part of this opinion.

When the appellee was on the witness stand, in answer to a question she said the following: "Last year, June, I have forgotten the date, I brought a complaint to the County Attorney, stating that my husband put me out and said that he did not want me again and, in case I stayed in the home and anything happened, it is not his business. He went so far that he authorized Mr. E. Harding Smythe one morning in the home to abuse me and beat me and said he would stand by him. He also told this to Mr. Gabriel Duncan. He said that I had no right to say anything in the house. Then I came to the County Attorney and he sent for my husband he confirmed what I had told the County Attorney, and then the County Attorney told me to leave the home since it was the will of my husband, and it was agreed that I leave my husband's home and that he would be responsible to support and maintain me."

There were other questions put to the witness which she answered. "Q. Please refresh your memory and say since you have been apart from your husband whether he has afforded you any support. "A. Only two months, June and July 1966, \$49.00 in June and \$50.00 in July, making the amount of \$99.00. "Q. If you can recall, please say whether you have since approached your husband to support you and if so, what was

his reaction? "A. Yes, in August 1966, I sent my little girl there, because he told me to send her there on Monday and when she went he told the little girl that he did not have any money for me and she must get out of his house. The next day I sent her back and he damned at the girl and drove her out of the house and said if she went there again, he would break her neck. The following day I went there myself and when he saw me, he said, what is it you want, then I told him I came for my support. He told me that he did not have any money for me and that I should carry him to any court, but I should not go there again. "Q. By the court: So then in the final analysis, you and your husband separated upon an agreement to the effect made in the County Attorney's office, is that correct? "A. Yes. "Q. By that agreement before the County Attorney, how much money was your husband to give you monthly? "A. The amount was not specified.

My husband only said that I should get an apartment and he would pay for it and support me. "Q. Did he get the apartment and at what amount? "A. Yes. At \$45.00 per month." Alfred J. Raynes came to the witness stand on behalf of the petitioner, now appellee, and among other things said: "Q. Mary Davis has instituted an action of alimony and suit money against her husband, stating substantially that for reasons of incompatibility in their home, her husband coerced her into leaving his abode. In this connection, you are called to testify concerning any facts which might be within your certain knowledge for the benefit of the court. "A. I do vividly recall that some time ago Mrs. Mary Davis complained to us, stating that her husband refused to support her. Predicated upon this complaint, we cited Mr. Davis for an investigation, to which citation he responded, among the many things discussed in our office, Mr. Davis made us understand that because of certain unbecoming attitudes of his wife toward him, he did not see the possibility of them living together as husband and wife, and that he had asked her to leave the home. Mrs. Davis said that she was not willing to leave but that her husband had said if she should remain in the home, he would not be responsible for what would happen to her. Ascertaining the truthfulness of this, I then advised Mrs. Davis to leave the home for her safety, and Mr. Davis promised that should his wife leave the home, he would do for her whatever was possible for him to do, that is, using support. This, therefore, concluded the matter in my office. After this, Mrs. Davis, as well as Mr. Davis, brought in complaints and counter complaints." In answering another question put to him inquiring if Mr. Davis had told him in the conference in his office the unbecoming conduct he complained of in his wife, the reason for which he claimed they could not live together further, he said, "Mr. Davis said he suspected his wife of being unfair to him. This aspect of the matter not being within my purview, we did not probe into it." In another answer, he said further: "To be frank, your Honor, I do remember that Mrs. Davis made mention of a certain amount, which Mr. Davis refused to explain, but said that he had already made some provision for her to receive rent from some house." Examining the record before us in all of its phases and aspects, we have seen no place where the respondent, now appellant, endeavored by the least scintilla of evidence to disprove the testimony of the petitioner and her witnesses in the court below. This makes it convincingly clear that he conceded the evidence against him to be true and correct.

Now, we will examine our Domestic Relations Law to ascertain if it supports the decree of the court below. In § 47 thereof, 1956 Code, tit. 10, it is provided (in part): "A married woman who leaves her husband for just cause is entitled to alimony not exceeding one-third of her husband's income. Such alimony shall be continued until discontinuance is ordered by a court of competent jurisdiction. "For this section, any of the following shall constitute just cause:

"(a) Habitual and continuous drunkenness of the husband; or "(b) Incompatibility of temper between husband and wife sufficient to be annoying to the community and dangerous to the life of the wife." In Anders-

on v. Anderson, [\[1947\] LRSC 9\)9 L.L.R. 301](#) (1947), the Court stated that a wife abandoning her husband shall not be entitled to alimony except for good cause as set out in the statute. On p. 308 thereof it is stated: "Whilst it is true that our statute . . . seeks to discourage the common law procedure in the hearing and determination of suits for alimony, yet we find ourselves compelled to resort to the common law for the definition of alimony: 'Alimony (is) the allowance required by law to be made to a wife out of her husband's estate for her support or maintenance, either during a matrimonial suit or at its termination, where the fact of marriage is established and she proves herself entitled to a separate maintenance...' 27A CJS, Divorce, § 202, at 868. Under all the circumstances involved, the facts presented in the lower court, and the decree of the court, the subject of this review, we cannot understand what the appellant seeks to have this Court do except to affirm the said decree, because although he contradicted petitioner's complaint in his answer, yet he made no effort to prove that which he had alleged in his answer. To us, therefore, the decree in the alimony case is sound and should not be disturbed, and is, therefore, hereby affirmed, with costs against the appellant. The clerk of this Court is hereby ordered to send a mandate to the lower court ordering it to proceed with the enforcement of this decree. And it is hereby so ordered.

Affirmed.

2.2.2 Testimony on the Rights of women in Legal Divorce, case study

During the research, an interview was conducted with Dorris Mamie Jarlee, a Liberian US citizen, and a divorcee who lives in Salt Lake City in the State of Utah in the United States of America.

She indicates that her rights as a woman were protected under the Law during her Legal divorce in the US.

In evidence of her right as petitioner in the case study, the third judicial district court in and for Salt Lake County, State of Utah issued a decree of divorce and judgment as shared below.

LORI J. CAVE – 5598
McINTYRE&GOLDEN. P.C.
Attorney for Petitioner
3838 South West Temple
Salt Lake City, Utah 84115
Telephone: (801) 266-3399
Email: lori@mcintyre-golden.com

FLEID DISTRICT COURT

Third Judicial District

FEB 0 2013

SALT LAKE COUNTY

IN THE THIRD JUDICIAL DISTRICT COURT, IN AND FOR SALT ALKE COUNTY, STATE OF UTAH

Dorris Mamie Jarlee,

DECREE OF DIRCE AND
JUDGMENT

Petitioner,

Vs.

Amos Sei Konan,

Respondent

State of Utah, Office of Recovery
Services,

Civil No. 124900427

Intervenor,

Judge Anthony Quinn

Commissioner T. Patrick Casey

The above-entitled matter came on regularly before the Honorable Commissioner T. Patrick Casey. The Court, having made and entered its findings of fact and conclusions of law,

ADJUDGES, DECREES AND ORDERS as follows:

1. The bonds of matrimony and marriage contract between the Parties are dissolved, and the petitioner is awarded a Decree from the Respondent, to become final upon
2. Petitioner is granted a divorce from Respondent on the grounds of irreconcilable differences.
3. The parties have three (3) minor children: Chris born December 20, 2021; David born October 27, 2006, and Arris, born May 22, 2008. Peace, born June 21, 1996, is the biological child of Respondent's sister and has resided with the parties since she was 2 years old; currently, Peace is in the custody of the State of Utah.
4. Petitioner and the Respondent are awarded the joint legal custody of the minor children, with the petitioner awarded the physical care, custody, and control of the children. If appropriate, the petitioner should also be awarded the care, custody, and control of peace.
5. Respondent shall have parent-time with the minor children under Utah Code Ann. 430-335.5 and Utah Code Ann §30-3-35.
6. Respondent shall be responsible for the pick-up and drop-off of the parties' minor children for parent time, however, so long as the petitioner's protective order remains in effect, Jacob or Josh Williams will effectuate the exchange for parent time.
7. Respondent shall be responsible for all costs associated with visiting the parties' minor children.
8. Petitioner has received public assistance for the parties' minor children from the State of Utah.
9. \$ 1,260 is not under court order to pay child support; does not pay alimony to any ex-spouse; contributes \$0.00 toward monthly premiums for health, hospital, and dental care insurance parties' minor children; and pays no monthly work-related child care costs
10. To the best petitioner's knowledge and belief, Respondent is currently employed on a full-time basis and earns a gross monthly income of approximately \$1,771; under court order to pay child support, does not pay alimony to any ex-spouse; contributes toward monthly premiums for health, hospital and dental care insurance on the parties' minor children; and pays no monthly work-related child care costs
11. Respondents are ordered to pay to petitioner the sum of \$548.00 per month for child support under the "Uniform Civil Liability for Support Act", Utah Code An 78B-12-101 et seq (2009), beginning in February 2013. During periods when carrying health insurance for the parties' minor children, one-half of the children's portion of the health insurance premium shall be added to the Respondent's base child support obligation month. During periods when the respondent is carrying health insurance for the part minor children, one-half of the children's portion of the health insurance premium shall be deducted from the Respondent's base child support obligation each month.
12. The state of Utah, Department of Human Services, has been joined as a party to this action. Respondent shall pay child support on or before the 5th of each month to the Utah State Office of Recovery Service (P.O. Box 45011, Salt Lake City, Utah 84145-0011) unless the Office of Recovery Service notifies him that payments should be sent elsewhere. As long as public assistance is being provided for the party's minor children, the ongoing child support is awarded to the state. When public assistance is not being provided for the parties' minor children, the ongoing child support is awarded to the Petitioner.
13. The issue of Child support owing the State of Utah should be reserved.

14. Pursuant to Utah Code Ann./Utah Code ANN §§62A-11-403 and 404, Respondent's income shall be subject to immediate and automatic income withholding as of the effective date of the order, regardless of whether a delinquency exists.
 - a. Each party shall keep the Office of Recovery Service informed of changes calendar year. The parent shall notify the other parent, or the Office of Recovery Services under IV of the Social Security Act, 42 U.S.C. Section 601 et seq, of any change of insurance carrier, premium, or benefits within 30 calendar days of the date he first knew or should have known the change.
 - a. A parent who incurs medical expenses is ordered to provide written verification of the cost and payment of medical expenses to the other parent within 30 days of payment.
 - b. A parent incurring medical expenses may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses if that parent fails to comply with subsections (7) and (8) of Utah Code Ann §78B-12-212(2008).
 - c. The parent responsible for reimbursing the other parent for medical expenses incurred, is ordered to reimburse the other parent his or her share of the expenses within 30 days of receipt of the verification of cost and payment of medical expenses.
16. Under Utah Code Ann. §78B-12-214 (2010) each party shall be responsible for one-half of reasonable child care incurred by the petitioner while she is in school or during the petitioner's work hours.
 - a. If an actual expense for child care is incurred, Respondent shall begin paying his share every month immediately upon presentation of proof of the child
17. So long as Respondent owes child support and a policy is available at a reasonable cost, Respondent is ordered to maintain life insurance on his life for the benefit of the party's minor children and to name the parties' children as the sole beneficiaries on said life insurance policy.
18. Petitioner is entitled to claim the party's minor children, David and Arris as dependents for tax purposes and Respondent is entitled to claim the parties' minor children, Chris and Peace, as dependents for tax purposes.
19. Neither party is awarded alimony.
20. Petitioner is ordered to pay and assume those debts incurred during the marriage of the parties which were incurred by her and are name solely. The petitioner shall hold Respondent harmless from any liability on these debts.
21. Respondent is ordered to pay and assume those debts incurred during the marriage of the parties which were incurred by him and/or are in his name solely, specifically, Wells Fargo in the approximately amount of \$500 and America First Credit Union in the approximate amount of \$3,000-4000. Respondent shall hold petitioner harmless from any liability on these debts.
22. Each party should be ordered to pay and assume his or her debts incurred after the parties' separation on or about February 25, 2011. Each party should hold the other party harmless from any liability on these debts.
23. under Utah Code Ann §30-3-5 and §15-4-6.5, upon entry of the Decrees Divorce Petitioner and Respondent are ordered to notify respective creditors or obliges regarding the court's division of debts, obligations, or liabilities and the party's separate, current addresses.
24. The parties acquired personal property during their marriage and it shall be divided and awarded as follows:
 - a. To Petitioner: two (2) barriers of personal property belonging to her parents, which is stored at the home, her tables (coffee and side); her clothes and accessories, Jewelry and personal effects,

- b. To respondent his clothes and accessories, jewelry and personal et
- c. Any other personal property is awarded as is presently held by each
25. Neither Petitioner nor Respondent has 401(k), pension, profit sharing I.R.A, or any other retirement benefit which were accrued during the party's marriage.
26. During their marriage the parties acquired a home and real property located at 454 North Grant Street, County of Salt Lake, State of Utah. This real property is presently owned by Petitioner and Respondent. The parties' real property, and its debt and equity, are awarded to the Respondent, subject to the terms and conditions set forth herein. Further, the respondent shall pay and assume and hold the petitioner harmless from any mortgages, liens, taxes, encumbrances, and any other liabilities on this real property. In the event of a deficiency in the home and real property, due to short sale or foreclosure, the respondent shall be responsible for any such debt.
27. Respondent shall refinance the mortgage on the marital residence, removing the petitioner from responsibility thereon, within 24 months from the entry of the Decree of Divorce in this matter. The petitioner will cooperate in the refinance of the residence.
28. If the respondent is unable to refinance the home within 24 months, the home shall be placed on the market immediately and sold as soon as practicable. Any proceeds from the sale of the home shall be awarded to the respondent.
29. Respondent has physically abused Petitioner. Consequently, Respondent is permanently restrained from bothering, harassing, annoying, threatening, or harming Petitioner at any time or in any place.
30. Each party is responsible for their cases and attorney incurred in this matter.
31. Each party is ordered as an executive to the other party any documents necessary to implement the provision of the Decree of Divorce entered by the court.

2.3 SUMMARY OF LITERATURE REVIEW

The literature review in this research project is summarized from the literature sources used such as the Marriage and Family Law One and Two based on Tijani, N., Matrimonial Causes in Nigeria: Law and Practice (Lagos: Renaissance Law Publishers Ltd, 2007) Pages 111-113., The Liberia domestic relation Law, the Supreme Court of Liberia's opinions on divorce cases, the Decree of Divorce of the third judicial circuit district court of Salt Lake County, State of Utah USA, etc.

This literature reviews the laws that govern marriage under the Act and deals with women's rights particularly when it comes to divorce issues with MCA being specific.

The Liberia domestic relation Law clarifies the procedures and the substantive relative to marriage in Liberia by statute. The Supreme Court of Liberia's opinions on divorce cases give practical examples of how divorce issues were dealt with in Liberia in the past which is a Law.

The decree of divorce from the state of Utah is a clear testimony of how women's rights are upheld in consistence with women rights when it comes to divorce in common Law country.

CHAPTER THREE RESEARCH METHODOLOGY

3.0 Background

The method of this project is a secondary one in the sense that it involves the collection of supporting data using Library research, internet research, and conducting interviews. Library research includes a study and analysis of related literature such as Law books, magazines, other articles, and court opinions.

Conducting an interview includes verbal discussion on the subject through lectures or in the form of a

question.

3.1 Sources of Data

The sources of the project data are the domestic relations law of Liberia, the equity and property law, the lower and the supreme court of Liberia opinions, Decree of divorce of the third judicial circuit district court of Salt Lake County, state of Utah. www.librii.org, Liberia and Nigeria family laws...

CHAPTER FOUR CONCLUSION AND RECOMMENDATION

4.1 Conclusion

In this research project, we have noted the meaning of marriage under the Act. In so doing we discussed divorce and its effect if it is a blessing or a curse. The position of a court in a separate marriage was made explicit. In our Literature review, we considered all the Laws that are related to the research subject under consideration they are segmented such as the Literature review on divorce. The Rights of Women in Legal Divorce Proceedings, a case study was one of the major points of the research. In the discussion of the topic, a few cases that were adjudicated by the Lower Circuit Court are presented. Appeals were taken to the Supreme Court and these same cases were adjudicated by the Supreme Court. The supreme court opinions in these cases become Law by precedence on women's rights in divorce cases in Liberia. The Supreme Court of Liberia and the Matrimonial Cause Act of Nigeria are major reliance in the case study. Testimony of a Lady on the rights of women in legal divorce is also presented in this paper. Dorris Mamie Jarlee who lives in Salt Lake County in the state of Utah case was considered as an example using the decree of divorce by the court.

All these give us the way to proceed when it comes to the rights of women married under the Act in Legal Divorce, a topic under consideration in our research project.

4.2 Recommendations

This research project recommends that:

- There should be more awareness of Women's rights relative to divorce
- Women should be educated on their rights
- Woman should be able to claim custody of her children regardless she is employed or unemployed and claim maintenance from her husband
- Women should be given a fair trial in divorce cases and accorded due process of the Law
- Women should be entitled to property as well as men in divorce when it comes to equitable distribution of property
- Domestic relations Law of Liberia and family Laws should be taught in Secondary schools to help educate the younger women and the younger generation ahead time of about these rights.

REFERENCES

1. Matrimonial Act 1973 and Matrimonial Causes Act 1857, Matrimonial Act 2013
2. Family Law I & II
3. Liberia Domestic Relations Law 1973 and Liberian Code of Laws Revised, 2018
4. Inheritance law (UN Women, Global database on violence against women), 2003
5. Law index
6. [Http://www.librii.org/lr/cases/LRSC/toc-A.html](http://www.librii.org/lr/cases/LRSC/toc-A.html)

7. [Http://www.liberlii.org/cgi-bin/sinosrch.cgi?method=any&query=Divorce=+alimony&meta=%2fliberlii&liberLII&mask-path=&offset20](http://www.liberlii.org/cgi-bin/sinosrch.cgi?method=any&query=Divorce=+alimony&meta=%2fliberlii&liberLII&mask-path=&offset20) December
8. Appeal from the circuit court of the sixth judicial circuit, Montserrado County, argued March 24, 25 1947 decided May 9, 1947
9. Appeal from the circuit court of the sixth judicial circuit, Montserrado County, Argued November 5, 1968, Decided February 6, 1969
10. Family Law 2021 |Laws and regulations |Liberia |ICLG
11. Aderibige, R. Family Law in Nigeria (Lagos: Codes: Publishers, 2004) Pages
12. Adesanya, S. a. Laws of Martimonial Causes (Ibadan: Ibadan University Press, 1973) Nwogugu, E. I. Family Law in Nigeria (Revised edition) Ibadan: Heinemann Educational Books, 1990) Pages 225 – 226
13. Sagay, I., Nigerian Family Law (Principles, Cases, Statutes & Commentaries), Ikeja: Malthouse Press Ltd., 1999) Pages 121 – 132.
14. Decree of divorce and judgment, third judicial district court, Salt Lake County State of Utah, Feb. 04, 2013