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Divorce proceedings: A case for the applicability of the divorce, dissolution and separation act 2020 in Anglophone Cameroon

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Abstract
Cameroon's colonial heritage has shaped the legal landscape and made it possible for the application of English Law in the Anglophone Regions by virtue of the Southern Cameroons High Court Law 1955. In matters of divorce, the country has witnessed several amendments of the laws which have been applied directly. However, when the divorce, dissolution and separation Act 2020 (DDSA 2020) was introduced it was greeted with resistance from some legal scholars and even some courts have refused to apply the law objecting to the fact that the Act contemplates the existence of same sex marriages and is therefore not suited to Cameroon. They consider that the introduction of the *No-fault* in divorce proceedings is at variance with our African notion of marriage. By adopting a qualitative research methodology to analyse primary and secondary data and personal observations as a legal Practitioner, the author has sought to inquire into the merits of the DDSA 2020 and to assess its applicability in the Anglophone Regions of Cameroon. The author concluded that the law is not only a revolutionary amendment of the Matrimonial cause Act 1973, with the introduction of a *No-fault* procedure, but also that that it meets the changing demands of the Cameroonian legal landscape in divorce proceedings. The paper concludes that the Cameroonian legislator needs to be proactive in legislating laws that will reduce Cameroon's dependence on received English laws.

Keywords: Cameroon, English laws, divorce proceedings, divorce, dissolution and separation

1. Introduction
The law governing divorce proceedings in Anglophone Cameroon [1] like many other aspects of law is largely regulated by imported English Laws. This is a direct consequence of Cameroon's colonial history. History records that after the First World War, Cameroon as it then was, was taken from defeated Germany and partitioned between Britain and France as "Mandated" and later "Trust" Territories. In administering their respective territories, the two countries adopted different outlooks. While the French applied direct Rule, the British followed a policy of indirect rule. The French therefore ran their colonial territories as part of France and literally applied French law in the entire territory in almost all aspects of life [2]. On the other hand, the British who ruled their own part of the Trust territory known as the Southern Cameroons as part of Nigeria allowed the colonies to continue to run their affairs according to their customs and English law only came in where the Customs were repugnant to natural justice Equity and good conscience.

After the Southern Cameroons Self-government had been elected in 1954, the British evolved legislation specific to Southern Cameroons known as the Southern Cameroons High Court Law 1955 [3]. It was a comprehensive legislation that laid the foundation for applicable laws in the soon to be the new country as it progressed towards Independence. The Southern Cameroons High Court Law (SCHCL) 1955 was an enabling Act which enabled Southern Cameroons to continue to apply laws in force in England so as to compliment local legislation were there was a void. Section 11 of that law, stated that the courts will continue to apply *"the common law, doctrines of Equity and statutes of General Application which were in force in England before 1900".*

The implication therefore was that as long as the Southern Cameroons had not legislated on an issue, the pre-1900 laws in England will apply. But the legislators were aware that the law was evolving.

Yet the new Southern Cameroons could not cope with the trend; therefore, in sections 10, 15, and 27, the SCHCL permitted the Courts to apply the laws for the time being in force in England in areas where local legislation had not been enacted. Section 15 of the SCHCL states:

> The jurisdiction of the High Court in probate, divorce and matrimonial causes and proceedings may, subject to the provisions of this law and in particular of section 27 and the rules of court, be exercised by the court in conformity with the law for the time being in force in England.

Therefore, the Courts could then apply laws that have evolved and which were currently in use in England. This accounts for the use of so many English legislations in many aspects of Cameroonian Law. However, the introduction of the Divorce, Dissolution and Separation Act 2020 has witness unseen opposition from some scalrs and legal Practitioners which has lead to uncertainty in the applicable law on divorce in Anglophone Cameroon.

It is as a result of these uncertainties and denials that we seek to analyse the laws, their evolution and applicability with a view to bringing clarity and help promote certainty in divorce proceedings. We shall therefore examine the laws in place, their evolution and applicability. Then we will examine the challenges faced by the Divorce, Dissolution and Separation Act in comparative basis in other to determine the merits and short falls.

2. The evolution of the laws on matrimonial proceedings

The Evolution of the laws on Divorce as stated above, the SCHCL 1955 enjoined courts in matters of divorce and matrimonial causes to resort to English laws if there was no local legislation in place. Matrimonial causes involve matters of validity of marriages, nullity, Divorce, Dissolution, separation, financial Provision (Alimony, maintenance, Property adjustment), custody care and control of children. The focus here therefore is to look at the rules that govern the procedures to resolve issues that touch and concern divorce.

> From the get go, we should be clear that we are dealing with procedural law as distinct from the substantive law of Marriage. The substantive aspect of marriages in Cameroon is regulated by the Civil Status Ordinance 1981 as amended [4].

Prior to the SCHCL 1955, Matrimonial Proceedings were regulated by Matrimonial Causes Act 1937, which was the law prevailing in England at the time. The Federal Constitution of Cameroon 1961 and all subsequent amendments have preserved the laws existing in the federated states prior to independence in so far as they have not been repealed by local legislation. This accounts for the Application of the Divorce Reform Act 1969, the Matrimonial Causes Act 1973, the Matrimonial and Family Proceedings Act 1984, and the Divorce, Dissolution and Separation Act 2020 [5].

2.1 The Matrimonial Causes Act 1937

The evolution of the law on divorce has been the subject matter of so many Acts since the turn of the 20th century. As stated above, at the time of enacting the SCHCL 1955, the law applicable to Southern Cameroons in matters of divorce was the Matrimonial Causes Act 1937 [6]. This Act amended the Matrimonial Causes Act 1857 which had divorce to be based on either Adultery, Rape, Cruelty bestiality or incest. The Matrimonial Causes Act 1937, transformed the ground for divorce by introducing the concept of irretrievable breakdown of the marriage and the Petitioner had to prove one of five facts; Adultery, cruelty, unlawful desertion, living apart for 3 years with the consent of the other party and Insanity.

2.2 The Divorce Reform Act 1969

In 1969, the Divorce Reform Act 1969 [7], was enacted. It maintained the notion of irretrievable Breakdown. It now introduced separation for 2 years with the consent of the Respondent and separation for 5 years with or without consent of the Respondent as facts to proof irretrievable breakdown of the marriage.

2.3 The Matrimonial Causes Act 1973 [8]

In 1973, the Matrimonial Causes Act 1973 was enacted. It was a comprehensive Law that addressed all Matrimonial issues in a single law. This law has been the main law that has shaped the Anglophone Cameroonian Landscape for over five decades in disputes between married couples. It consolidated the grounds which required that the Petitioner had to plead irretrievable breakdown of the marriage using any one of the five grounds of Adultery, behaviour, desertion, living apart for 2 years with the consent of the Respondent and leaving apart for 5 years. The Matrimonial Causes Act 1973 has witnessed a few amendments.

2.4 The matrimonial and family proceedings act 1984

The Matrimonial and Family Proceedings Act 1984, was enacted in 1984. It introduced a number of reforms to the MCA 1973 amongst which are; it allowed for financial relief to be granted to parties after overseas divorce; the court could make amendments to financial orders; and it reduced the time frame within which a petition for divorce could be filed from 3 years to 1 year after the marriage [9].

2.5 The divorce dissolution and separation act 2020

The latest piece of legislation that was enacted is the Divorce Dissolution and Separation Act 2020 (DDSA 2020) which came into effect on the 6 April 2022 in England and Wales and by virtue of Section 15 of the SCHCL 1955, became applicable in the Courts in Anglophone Cameroon.

The question then for determination is why some legal Practitioners do and indeed some courts in the Anglophone Regions refuse to apply the Divorce Dissolution and Separation Act 2020 as the new legislation? Conversely, we may ask the question: which is the applicable law in Anglophone Cameroon on Divorce? To answer this question, it might be appropriate to examine the content of the DDSA 2020 to determine the issues it addresses and how they vary or compliment the provisions of the Matrimonial Causes Act (MCA) 1973.

3. Innovations introduced by the DDSA 2020.

The DDSA 2020, has revolutionised the law on divorce as it has scraped the need to prove the fault of the Respondent when applying for divorce. It has therefore introduced the No-fault principle. All that is required is a statement in the Application for Divorce that the Marriage has broken down

irretrievably; for a divorce order to be made. No need to prove facts. The DDSA 2020, however restricts the time frame from the filing of the divorce to when a Conditional Order [10] (formerly Order Nisi) is issued to a minimum of 20 weeks. And six weeks for the Final Order [11] (formerly Order Absolute) after service of the Conditional Order. In a not shell, the DDSA 2020, practically takes away the ability of a Respondent to contest a divorce on the merit. We contend that, it is however possible to raise issues against the grant of divorce on grounds of law such as jurisdiction, time frames or other technicalities.

Other modifications that have been introduce are that the terminology has been changed; so, we now have Applicants in the place of Petitioner; Conditional Order in the place of Order Nisi; Final Order in the place of Absolute order of Divorce.

4. Challenges to the acceptance of the divorce, dissolution and separation act 2020

With regards to marriage, the SCHCL 1955 has allowed the Anglophone parts of Cameroon to apply several legislations. The Southern Cameroons, applied the Matrimonial Causes Act 1937, the Divorce Reform Act 1969, the Matrimonial and Family Proceedings Act 1984, and now the Divorce, Dissolution and Separation Act 2020. However, the introduction of the Divorce, the Dissolution and Separation Act 2020, which seeks to amend certain clauses of the Matrimonial Causes Act 1973, has been received with so much acrimony and in some cases outright rejection.

The result is that all the courts in the Anglophone Regions of Cameroon do not apply the same rules when it comes to Divorce. The Divorce, Dissolution and Separation Act 2020, has been adopted and applied in some Courts in Anglophone Cameroon, [12] whereas the other courts are reticent and claim that they need practice directives from the Presidents of the Courts of Appeals of their respective regions whether to apply it or not.

In some cases, some courts are even ignorant of the law and continue to use the Matrimonial Causes Act 1973 exclusively. Again, some Practitioners and scholars such as *Professor Alvine L. Boma* argue that because the Divorce, Dissolution and Separation Act 2020 also regulates the dissolution of Civil partnerships which includes *Same Sex* marriages, the law is not or cannot be applicable in Cameroon because Cameroon does not recognise Civil Partnerships, let alone *Same sex* marriages. That the law cannot be applied piece meal. It should be applied wholistically [13].

Furthermore, there is the argument that the introduction of the DDSA 2020, will lead to an increase in the rate of divorce as it becomes less expensive to obtain a divorce since the No-fault principle eliminates the blame game. Some argue that *biblically, marriage is a sacrament, a covenant, a contract sui generis. designed by God* which is supposed to be permanent. It is contended that this law may lead to rampant divorce which in turn *"may discourage young people from getting married."* [14] Critics therefore ask the courts to tread with caution and even exercise their discretion against the application of the DDSA 2020. In fact, Professor Alvine L. Boma opines that;

> The use of the *may* under section 15 (of the SCHCL 1955) impliedly suggests that in deserving instances, the law applicable in probate, divorce and matrimonial causes and proceedings must not necessarily change with that in England. It further suggests that the courts could exercise their discretion in deciding whether or not to apply English Law [15].

5. Assessing the critique against the application of the divorce, dissolution and separation act 2020

The DDSA 2020 deals with Divorce, that is, the process of dissolving a valid Marriage, the nullification of voidable marriages, it tackles the Dissolution of Civil Partnerships and lays out the process of separating couples who wish to stay apart. The basic and common thread that runs through all these aspects is that the Applicant only needs to state in his application that the relationship has *broken down irretrievably*.

5.1 The establishment of a no-fault principle in divorce proceedings

Under the MCA 1973, the petitioner did not only have to state that the Marriage has broken down irretrievably. In addition to that, he or she had to establish by facts and evidence and demonstrate how this irretrievable breakdown came about. It was implicit that the Petitioner had to demonstrate that the Respondent was at fault. This was to be expressed by any one of the five circumstances provided for in section 1 (2)(a-e), In these words: That;

- The Respondent has committed adultery and the Petitioner finds it intolerable to live with him.
- The Respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live with the Respondent.
- The Respondent has deserted the Petitioner.
- The Parties have lived apart for a continuous period of 2 years and the Respondent consents to the divorce; and
- The Parties have lived apart for a period of 5 years.

The DDSA 2020 on the other hand has abolished the necessity to establish any of these five indicators. All that is required is that the Applicant states in the Application for Divorce that the marriage has broken down irretrievably. The Act states that the judge hearing the matter is obliged to and must take that statement as evidence of proof of irretrievable breakdown of the marriage and must proceed to grant a conditional order of divorce [16].

It states:

Divorce on breakdown of marriage

- Subject to section 3, either party or both parties to a marriage may apply to the Court for an order (a "divorce order") which dissolves the marriage on the grounds that the marriage has broken down irretrievably.
- An application under subsection (1) above must be accompanied by a statement by the applicant or applicants that the marriage has broken-down irretrievably,
- The court dealing with an application under subsection (1) must:-
  - Take the statement to be conclusive evidence that the marriage has broken-down irretrievably, and
  - Make a divorce order.

Here lies the most significant change brought in by the

DDSA 2020. The principle of a *No-fault Divorce.* The Applicant does not need to demonstrate that the other party was at fault. A mere statement in the application is taken as conclusive proof. In the case of Nkeze Sandra Mofor v. Akem Charles Yuah, [17] the trial judge said;

> Pursuant to section 1(3) (a) of the Divorce Dissolution and separation Act 2020, this Court shall take the statement in paragraph twenty-four of the Application to be conclusive evidence that the marriage between the parties has broken down irretrievably. This court shall therefore proceed to issue a divorce order as prescribed by section 1(2) (b) and section 1(4) (a) of the Divorce Dissolution and separation Act 2020.

The Explanatory Notes of the British Government in introducing the law stated that under the MCA 1973, only about 2 per cent of Respondents indicated an intention to contest the divorce and just "a handful" of such cases actually progressed to a final court hearing in front of a judge [18]. This lends credence to the fact that parties prefer to resolve divorce issues through an easy and cost-effective method.

Again, the issue of divorce has been separated from other aspects of Matrimonial proceedings. Therefore, in an action for divorce, the Applicant does not have to include issues dealing with financial provisions, maintenance, alimony or property adjustment. This should be the subject of a separate application. Even if the Applicant were to make such prayers, the judge may not entertain them in the same

Application for divorce. Save of course where the court was to invoke its inherent powers to make ancillary and consequential orders in matters before the judge based on the peculiar circumstance of the case [19].

In the case of *Nsoh Sirri Erica v, Ekandje Benjamin*, [20] the Applicant had filed an application for Divorce in which she applied for maintenance and financial Provisions. In granting the divorce, the court declined to make orders relating to financial Provisions in the same proceedings. The trial court; Justice Enowmbi Ashuntantang presiding, held that the law required that the Application for financial provision should be made after the filing of the application for divorce, not in the same application. The Learned Judge then concluded that;

> Pursuant to the above section 26 (of the Matrimonial Causes Act), the petitioner has to institute separate proceedings for Property Adjustment orders before the court.
>
> This Court shall not therefore entertain her prayers for property adjustment orders.

5.2 The introduction of joined Applications.

The DDSA 2020 has introduced the possibility of both couples jointly filing for divorce. Under the MCA 1973, this was not possible. One party had to file the pertition and the other party responds. The court will then have the task to apportion blame in granting divorce. The introduction of joint applications facilites the process of divorce as the parties only come before the court to sanction their decision. Cost and fees for service of processes are eliminated and there is certainty as to how the parties may relate with each other thereafter.

5.3 A minimum mandatory period to be observed prior to the grant of a conditional order of divorce

The DDSA 2020 also requires that the Divorce may not be introduced in court within the first year of marriage and the order of divorce may not be issued before a period of 6 months from the date the application is filed in court [21]. This serves to avoid a situation where people move in and out of marriages without due reflection. It is expected that with 6 months or 20 weeks from the date of filing the application for divorce to the grant of the conditional order parties have sufficient time to reconcile their differences. That is why, even after that period, the petitioner or petitioners in the case of joint divorce, must file a process to activate the court to proceed in granting the order for divorce [22]. For proponents of the fact that marriage is a sacred bond which should not be broken easily, the DDSA 2020 offers a potentially longer period for the parties to remain in the union after a party or parties allege the irretrievable breakdown of the marriage, with the chances of reconciliation than in the MCA 1973.

Under the MCA 1973, the court was not constrained to wait for 6 months before granting an order Nisi of Divorce. The process from filing of the petition to the issuance of the divorce order Nisi could be wrapped up within a couple of weeks if the divorce is uncontested. Under the DDSA. 2020 even in the case of a joint application, the court is mandatorily required to observe the 20 weeks or 6 months' time frame before a Conditional Order can be issued. Spouses may be able to settle their differences during this time and continue the relationship.

5.4 The enthronement of consent as a fundamental requirement for marriage

The law seeks to institute a *No-fault* divorce system where married couples who no longer wish to continue in the marriage may terminate the marriage. Just as consent is a cardinal requirement for the celebration of marriage, a spouse should not be compelled to remain in a marriage when the marriage no longer suits him or her, when he or she no longer consents to remain in the marriage, when he or she thinks that the marriage has broken down irretrievably. Parties should not be compelled to remain in a marriage when their hearts are no longer there [23]. It may become counterproductive. It may lead to domestic violence in some cases. Marriage is not a prison. No one should be forced to remain in a marriage when his or her heart has already moved on.

5.5 The protection of family bonds even in divorce

The No-Fault divorce Principle enunciated in the DDSA 2020, seeks to afford the couple, the life line to continue their lives in harmony even in separation as it eliminates the requirement to proof that the other spouse was at fault. This has been a sticking point in most divorce cases. The need to proof fault has always and invariably led to bitter and acrimonious separation of couples, Confidential and privileged information get exposed to the public. The proceedings are long drawn out and for decades in some cases. In the case of *Lawrence Biaka v. Benedicta Ngu Biaka* [24] which was instituted in 1990, an order nisi of divorce was only pronounced at the trial court in 2002. The case was still in the appellate court even after the death of both parties. To this day, there is no final order from the

High court, 35 years after because an appeal was filed against the *order nisi* of divorce.

Marriage is a serious institution and divorce is even more serious; it impacts on the psychology of the parties, and affects their emotional balance. A decision to divorce should be made after considerate reflection. Once triggered, it ignites different emotions and behaviours. A No-fault divorce thus reduces the potential of getting the children of the marriage involved in the blame game and becoming judgmental about their parents and the trauma that may be associated with it.

5.6 Predictable of outcomes

One of the reasons that led to the protraction of the case of *Biaka v. Biaka* was that the main issue of divorce was held in abeyance whilst the couple litigated on issues of maintenance right up to the Supreme Court and back [25]. By the time the divorce was pronounced, the Petitioner was permanently settled with another woman with kids. The Judgment of the Fako High court; per Justice Mokwe Edward, awarded the Respondent, a Lum sump of 15, 000,000 (Fifteen Million) FCFA. For thirteen years, the parties could not legally get married to other persons. What was curious was that on appeal by the respondent, the crux of the appeal centred on the marriage settlement and was not so much on the divorce. The DDSA 2020, has therefore implicitly separated divorce from the other issues referred to as Financial Provision since it has eliminate the ability to contest an application for divorce on the merits.

Parties who no longer want to be married to their spouses should be granted a divorce and the issues of marriage settlement should be dealt with in a separate Application. Suffice to mention that, the DDSA, does not repeal the entirety of the MCA 1973. Issues dealing with Financial Provision and maintenance, are regulated by the MCA 1973 [26].

5.7 The DDSA 2020 is a specific procedural Law.

The fears of the conservative wing are that the DDSA 2020, also introduces the notion of civil partnerships into Cameroonian divorce system. That Civil Partnerships include *same sex* marriages which are proscribed by Cameroonian law. That by such inclusion, the DDSA 2020 has excluded itself from the body of laws applicable in Cameroon. That the DDSA 2020 is inapplicable because laws should be applied wholistically and not in bits. Therefore the inclusion of Civil Partnerships in the Act vitiates the entire Act as far as its applicability in Cameroon is concerned.

It is also contended that, the Courts in Anglophone Cameroon cannot apply the Law until such a time that there are Practice Directives by the Chief Justices of the two Anglophone Regions. This lack of Practice Directives has resulted in only a few courts applying the DDSA 2020, whilst the other High Courts have decided to ignore the DDSA 2020.

This argument, while pertinent, does not have its place here. The issue of marriage and what is considered as marriage in any legal system is in the province of Substantive Law. Divorce on the other hand falls under Procedural Law. If this distinction is made, then it becomes clear that the English parliament, does not seek to regulate the institution of marriage in Cameroon neither does the DDSA 2020 define what a marriage is. The DDSA 2020, only states that the procedure for dissolving a marriage or a Civil Partnership, or the Separation of couples, shall henceforth be based on a *No-fault* Principle.

This makes sense because different countries have different definitions of Marriage. In England, France and most of Western Europe, marriages between males and females and *same sex* are accepted. In fact, marriage is *a union between two consenting adults* outside the bounds of consanguinity. In Cameroon, Marriage is defined as *"a union between one man and one or more women, to the exclusion of all other men".* Which means that polygamy is legal [27]. Therefore, irrespective of what the substantive law conceives marriage to be; if any party wishes to divorce or separate, the procedure is laid out in the DDSA 2020 and is based on a *No-fault* principle. What led to protracted litigation in divorce cases, was not the fact that the parties still want to be together. It is often the ancillary matters associated with divorce. It is therefore submitted that the DDSA 2020, represents a positive evolution in the law and moves our law fifty years forward.

5.8 Fills the void created by lack of Local legislation.

It is also contended that, the Courts in Anglophone Cameroon cannot apply the Law until such a time that there are Practice Directives by the Chief Justices of the two Anglophone Regions. This lack of Practice Directives has resulted in only a few courts applying the DDSA 2020, whilst the other High Courts have decided to ignore the DDSA 2020.

The proponents for the application of the DDSA posit that the DDSA 2020 is just an amendment of the MCA 1973. Like all amendments to laws, the aim is usually to enact laws that align with the evolution of society. The DDSA 2020 is a reflection of the expectations of the English society, but also the of the evolving Cameroonian society. The institution of marriage, though a sacred institution, must comply with the aspirations of the society. The law is therefore a progression in solutions to marriage conflicts.

The DDSA 2020 amends the MCA 1973 in matters of divorce in the same manner and following the same process that the MCA 1973 amended the Divorce Reform Act 1969; in the same manner and process by which the Matrimonial and Family Proceedings Act 1984 amended some aspects of the MCA 1973. By virtue of section 15 of the SCHCL 1955, the DDSA 2020 is immediately applicable to the Southern Cameroons. There is therefore the legal framework that sustains the application of the DDSA 2020 in Anglophone Cameroon with or without Practice directives.

The request for Practice directives for the Application of the DDSA 2020 by some Legal Practitioners is a pertinent issue. It is normal that were there are conflicting opinions regarding the application of any piece of legislation, a proactive Chief Justice has the duty to clarify the procedure applicable instead of abdicating their responsibility with the consequences that a repealed law is still allowed to be applicable to new cases, three years after the new law has been in force.

In the present situation that the South West and North West regions constitute separate jurisdictions, it will not be possible for the President of the South West Court of Appeal in Buea to give Practice Directives that are applicable to the North West Region or vice versa. It will need both Presidents to either jointly issue the directives or to issue them simultaneously. However, with the putting

into place of the Common Law Division of the Supreme Court, it is doubtful that the Presidents of the Courts of Appeals of the North West and the South West Regions are still vested with the powers to issue Practice directives in civil procedure. It is our opinion that these powers are now vested with the President of the Common Law Division of the Supreme Court.

That notwithstanding, there is no requirement that English laws are only applicable in Cameroon subject to Practice Directives. The SCHCL 1955 makes these English laws immediately applicable. Therefore, there is no need to wait for practice directives.

5.9 The secular character of the state

Finally, Professor Alvine L Boma's view on the biblical and sacramental nature of marriages as a reason for the courts to refrain from applying the DDSA 2020, is to deny the concept of divorce in marriage all together because biblically couples get married *"for better for worse…till death do us part"*. Parties who love themselves do not seek divorce. Marriage is truly meant for them. When parties start seeking divorce that by itself is an indication that even the biblical objective no longer holds sway. The law institutes divorce because of the reality of the institution of marriage. That at some point in time the parties may want to leave the marriage. When that time comes, it is better to separate peacefully than to spend time gathering evidence to demonise the other party because you have to proof that he/she was at fault. Again, once we accept the fact of divorce, the fault or No-fault principle will not make divorce biblical. By the way Cameroon is a secular state and religious considerations, especially foreign religious concepts should not be State policy. We risk pitting one religion against others.

6. Conclusion and Recommendation

In conclusion therefore, after examining the evolution of our law making process, especially in matters of civil procedure and our heavy reliance on received laws, we have shown that the procedural laws governing divorce in the Anglophone Regions of Cameroon, have largely been regulated and fashioned by the laws for the time being in force in England, because our legislative bodies have been inactive and have failed to legislate on this sensitive area of the law. Since independence, every amendment to the laws on divorce in England have been applied without question. The DDSA is therefore just another amendment that has come to revolutionise the law on divorce. Henceforth the determining factor should be whether or not the marriage is subsisting or it has broken down irretrievably. Once a party affirms that the marriage has broken down irretrievable, the marriage is dead, and the court does not need to determine who is at fault. It is henceforth a *No-fault* process. The time for the blame game is over. A party who no longer wants to stay in a marriage should be set free without the need for the parties to wash their dirty linens in public. The Divorce, Dissolution and Separation Act 2020 is now the existing law on divorce in the Anglophone Regions of Cameroon. But the greatest solution to this and future potential disputes is for the Cameroonian legislator to wake up from slumber and start enacting local legislation on a regular and consistent level to replace the imported laws.

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