Online Symposium on Recent Developments in African PIL (VI) – Proof of Foreign Law and the Fragility of Foreign Marriages in Ghanaian Courts

As part of the second online symposium on ***recent developments in African private international law****, we are pleased to present the sixth contribution, kindly prepared by* ***Theophilus Edwin Coleman (University at Buffalo School of Law, New York (USA) & Senior Research Associate, RCPILEC, University of Johannesburg, South Africa).***

From Daddy to Zaddy or Both? Proof of Foreign Law and the Fragility of Foreign Marriages in Ghanaian Courts – Reflections on *Akosua Serwaah Fosuh v. Abusua-Panin Kofi Owusu & 2 Others*, Suit No. GJ12/20/2026

1. Introduction

Few aspects of conflict of laws generate more confusion in practice than proving foreign law. For a layperson, the idea that law must sometimes be proven as a fact using evidence might seem counterintuitive. However, this doctrinal stance is central to how many legal systems, including Ghana, treat foreign law. The recent decision of the High Court of Ghana in *Akosua Serwaah Fosuh v. Abusua-Panin Kofi Owusu & 2 others*[1] (hereinafter *Akosua Serwaah Fosuh*) highlights the complex issues that arise from the lack of proof or otherwise of foreign law governing marriages conducted outside Ghana. Indeed, this decision has highlighted the apparent fragility of foreign marriages. At the same time, it serves as a valuable reminder to litigants, lawyers, and the Ghanaian public, given the case's extensive publicity, that foreign law must be pleaded in Ghanaian courts in accordance with strict benchmarks and standards.

At stake in the *Akosua Serwaah Fosuh* case was not merely marital status and competing spousal rights, but also the social stability of the institution of monogamous civil marriage under Ghanaian law, spousal rights, particularly inheritance expectations, and issues concerning customary widowhood rites. The plaintiff primarily based her claim on an alleged civil marriage under German law to assert her spousal rights. Despite the emotionally charged nature of the case, especially among some Ghanaians, the court, as expected, focused on evidentiary principles and the requirements of substantiating foreign law. Considering the sentimental and public nature of the case, this contribution aims to clearly outline the legal consequences of the decision in *Akosua Serwaah Fosuh*, the risks of failing to meet the evidentiary standard for foreign law on spousal rights, and how this can create uncertainty for foreign marriages in Ghanaian courts.

This contribution is organised into six main sections. The first section outlines the factual background in *Akosua Serwaa Fosuh*, focusing on the issue of proving the validity of a civil marriage contracted in Germany. It then briefly reviews the types of marriages recognised under Ghanaian law and their relevance to the facts of the case. The third section examines Ghana's legal framework governing proof of foreign law. The fourth section analyses the court's position in *Akosua Serwaa Fosuh*, considering statutory and judicial standards for establishing foreign law. The fifth part examines the broader implications of the case for

litigants and for those entering foreign marriages. The sixth section briefly addresses the need to reconsider the strict standards governing the proof of foreign law in Ghana. The final part emphasises that litigants and attorneys should not treat foreign law as an afterthought, as their failure to meet technical requirements may have dire consequences for the outcome of their case.

2. *Akosua Serwaa Fosuh*: The facts

Akosua Serwaa Fosuh, the plaintiff, requested the High Court to declare her as the sole surviving spouse of the late Charles Kwadwo Fosuh, also known as Daddy Lumba, a renowned musician and public figure. As the only surviving spouse, she was entitled to conduct the widowhood rites for the deceased.[2] The plaintiff further sought an order from the court to prohibit the Head of Family of the deceased from dealing with the second defendant, Priscilla Ofori, as a spouse of the deceased. Additionally, the plaintiff asked the court to prevent Priscilla Ofori from presenting herself as a surviving spouse of Daddy Lumba. The plaintiff's main claim was that she and the deceased were married at the Civil Marriage Registry in Germany in 2004, and that this monogamous marriage lasted until Daddy Lumba's death. Prior to the civil marriage in Germany, the plaintiff and the deceased had also married under Ghanaian customary law in 1991.[3]

Conversely, the defendants opposed the plaintiff's claim and the validity of the German marriage.[4] The second defendant also challenged the validity and authenticity of the documents tendered by the plaintiff in support of the civil marriage under German Law. Additionally, the second defendant stated that the deceased publicly presented her as his wife for over fifteen years and considered her his surviving widow.[5] In addition to presenting the second defendant as the surviving spouse in the public showcase, she argued that the deceased married her under Ghanaian customary law in 2010.[6] In essence, the civil marriage between Akosua Serwaa and the deceased preceded the alleged customary marriage between the deceased and Priscilla Ofori, a fact that is important to consider.

The case primarily focused on whether the plaintiff was the deceased's sole surviving spouse and therefore the only person authorised to perform the widowhood rites. This issue was crucial because establishing that the plaintiff was

the sole surviving spouse following a civil union or marriage concluded in Germany would render any subsequent marriage and the deceased's public display of Priscilla Ofori as a spouse null and legally invalid under Ghanaian law. To fully understand the case, it is helpful to briefly outline the types of marriages recognised under Ghanaian law.

3. A brief outlook of the forms of marriage in Ghana

Ghanaian law recognises three main types of marriage: customary, Ordinance, and Islamic (Mohammedan) marriages. Each type of marriage is distinct, with its own characteristics and rights.[7] Customary marriage follows the traditions of the couple's tribe or ethnic group and is based on the mutual consent of the families of the couple. Customary marriage typically involves the exchange of a dowry or head drink between the two families, symbolising their consent, acceptance, and support for the union between the man and the woman.[8] The Customary Marriage and Divorce (Registration) Law (PNDCL 112) of 1985 allows customary marriages to be officially registered. A key characteristic of customary marriage is its inherently polygamous nature, permitting the man to marry multiple wives (unlimited in number), so long as he remains exclusively married under customary law.[9]

Ordinance marriage, on the other hand, is statutory, monogamous and a civil union that must be registered, executed by the couple (man and woman), who are then issued a marriage certificate.[10] The formal process for concluding an ordinance marriage requires following the registration procedures at a district or municipal assembly or a court registry. An Ordinance marriage is strictly monogamous, meaning it involves only one man and one woman. Once married, the spouses are legally forbidden from entering into any other marriage until the current marriage is dissolved by a court of law. Notwithstanding this, it is increasingly common for many Ghanaians to celebrate Ghanaian custom by marrying under customary law and then converting their marriage to ordinance by registering it with a court registry or a district or municipal assembly. Converting a customary marriage to an Ordinance extinguishes all rights acquired under customary law, including the man's right to have multiple spouses.[11]

The third type of marriage, which does not apply in this case, is Islamic marriage. It is performed in accordance with Islamic practices and officiated by an Islamic religious leader. Islamic marriages are typically polygamous. Both partners must be Muslims, and Ghanaian law mandates that the marriage be registered under the Marriage of Mohammedans Ordinance. The registrar for Mohammedan marriages and divorces must be informed within one week of the marriage. Such ceremonies may be officiated only by an Imam or a Kadhi. A man may marry up to four wives, and marriages between close family members or cousins are not permitted.[12] It is noteworthy that the validity of marriages under Ghanaian law is determined following the Marriage Act Ordinance, 1951 (Cap 127).[13] To synthesise the various types of marriage under Ghanaian law and for the purposes of this case, it is worth noting the following:

(1) A couple has the right to marry under customary law. So long as a man is exclusively married under customary law, he is permitted to have multiple wives.

(2) A couple has the option to marry under ordinance. Such a marriage is strictly monogamous, and once established, neither party is legally permitted to marry another person until the marriage is officially dissolved by a court of law.

(3) The relationship between customary and ordinance marriage is that a couple married under customary law can convert to ordinance marriage. However, once this conversion occurs, the man's rights, including the right to marry more than one wife under customary law is extinguished. The marriage then becomes fully monogamous.[14]

Hence, in *Akosua Serwaah Fosuh*, the assertion that the plaintiff and the deceased concluded a civil monogamous union under German law, if proven under Ghanaian law, would convert their marriage into a civil or ordinance marriage, thereby extinguishing the deceased's rights to marry more than one wife or to marry under any other marriage type. Proving the validity of the German marriage implies that any later marriage between the deceased and the second defendant would be considered invalid, legally void and of no effect.

This, in turn, raises the question of the longstanding conflict of laws issue

concerning the stringent evidentiary burden required for a plaintiff to prove foreign law, as illustrated by the plaintiff's attempt to demonstrate that the marriage was monogamous under German law. If the plaintiff cannot demonstrate the validity of the German marriage as per German law, any later marriage under customary law, such as the deceased's marriage to the second defendant, Priscilla Ofori, would be considered valid.

4. Proof of foreign law in Ghana: An overview

Generally, under common law, courts are presumed to know only their domestic law. Foreign law, including statutes, case law, and other procedural rules from a different legal system, must be properly pleaded and substantiated with the required evidence. In conflict of laws, this approach is doctrinally justified on the ground that a judge, such as one in Ghana, is typically not expected to possess or be aware of the content of foreign laws, such as South African, German, or Canadian law. Based on this understanding, under the common law, foreign law is treated as evidence that must be substantiated, rather than as a legal question. Consequently, a court is not required to investigate the content of foreign law on its own initiative.

Indeed, according to section 1(2) of Ghana's Evidence Act 1975 (NRCD 323), the "determination of the law of an organization of states to the extent that such law is not part of the law of Ghana, or of the law of a foreign state or sub-division of a foreign, state, is a question of fact, but it shall be determined by a court".[15] Statutory requirements consider foreign law as a matter of fact, a position consistently upheld by Ghanaian courts. For example, in *Davis v. Randall*,[16] it was held that Sierra Leonean law is foreign law and must be proven as a fact.[17] A party seeking to rely on foreign law in a Ghanaian court, per the decision in *In Re Canfor (Deceased); Canfor v. Kpodo*,[18] will be required to plead that law and prove it.[19] To plead the foreign law is one thing, but the most crucial aspect is proving its content. Where a party seeking to rely on foreign law fails to prove it, section 40 of the Evidence Act provides that "the law of the foreign state is presumed to be the same as the law of Ghana".[20]

The standard of proof for establishing foreign law is the preponderance of probabilities, as in other civil case matters.[21] However, meeting this evidentiary

standard would require the court to assess the consistency of the evidence, the credibility of the witnesses, and the veracity and reliability of the documents submitted. Foreign law is, therefore, a matter of fact and must be proven on a case-by-case basis. As the Supreme Court of Ghana stated in *Ama Serwaa v. Gariba Hashimu & another*,[22] "foreign law is a question of fact and ought to be pleaded and proven at the trial stage. This method of proving foreign law, is by offering expert witnesses, merely presenting a lawyer with the text of a foreign will not be sufficient".[23] Also, in *Godka Group of Companies v. PS International Ltd*,[24] it was held that merely presenting or providing the text of a foreign law to a judge to draw the judge's conclusion does not satisfy the requirement of proof of the foreign law.[25] *Godka* established that an expert witness is preferred. The *Godka* Court stated: "the general principle has been that no person is a competent witness unless he is a practising lawyer in the particular legal system in question, or unless he occupies a position or follows a calling in which he must necessarily acquire a practical working knowledge of the foreign law."[26]

The question of an expert's competency is a legal issue decided by the judge. Therefore, the court must be convinced that the individual is an "expert trained on the subject to which his testimony relates by reason of his special skill, experience or training." Also, per the decision in *Val Cap Marketing v. The Owners of M V Vinta*,[27] Ghanaian courts do not permit the use of affidavits to prove foreign law.[28] Additionally, the opinions of an expert witness serve as a persuasive influence on Ghanaian courts.[29] Accordingly, the court is not bound to accept the opinion of the expert witness.[30] Based on the foregoing, the treatment of foreign law is a highly technical and complex process. Even if a plaintiff follows the procedural technicalities established by various case law, including pleading and proving the law with an expert witness, the evidence remains just persuasive, with the court ultimately deciding how much weight to give it.

5. *Akosua Serwaah Fosuh*, the treatment of foreign documents and law

The plaintiff submitted a marriage certificate issued under German law, but the defendants questioned its authenticity. The court rejected the certificate and advised the plaintiff's counsel to meet the Evidence Act requirements.[31]

According to the Court, the plaintiff's counsel failed to meet the specified requirement. Most notably, the defendant's counsel indicated that the marriage certificate and its translated copy submitted to the court lacked probative value.[32] Since the marriage certificate was a foreign document, the plaintiff needed to fulfil the requirements of section 161 of the Evidence Act. Section 161 of the Evidence Act presumes signatures are genuine if they are affixed by officials of recognised public entities, accompanied by certification of authenticity and official position.[33] The law also mandates that this certification be signed and sealed by a diplomatic agent from Ghana or a Commonwealth country who is assigned or accredited to that nation.[34] Be that as it may, if all parties are given a reasonable opportunity to verify a foreign official's signature, the court may, for good cause, treat it as presumptively authentic without certification.[35]

The court observed that the plaintiff did not comply with the provisions. The plaintiff acknowledged the real difficulty in fulfilling the statutory requirements of section 161(2) of the Evidence Act.[36] The authenticity of the marriage certificate was therefore challenged. Additionally, beyond the authentication concerns, the plaintiff failed to submit the original certificate for the court to compare, despite being informed that an original certificate existed. The plaintiff submitted a family book extract that does not establish a civil marriage, particularly because the certificate lacked signatures from both spouses.[37] In addition to the plaintiff's failure to prove the authenticity of the marriage certificate and to comply with the Evidence Act, they also failed to meet the *Godka* requirement to prove foreign law through an expert witness.[38] The Court also highlighted the significance of the expert witness in verifying the authenticity of the marriage certificate by outlining the key features of a valid marriage certificate from Germany.[39]

Since the plaintiff did not prove the foreign law and the documents did not meet the applicable statutory requirements under the Evidence Act, the court inferred that the failure to establish the foreign law creates a presumption that German and Ghanaian law are the same, unless the contrary is shown. Thus, under Ghanaian law, an ordinance marriage certificate is valid only if it bears the signatures of the parties to the marriage. In the words of the Court, "without the marriage certificate and or video, the court cannot prove the civil marriage on a photograph alone. In the era of photo shoots and Artificial Intelligence, the court is cautious in accepting photographs alone without further credible corroborating

documentary evidence, where proof of a fact demands strict documentary proof".[40]

The court found that the plaintiff failed to prove her marriage under German law, as proving foreign law is a factual matter. The plaintiff did not meet the presumption that she entered into the marriage by providing an authentic, identified, and certified copy of the marriage certificate. Considering the lack of authentication and identification, coupled with the plaintiff's failure to rely on an expert witness from Germany, the court rejected the documents presented as having no probative value and would not be considered for purposes of proving any civil marriage between the plaintiff and the deceased.[41] Because the plaintiff did not demonstrate the existence of a valid monogamous marriage under German law, the court determined that a customary marriage between the plaintiff and the deceased existed. As previously explained, such a customary marriage allows a man to have more than one wife. The implication was that the plaintiff was not the sole surviving spouse. The court therefore determined that both the plaintiff and the second defendant were both customarily married to the deceased, Daddy Lumba, and declared that they were the surviving spouses of the deceased.[42]

6. Broader implications of *Akosua Serwaah Fosuh*

In Ghana, litigation practices have not fully adapted to the transnational context and the complexities associated with cross-border marriages. *Akosua Serwaah Fosuh* highlights the increasing prevalence of cross-border marriages and how fragile such marriages become when strongly tested against the legal microscope and the evidentiary standards required by Ghanaian law. It also indicates the extent to which the failure or otherwise to prove foreign law and present the relevant documents in accordance with the statutorily prescribed format can impact several aspects of spousal rights. Hence, couples contracting marriages outside of Ghana must now be informed of the legal implications of such marriages. The significance of foreign law, such as establishing the validity of the marriage and authenticating relevant documents, should not be an afterthought for either the couple or their lawyers when legal issues arise. The court bases its decisions on law and evidence, not emotions, and failing to substantiate a legal position can lead to an unfavourable outcome.

7. Rethinking the strict requirements of proof of foreign law in Ghana in contemporary times

Ghanaian law explicitly requires rigorous proof of foreign law and adherence to statutory and case law principles. This strict approach has faced significant criticism from scholars. In Ghana, proving foreign law can be challenging due to potential manipulation by disputing parties, especially considering the assumption under Section 40 of the Evidence Act that Ghanaian law is the same as foreign law if the plaintiff fails to prove the content of the foreign law. Indeed, Oppong and Agyebeng note that assuming that Ghanaian and foreign law are the same because a plaintiff cannot prove the content of foreign law oversimplifies the matter and can occasionally cause injustice.[43] The learned authors further aver that section 40 of the Evidence Act:

> *"…wrongly assumes that there is a corresponding Ghanaian law for every specific issue on which foreign law would be relevant. This may not always be the case. Ghana's legal system is relatively underdeveloped, and it is unlikely there will be any substantive Ghanaian law on some subjects. Also, the laws of individual states vary. Accordingly, there is a high probability that there may be no corresponding cause of action or remedy in Ghana for any cause of action or remedy that exists in a foreign country on several matters. If a court deems it appropriate in such a situation, it should invite counsel to address the court on the issue, including how the issue is dealt with in the foreign state to ensure that the interest of justice is served."[44]*

A plaintiff's choice to invoke foreign law, coupled with difficulties or inability to provide supporting evidence and the operationalisation of section 40 of the Evidence Act, can influence the outcome of the case. If Ghanaian law is assumed to align with the foreign law when the plaintiff cannot substantiate their claim, this may allow the plaintiff to escape the applicability and dictates of the foreign law (or a defendant to strongly oppose an unfavourable outcome of applying foreign law).[45] This highlights the difficulties of dealing with foreign law in Ghanaian courts and the extent to which such herculean tasks may be manipulated by a plaintiff to their gain or a defendant against a plaintiff.

Notwithstanding these criticisms, the law clearly states that a plaintiff relying on foreign law must first plead it and then prove it; if they fail to do so, the foreign law is assumed to be the same as Ghanaian law.

Flowing from the challenges associated with the legal framework on the proof of foreign law, Oppong and Agyebeng have suggested that Ghanaian courts take judicial notice of English law, thereby eliminating the need to call expert witnesses.[46] This call is based on Ghana's status as a Commonwealth country that follows the common law tradition, with many legal professionals trained, directly or indirectly, in English law.[47] Unfortunately, the suggestion by the learned authors does not apply in the current context, as *Akosua Serwaa Fosuh* concerns the validity of a foreign marriage under German civil law, and many Ghanaian lawyers and the Ghanaian legal system are not trained in such a civil law orientation. Therefore, adherence to the *Godka* principles and the requirements of the Evidence Act, underscoring the probative value of a foreign document, is essential. Indeed, regardless of the sentiments surrounding the case, it is important to emphasise that the court's decision was firmly grounded in relevant precedents and procedural rules that must be followed in such cases.

8. Conclusion

The case of *Akosua Serwaah Fosuh* highlights that in Ghanaian courts, foreign law is not self-executing. It requires careful pleading and rigorous proof, in accordance with specific statutory requirements and the standards set out in case law. A foreign marriage certificate does not automatically substantiate the validity or otherwise of a marriage. Without expert testimony that convincingly clarifies the legal meaning, formalities, requirements, and consequences, such evidence has limited probative value in Ghanaian courts. In fact, transnational disputes require and depend on transnational evidence to verify the parties' rights and entitlements. The decision in *Akosua Serwaah Fosuh* does not merely concern the rights and entitlements of competing spouses; it embodies the timeless principle in private international law: foreign law enters Ghanaian courts only through the pathway of proof. So long as this timeless rule exists, any marriage contracted outside Ghana and potentially subject to legal dispute may be fragile the moment it enters the annals of the Ghanaian court.

Previous contributions:

1. ***Online Symposium on Recent Developments in African Private International Law**, by Béligh Elbalti & Chukwuma S.A. Okoli* (Introductory post)
2. ***Recognition and Enforcement of International Judgments in Nigeria**, by Abubakri Yekini & Chukwuma Samuel Adesina Okoli*
3. ***The Recognition and Enforcement of Foreign Judgments within the CEMAC Zone**, by Boris Awa*
4. ***Foreign Judgments in Mozambique through the Lens of the Enforcement of a Chinese Judgment: Liberal Practice in the Shadow of Statutory Rigidity**, by Béligh Elbalti*
5. ***Party Autonomy, Genuine Connection, Convenience, Costs, Privity, and Public Policy: The Kenyan High Court on Exclusive Jurisdiction Clauses**, by Anam Abdul – Majid and Kitonga Mulandi*
6. ***Cross-border employment, competition and delictual liability merge in the South African High Court: Placement International Group Limited v Pretorius and Others**, by Elisa Rinaldi*

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[1] *Akosua Serwaah Fosuh v. Abusua-Panin Kofi Owusu & 2 others*, Suit No. GJ12/20/2026 (28 November 2025) (Unreported).

[2] Ibid at par 1.

[3] Ibid.

[4] Ibid at par 10.

[5] Ibid at par 2.

[6] Ibid at par 51.

[7] See, Marriages Act, 1984 (Cap 127). See also, *Obed Hoyah v. Naa Kwarley Quartey* [2020] GHACA 13 (30 July 2020); *Adzraku v Adzraku & Anor* [2023]

GHAHC 530 (15 December 2023); *Moro and Another v. Ayebio & others* [2024] GHAHC 31 (12 April 2024); *Raphael Quist v. Matilda Larbi* [2023] GHACC 73 (6 June 2023); *Apomasu v. Bremawuo* [1980] GLR 278.

[8] *Graham v. Graham* [1965] GLR 407; *Yaotey v. Quaye* [1961] GLR 573.

[9] Ibid.

[10] *Coleman v. Shang* (1959) GLR 390; *Adzraku v Adzraku & Anor* [2023] GHAHC 530 (15 December 2023).

[11] *Coleman v. Shang* (1959) GLR 390.

[12] Marriage of Mohammedan Ordinance, 1951 (Rev.) (Cap 129). See also, *Apomasu v. Bremawuo* [1980] GLR 278.

[13] See, Marriage Act Ordinance, 1951 (Cap 127); *Boateng v. Serwa and others* [2021] GHASC 195 (14 April 2021).

[14] See, *Ernestina Boateng v. Phyllis Serwaa and 2 others*, Civil Appeal No. J4/08/2020 (14 April 2021).

[15] Section 1(2) of the Evidence Act, 1975 (NRCD 323).

[16] *Davis v. Randall* [1962] 1 GLR 1.

[17] Ibid. See also, *Clipper Leasing Corporation v. S and Ghana Airways Limited* [2025] GHASC 27 (29 April 2025); Josiah Ofori-Boateng, *The Ghana Law of Evidence* (Waterville Publishing House 1993) pp. 7.

[18] *In Re Canfor (Deceased); Canfor v. Kpodo*, [1968] GLR 177.

[19] Ibid.

[20] Section 40 of the Evidence Act, 1975 (NRCD 323). See also, *Ama Serwah v. Yaw Adu Gyamfi & Vera Adu Gyamfi*, where the High Court of Ghana, in accordance with section 40 of the Evidence Act, assumed that the Italian law on the subject matter and that of Ghana were the same after the plaintiff failed to prove the foreign law.

[21] *Akosua Serwaah Fosuh* at par 85. See also, Richard Frimpong Oppong &

Kissi Agyebeng, *Conflict of Laws in Ghana* (Sedco Publishing 2021) 40.

[22] *Ama Serwaa v. Gariba Hashimu & another*, Civil Appeal No. J4/31/2020 (14 April 2021).

[23] Ibid.

[24] *Godka Group of Companies v. PS International Ltd* (1999-2000) 1 GLR 409.

[25] Ibid.

[26] Ibid.

[27] *Val Cap Marketing v. The Owners of M V Vinta*, Civil Appeal No. 27/98 (Court of Appeal, Accra, 1999).

[28] Ibid.

[29] *See*, section 1(2) of the Evidence Act; *Fenuku v. John Teye* [2001-2002] SCGLR 985; *Tetteh & another v. Hayford 9Substituted by) Larbi & Decker* [2012] 1 SCGLR 417. In effect, the court the court determines the degree of weight to be accorded to the evidence by an expert witness.

[30] Ibid.

[31] *Akosua Serwaah Fosuh* par 88.

[32] *Akosua Serwaah Fosuh* par 90 and 106-107.

[33] Section 161(1) of the Evidence Act, 1975 (NRCD 323).

[34] Section 161(2) of the Evidence Act, 1975 (NRCD 323).

[35] Section 161(3) of the Evidence Act, 1975 (NRCD 323).

[36] *Akosua Serwaah Fosuh* par 91.

[37] *Akosua Serwaah Fosuh* par 94.

[38] *Akosua Serwaah Fosuh* par 87.

[39] *Akosua Serwaah Fosuh* par 101.

[40] *Akosua Serwaah Fosuh* par 104.

[41] *Akosua Serwaah Fosuh* paras 107-108.

[42] *Akosua Serwaah Fosuh* par 164.

[43] Richard Frimpong Oppong & Kissi Agyebeng, *Conflict of Laws in Ghana* (Sedco Publishing 2021) p. 39.

[44] Ibid at 39.

[45] Ibid.

[46] Ibid at 40-41.

[47] Ibid at 40-41.