



Kingdom of Lesotho



Statistical Reports

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Vital Statistics Report (Divorces 2018)



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Mission: To coordinate the National Statistical System (NSS) and produce accurate, timely and reliable culturally relevant and internationally comparable statistical data for evidence based planning, decision making, research, policy, program formulation and monitoring and evaluation to satisfy the needs of data users and producers.

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BACKGROUND

1.1 Introduction

Vital registration is one of the main sources of population statistics and is a process of (a) collecting information by civil registration or enumeration on the frequency of occurrence of specified and defined vital events, as well as relevant characteristics of the events themselves and of the person or persons concerned, and (b) compiling, processing, analyzing, evaluating, presenting and disseminating these data in statistical form. The vital events of interest include among others: births, deaths, marriages, divorces and separations. This report presents data related to reported divorces only.

There could be various factors that contribute to a couple's decision to dissolve marriage and they include the following: infidelity (adultery), lack of (or poor) communication, non-fulfillment of conjugal rights, emotional and physical abuse, hazardous levels of alcohol consumption, desertion, and perhaps incompatibility as primary grounds for divorce. Thus, the factors stated above contribute in one way or another in making life intolerable to the partner who is being subjected to them.

The general objective of this report is to present the demographic characteristics of the divorced persons and to show the changing divorce patterns over time. Also, the other objective is to show the main causes of divorce. This report presents statistical information on divorces that were filed in 2017 only by the High Court of Lesotho. These data is collected by the Bureau of Statistics from the High Court, and then compiles, processes, analyzes and publishes the analytical report.

Data on divorce is classified by the following variables: age of plaintiff and defendant, sex of plaintiff and defendant, parties' place of residence, reasons for dissolution of marriage and duration of marriage. The plaintiff refers to the party who initiates a divorce suit in a court against the opposite party (defendant).

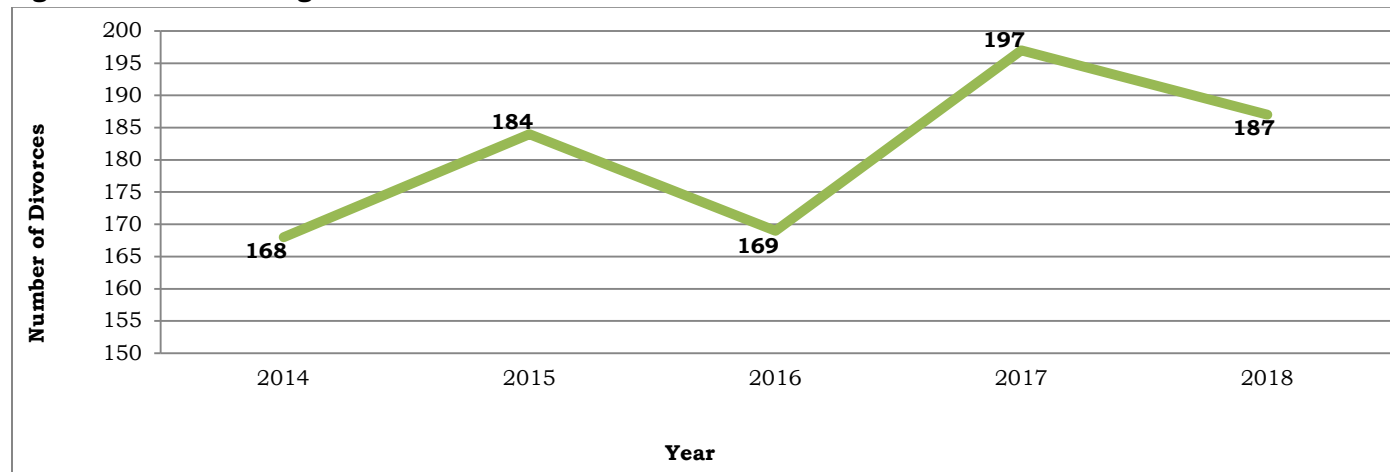
1.2 Data Limitations

The data on divorce relates only to marriages that were solemnized by civil law and not by customary law as there are cases of customary marriages that go unreported. This suggests that, for such marriages, even the divorce is highly unlikely to be reported. The information does not cover other important issues such as the educational and employment status of the parties and the impact of divorce is also a crucial element but it is not included in this report because the primary data had initially been compiled for administrative purposes. A marriage certificate must be provided for the divorces to be granted, therefore, the analysis of this report is based only on divorces that were granted with marriage certificates.

2.1 Number of Registered Divorces

Figure 1 presents series of granted divorces from 2014 to 2018. The highest frequencies of divorces were approved in 2017 (197cases). The least number of divorces were noticed in 2014 and 2016 represented by approximately 168 cases. The results show that 905 cases of divorces were registered during this five-year period.

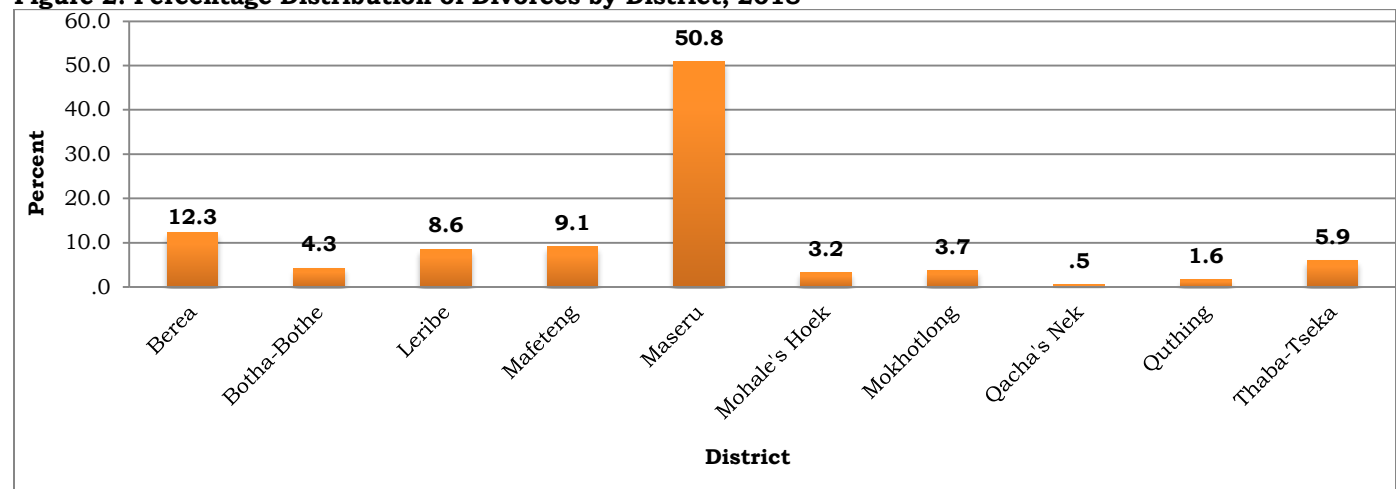
Figure 1: Number of Registered Divorces in Lesotho 2014 to 2018



2.2 Divorces and Parties' Place of Residence

The compilation of 2018 divorce data showed that 187 divorce applications were filed. The incidences on divorces by place of residence that occurred in 2018 are presented in Figure 1. The figure shows the ten districts of Lesotho where the highest percentage share of divorces was noticed in Maseru with 50.8 percent. The least percent was observed in Qacha's Nek estimated at 0.5 followed by Quthing with 1.6 percent. All other districts recorded percentage share less than 10.0 except the district of Berea which had 12.3 percent.

Figure 2: Percentage Distribution of Divorces by District, 2018



2.3 Place of Residence

This sub-section shows the place of residence of the plaintiff represented in Table 1 which shows the percentage distribution of divorces by place of residence and sex of plaintiff. The table depicts that the highest proportion of females (29.4 percent) in Maseru filed for divorce while the least percentage of females (0.5) who had filed for divorce was observed in Qacha's Nek. However, in Quthing and Qacha's Nek there were no males who filed for divorce and over 6.0 percent of males who had cases of divorce were experienced in Berea. In addition to that, the general observation is that there were more females and males who divorced in Maseru and Berea with 50.8 and 12.3 percent respectively. Data shows that Berea and Thaba-Tseka were the only districts with more male plaintiffs than female plaintiffs, and the rest of the districts had more female plaintiffs.

Table 1: Percentage Distribution of Divorces by District and Sex of Plaintiff, 2018

District	Plaintiff Sex		Total
	Female	Male	
Botha-Bothe	2.7	1.6	4.3
Leribe	4.8	3.7	8.6
Berea	5.9	6.4	12.3
Maseru	29.4	21.4	50.8
Mafeteng	6.4	2.7	9.1
Mohale's Hoek	2.1	1.1	3.2
Quthing	1.6	0.0	1.6
Qacha's Nek	0.5	0.0	0.5
Mokhotlong	2.1	1.6	3.7
Thaba-Tseka	2.7	3.2	5.9
Total	58.3	41.7	100.0

2.4 Age

The age composition of divorced people is important in establishing the age at which most couples dissolve their marriages. Table 2 illustrates percentage distribution of divorces by age group and sex of plaintiff. Generally, more females and males ranging between 12.0 and 30.0, in age groups 25 to 44 filed for divorce. None of the couples in age group 15 to 19 dissolved their marriages and the case was also observed for females aged 64 years and above. Moreover, males do not dissolve marriages at younger ages as compared to females. It is further noticed from the table that more females in age groups 30 to 34 and 35 to 39 filed for divorce with 14.2 and 15.8 percent accordingly. On the contrary, 6.6 and 13.7 percent of males in the mentioned respective age groups terminated their marriages. It is therefore observed that females mostly file for divorces at younger ages while their male counterparts do that at older ages.

Table 2: Percentage Distribution of Divorces by Age Group and Sex of Plaintiff, 2018

Age group	Plaintiff Sex		Total
	Female	Male	
15 - 19	0.0	0.0	0.0
20 - 24	0.5	0.0	0.5
25 - 29	9.3	2.7	12.0
30 - 34	14.2	6.6	20.8
35 - 39	15.8	13.7	29.5
40 - 44	9.3	9.3	18.6
45 - 49	3.8	4.4	8.2
50 - 54	3.8	2.7	6.6
55 - 59	1.1	1.1	2.2
64+	0.0	1.6	1.6
Total	57.9	42.1	100.0

2.5 Age Group and Sex of Defendant

The Percentage distribution of divorces by age group and sex of defendant is illustrated in Table 3. The general observation is that divorces to defendant were more in age groups 25 to 44 with percentages ranging between 10.0 and 22.0. The least divorces to the respondent (1.6 percent) were in age groups 20 to 24 while there were no divorces reported for population in age groups 15 to 19. The table indicate that males were sued for divorce from age 25 to 29 as opposed from female who terminated their marriages as early as ages 20 to 24.

Table 3: Percentage Distribution of Divorces by Age Group and Sex of Defendant, 2018

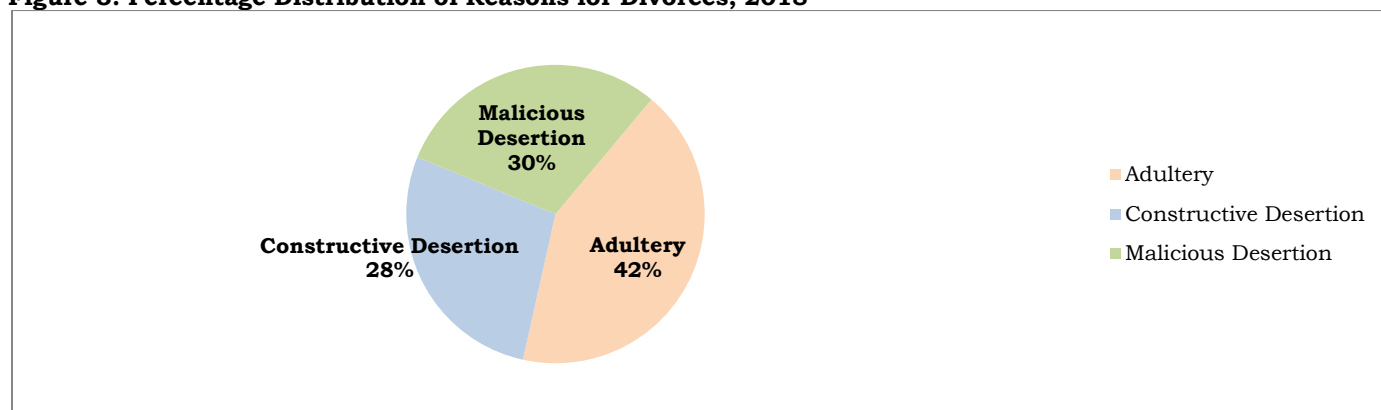
Age group	Defendant Sex		Total
	Female	Male	
15 - 19	0.0	0.0	0.0
20 - 24	1.6	0.0	1.6
25 - 29	7.1	3.8	10.9
30 - 34	11.4	9.8	21.2
35 - 39	11.4	10.3	21.7
40 - 44	5.4	16.3	21.7
45 - 49	1.1	8.7	9.8
50 - 54	2.2	3.8	6.0
55 - 59	0.5	3.3	3.8
64+	1.6	1.6	3.3
Total	42.4	57.6	100.0

Large proportions of divorces to defendants are concentrated at age groups 40 to 44 years for males (16.3 percent) and 30 to 39 years for females (11.4 percent). Generally, the greatest number of both males and females divorcee is observed at age group 35 to 44 years recording 21.7 percent.

2.6 Reasons for Divorce

There are many reasons that commonly contribute to the breakdown of marriages in the marital union. In Lesotho it appears that the most common reasons for divorces are adultery and desertion (Constructive and Malicious). Almost two thirds (57.9 percent) of the marriages in Lesotho were broken down as a result of Adultery. The other one third happens due to Constructive and Malicious Desertion estimated at 13.2 and 28.9 percent respectively.

Figure 3: Percentage Distribution of Reasons for Divorces, 2018



2.7 Place of Residence and Reasons for Divorce

The percentage distribution of divorces by place of residence and reasons for divorce is presented in Table 4. Maseru district had the leading percentages for reasons for divorce amongst the reasons given with 50.8 and Adultery was most common in Maseru with 19.8 percent. Regarding Malicious desertion, an equal proportion of population (0.5 percent) was observed in Mohale's Hoek and Quthing. There were no marriage dissolution due to Constructive Desertion in Quthing and Qacha's Nek and none of the marriages were terminated in Qacha's Nek concerning Malicious desertion. In general, the major cause of divorce in all the districts was adultery constituting 42.8 percent. Malicious Desertion and Constructive Desertion respectively followed at 29.9 and 27.3 percent.

Table 4: Percentage Distribution of Divorces by Place of Residence and Reason for Divorce, 2018

District	Adultery	Constructive Desertion	Malicious Desertion	Total
Botha-Bothe	1.6	1.1	1.6	4.3
Leribe	4.8	1.1	2.7	8.6
Berea	8.0	2.1	2.1	12.3
Maseru	19.8	13.9	17.1	50.8
Mafeteng	2.7	3.7	2.7	9.1
Mohale's Hoek	1.1	1.6	0.5	3.2
Quthing	1.1	0.0	0.5	1.6
Qacha's Nek	0.5	0.0	0.0	0.5
Mokhotlong	1.1	1.1	1.6	3.7
Thaba-Tseka	2.1	2.7	1.1	5.9
Total	42.8	27.3	29.9	100.0

2.8 Month of Divorce

Percentage distribution of divorces by month is shown in Figure 4. According to this figure, more marriages were dissolved in December (19.8 %). Additionally, 9.6 and 9.1 percent of population were divorced in April and November respectively. However, the least divorces were done in October with 5.3 percent. It is noticed that all divorces were less than 10 percent in all months except for December.

Figure 4: Percentage Distribution of Divorces by Month, 2018

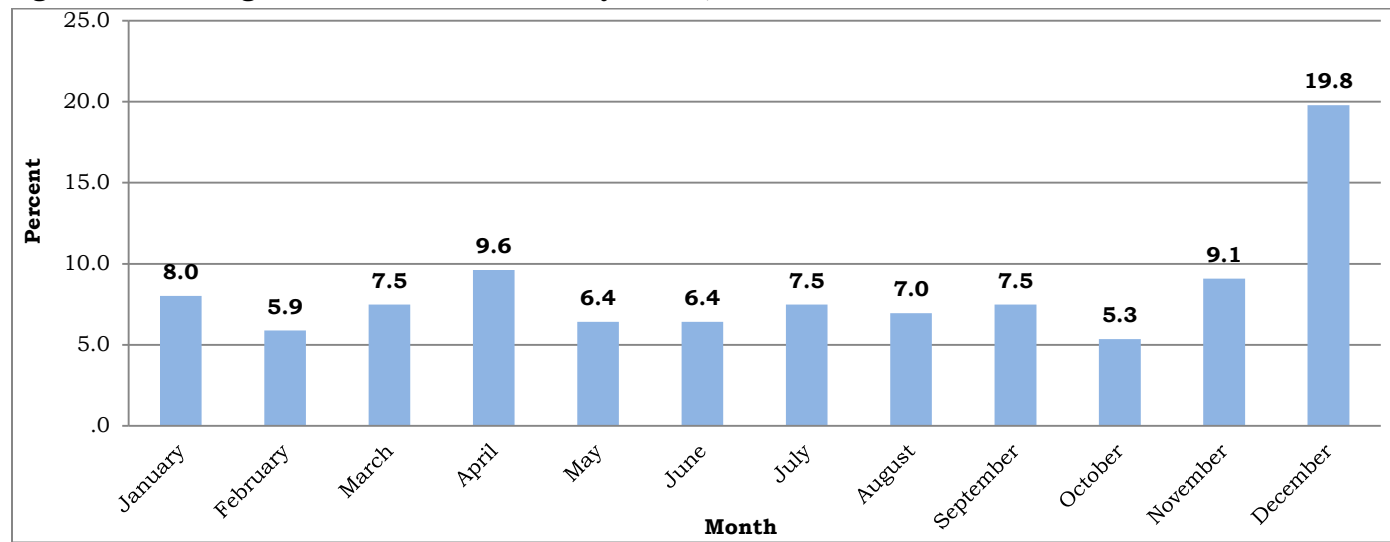
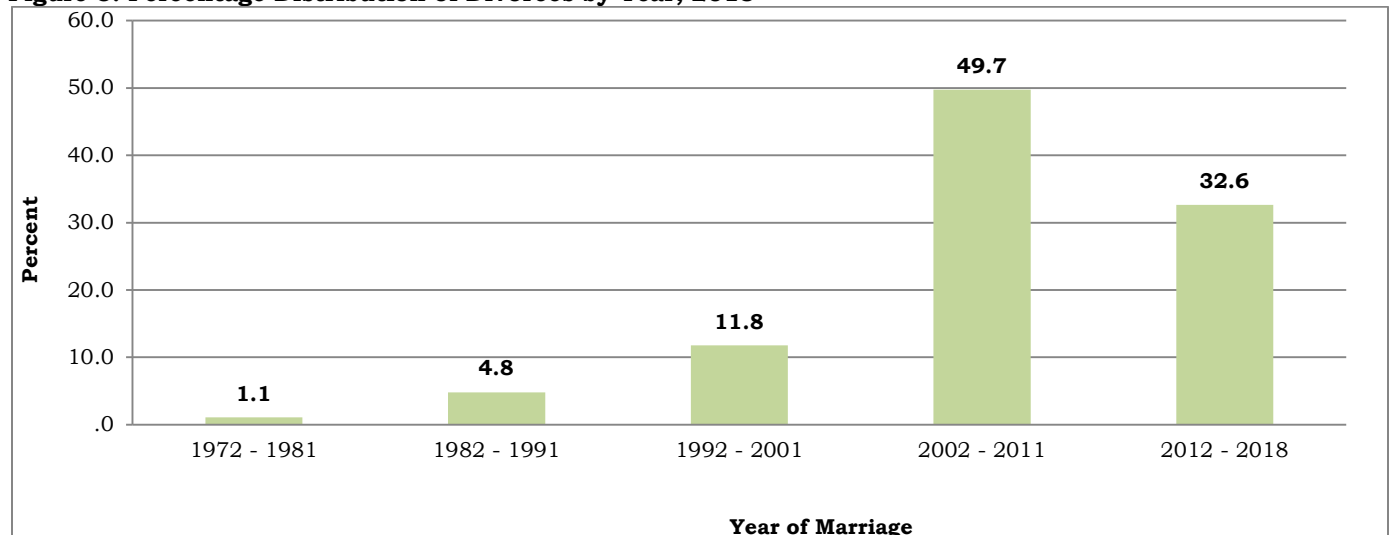


Figure 5 presents percentage distribution of divorces by year of marriage. The figure denotes that 49.7 percent of marriages solemnized in 2002 to 2011 were dissolved. However, the rate of divorce declined from marriage celebrated from 2012 to 2018 with 17.1 percentage points. Besides that, the least divorces were registered from 1972 to 1981 marriages. It seemed that in the 19th century's divorce rate was low compared to in the 20th century.

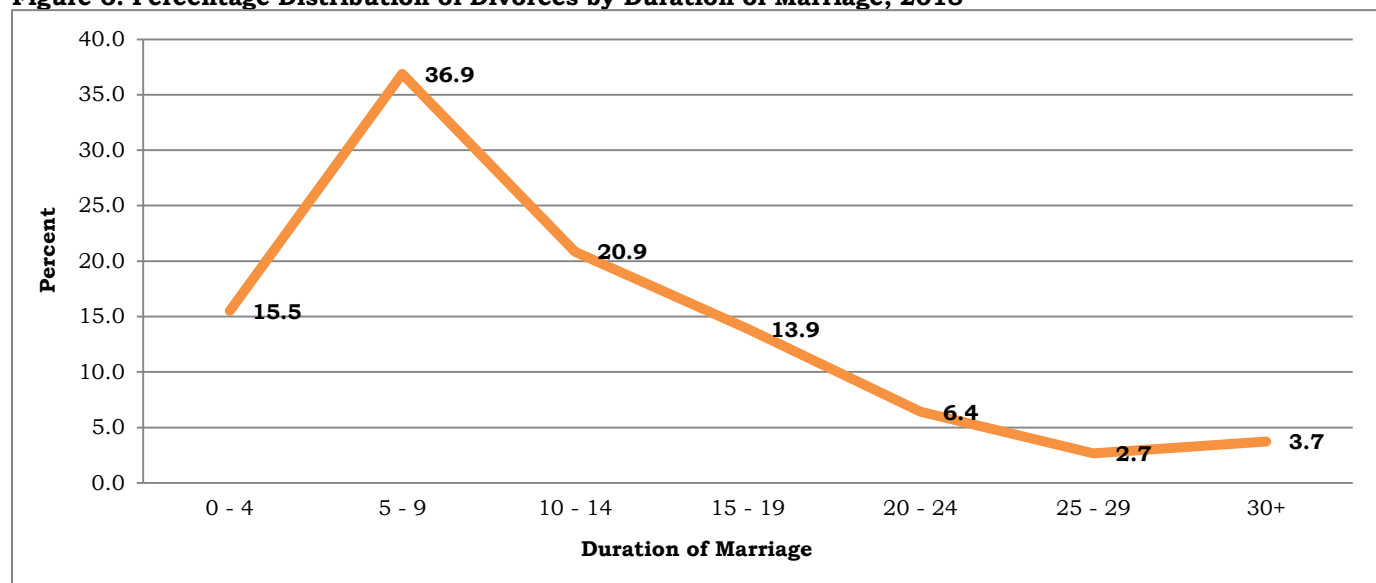
Figure 5: Percentage Distribution of Divorces by Year, 2018



2.9 Duration of Marriage

The length or period of marriage that end in divorce vary greatly from place to place, with some not even making it to their tenth anniversary. Figure 6 illustrates the percentage distribution of divorces by duration of marriage. It shows that most marriages lasted between 5 to 9 years with 36.9 percent representation. This is followed by the duration of 10 to 14 years where couples tend to dissolve their marriages. The behavior of divorces shows that the more the number of years the couple stays in marriage; the less likely are chances of divorce. This is depicted by the figure where the minimal percentages of divorces are observed at higher number of married years. The least number of divorces within those couples who had been married for 25 to 29 years and above recorded 2.7 percent as the lowest.

Figure 6: Percentage Distribution of Divorces by Duration of Marriage, 2018



2.10 Age and Reasons for Divorce

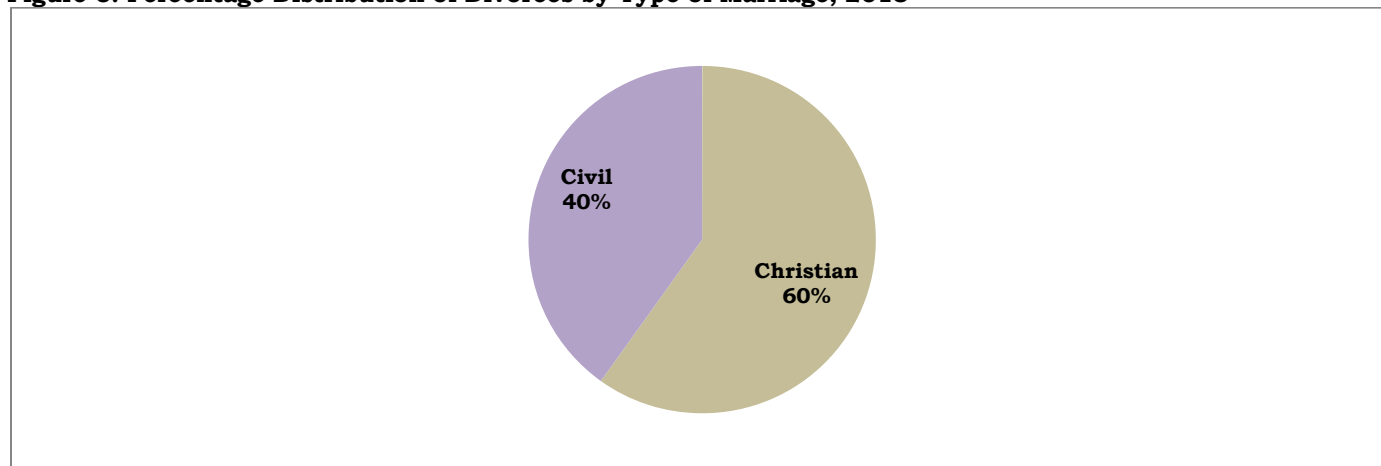
Table 5 shows the percentage distribution of divorces by age group of defendant and reasons for divorce. It is evident from this table that, the age group where marriages were most dissolved was 25 to 29 years accounting for 37.6 percent. The most common reason for the dissolution of marriage was Constructive desertion with 38.5 percent followed by Adultery constituting 37.7 percent in the same age group. Age group 20 to 24 years followed at 35.0 percent where malicious desertion was noticed mostly with 40.4 percent as the most popular reason for ending marriage. The age group with the least incidences of marriage dissolutions is age groups 15 to 19 years and 45 and above represented by 1.5 percent each.

Table 5: Percentage Distribution of Divorces by Age Group of Defendant and Reason for Divorce, 2018

Age-Group	Reason For Divorce			Total
	Adultery	Constructive Desertion	Malicious Desertion	
15-19	0.9	0.0	3.5	1.5
20-24	5.1	23.1	40.4	35.0
25-29	37.7	38.5	36.8	37.6
30-34	15.8	19.2	8.8	14.2
35-39	3.5	19.2	7.0	6.6
40-44	5.3	0.0	1.8	3.6
45+	1.8	0.0	1.8	1.5
Total	57.9	13.2	28.9	100.0

2.11 Type of Marriage

Marriage exists in the population and in all stages but the type or forms of marriage differs from place to place. The types of marriage that will be considered in this report are two, namely; the Christian and Civil types. It is depicted in Figure 6 that a higher proportion of divorces occurred among marriages which had been solemnized in churches at 59.9 percent as opposed to those that were solemnized by civil registration authorities with 40.1 percent

Figure 6: Percentage Distribution of Divorces by Type of Marriage, 2018

Annex 1

Divorces by Place of Residence, 2018

Place of Residence	Number
Botha-Bothe	8
Leribe	16
Berea	23
Maseru	95
Mafeteng	17
Mohale's Hoek	6
Quthing	3
Qacha's Nek	1
Mokhotlong	7
Thaba-Tseka	11
Total	187

Divorces by place of Residence and Sex of Plaintiff, 2018

Place of Residence	Male	Female	Total
Botha-Bothe	3	5	8
Leribe	7	9	16
Berea	12	11	23
Maseru	40	55	95
Mafeteng	5	12	17
Mohale's Hoek	2	4	6
Quthing	0	3	3
Qacha's Nek	0	1	1
Mokhotlong	3	4	7
Thaba-Tseka	6	5	11
Total	78	109	187

Divorces by Age Group and Sex of Plaintiff, 2018

Age group	Female	Male	Total
15 - 19	0	0	0
20 - 24	1	0	1
25 - 29	17	5	22
30 - 34	27	12	39
35 - 39	29	26	55
40 - 44	17	17	34
45 - 49	7	8	15
50 - 54	8	5	13
55 - 59	3	2	5
64+	0	3	3
Total	109	78	187

Reasons for Divorce, 2018

Reason for Divorce	Number
Adultery	80
Constructive Desertion	51
Malicious desertion	56
Total	187

Divorces by Age Group and Sex of Defendant, 2018

Age group	Male	Female	Total
15 - 19	0	0	0
20 - 24	3	0	3
25 - 29	13	8	21
30 - 34	21	18	39
35 - 39	21	19	40
40 - 44	10	30	40
45 - 49	2	17	19
50 - 54	4	8	12
55 - 59	1	6	7
64+	3	3	6
Total	78	109	187

Divorces by Place of Residence and Reason for Divorce, 2018

Place of Residence	Adultery	Constructive Desertion	Malicious Desertion	Total
Botha-Bothe	3	2	3	8
Leribe	9	2	5	16
Berea	15	4	4	23
Maseru	37	26	32	95
Mafeteng	5	7	5	17
Mohale's Hoek	2	3	1	6
Quthing	2	0	1	3
Qacha's Nek	1	0	0	1
Mokhotlong	2	2	3	7
Thaba-Tseka	4	5	2	11
Total	80	51	56	187

Divorces by Age of Defendant and Reason for Divorce, 2018

Age-Group	Adultery	Constructive Desertion	Malicious Desertion	Total
15-19	3	0	3	6
20-24	25	12	20	56
25-29	34	17	18	68
30-34	12	9	7	27
35-39	3	6	5	14
40-44	2	5	2	8
45+	1	2	1	4
Total	80	51	56	187

Divorces by Type of Marriage, 2018

Type of Marriage	Number
Christian	112
Civil	75
Total	187

Divorces by Duration of Marriage, 2018

Marriage Duration	Number
0-4	29
5-9	69
10-14	39
15-19	26
20-24	12
25-29	5
30+	7
Total	187

Number of Divorces by Year of Marriage, 2018

Year of Marriage	Number
1972 - 1981	2
1982 - 1991	9
1992 - 2001	22
2002 - 2011	93
2012 - 2018	61
Total	187

Number of Divorces by Month, 2018

Month	Number
January	15
February	11
March	14
April	18
May	12
June	12
July	14
August	13
September	14
October	10
November	17
December	37
Total	187

ANNEX 2: Definition of Terms

Plaintiff refers to the party who initiates a divorce suit in a court against the opposite party (defendant) or a person bringing a lawsuit to court or a claim against another person, by filing a plea or motion.

Defendant (the one who responds) is any party who is required to answer the complaint of a plaintiff or pursuer in a civil lawsuit before a court, or any party who has been formally charged or accused of violating a criminal statute or a person being sued or the person against whom the complaint is filed.

Complaint is any formal legal document that sets out the facts and legal reasons

Lawsuit or (less commonly) "**suit in law**" is a civil action brought in a court of law in which a plaintiff, a party who claims to have incurred loss as a result of a defendant's actions, demands a legal or equitable remedy.

Statute is a formal written enactment of a legislative authority that governs a state, city, or county.

Desertion is the abandonment of a "duty" in this case, marriage by either a husband or wife without permission and is done with the intention of not returning.

Malicious Desertion The act by which a person abandons and forsakes, without justification, a condition of public, social, or family life, renouncing its responsibilities and evading its duties. Criminal desertion is a husband's or wife's abandonment or wilful failure without "Just Cause" to provide for the care, protection, or support of a spouse who is in ill health or necessitous circumstances.

Constructive desertion happens when one partner causes the other partner to leave the marital home through misconduct. Physical or mental cruelty to the spouse can constitute constructive desertion. Moreover, refusing sexual intercourse can often be held to be constructive desertion.

Malicious and Constructive desertion consists of both malicious and constructive desertion