

The Primacy of Lex Loci Celebration is in Marriage Contracts: A Critical Analysis

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Abstract- This article critically examines the doctrine of Lex Loci Celebrationis, which holds that the formal validity of a marriage is determined by the law of the place where it is celebrated. While the doctrine has traditionally occupied a central position in private international law, its primacy is increasingly subject to limitations arising from evolving public policy concerns, constitutional values, human rights developments, and jurisdiction-specific legal pluralism. In particular, the paper explores how plural legal systems such as that of Nigeria, which incorporates statutory, customary, and Islamic legal traditions complicate the recognition and enforcement of foreign marriages, especially those that may conflict with domestic moral or public order standards. Adopting a doctrinal legal research methodology, the paper undertakes a rigorous analysis of case law, statutes, and scholarly commentary from both common law and civil law jurisdictions to interrogate the continuing relevance and limitations of the doctrine. It further engages in a comparative assessment of how different jurisdictions, including Nigeria, the United Kingdom, France, the United States, and South Africa, apply or qualify Lex Loci Celebrationis in determining marriage validity. The article finds that while Lex Loci Celebrationis retains formal utility and predictability, its absolute application is increasingly being recalibrated to accommodate normative and jurisdictional sensitivities. The paper argues for a more nuanced framework one that balances the procedural integrity offered by the place-of-celebration rule with the substantive justice concerns that arise in diverse sociocultural contexts. Ultimately, the study contributes to the broader discourse on cross-border marriage recognition and the harmonization of conflict of laws principles in an era of legal pluralism and human rights consciousness.

Indexed Terms- Lex Loci Celebrationis, Marriage Contracts, Conflict of Laws, Legal Pluralism, Cross-Border Marriage Recognition

I. INTRODUCTION

The principle of Lex Loci Celebrationis a Latin phrase meaning "the law of the place of celebration" originates from Roman law, where territorial jurisdiction was the central determinant of a legal act's validity. Over time, particularly during the development of European private international law in the 18th and 19th centuries, this doctrine gained prominence as a mechanism to uphold the validity of personal status acts such as marriage when performed abroad. The rationale was to respect the sovereignty of states over acts conducted within their borders and to ensure predictability and coherence in the recognition of marriages across different legal systems. Under this principle, a marriage is deemed valid if it complies with the formal legal requirements of the jurisdiction where it is celebrated, regardless of the domicile or nationality of the parties. This approach promotes legal certainty, especially in transnational or multicultural unions, by giving primacy to the procedural legality of the marriage over extrinsic normative considerations.

While the doctrine of Lex Loci Celebrationis enjoys significant acceptance as a rule governing the formal validity of marriage, the assertion that it holds universal primacy has become increasingly contested in modern legal systems. The principle's formalist orientation i.e., its focus on compliance with procedural requirements at the place of celebration often clashes with evolving conceptions of public morality, national identity, religious norms, and human rights. As a result, the principle does not operate in isolation. It is frequently constrained or

displaced by other legal doctrines, most notably public policy exceptions (*ordre public*) and the law of domicile (*Lex Domicilii*). In contemporary private international law, public policy exclusions function as a gatekeeping mechanism through which a jurisdiction may refuse to recognize a foreign marriage, even if valid where celebrated, if it fundamentally violates the host country's core moral or legal values. For example, countries with strong prohibitions against polygamy, same-sex marriage, or underage marriage may decline to recognize such unions, even when they were lawfully contracted in the place of celebration. This reflects a broader trend in comparative jurisprudence where socially embedded values influence the scope of recognition, particularly in matters implicating personal status and family law. In parallel, many legal systems give substantive weight to domicile-based legal norms—that is, the law of the parties' habitual residence or nationality—especially when evaluating capacity to marry. Unlike *Lex Loci Celebrationis*, which regulates the form of the marriage, *Lex Domicilii* often governs questions of consent, minimum legal age, mental competence, and absence of legal impediments. For instance, under English conflict of laws, while the formal validity of marriage is governed by the law of the place of celebration, the capacity to marry is governed by the law of each party's ante-nuptial domicile (Dicey, Morris & Collins, Rule 66). This approach reflects the view that capacity is a personal matter, tied to one's community of belonging, and not merely a function of geographic formality. Furthermore, modern understandings of marriage transcend mere contractual obligations; they encompass broader considerations of identity, culture, religion, and morality. Consequently, the adjudication of cross-border marriage recognition increasingly requires courts to strike a delicate balance between respecting territorial sovereignty (as embodied in *Lex Loci Celebrationis*) and preserving domestic legal integrity and constitutional norms. This is particularly evident in jurisdictions with plural legal systems, such as Nigeria, India, and many Middle Eastern countries, where customary, statutory, and religious marriage regimes coexist, each with differing standards of recognition and validity. Therefore, while *Lex Loci Celebrationis* continues to serve as a foundational rule of formal validity, its paramountcy is

conditional, not absolute. The principle must often yield to substantive justice, public policy imperatives, and the personal law traditions of the parties involved. The result is a more nuanced and context-sensitive framework for evaluating the legitimacy of marriage contracts in the transnational sphere.

In Nigeria, the application of *Lex Loci Celebrationis* is most evident in the context of statutory marriages conducted under the Marriage Act. The Act outlines specific procedures for a valid marriage, including issuance of notice, objection procedures, celebrant qualifications, and formal venue requirements. Where a marriage is celebrated abroad, its recognition in Nigeria is generally contingent upon compliance with the laws of the place of celebration, provided it does not contravene Nigerian public policy. However, the Nigerian legal environment is pluralistic, comprising three distinct marriage regimes: statutory marriage, customary marriage, and Islamic (Sharia) marriage. Each regime has its own requirements for validity. Therefore, the application of *Lex Loci Celebrationis* is not uniformly determinative across all systems. A clear demonstration of the limits of *Lex Loci Celebrationis* in Nigeria is found in the case of *Olawuyi v. Olawuyi*. In that case, the Court of Appeal examined whether a marriage purportedly conducted under customary law in the United Kingdom was valid under Nigerian law. The court held that, while the marriage may have complied with the local formalities abroad, it could not be deemed valid under Nigerian customary law because certain essential customary rites were not performed. This ruling underscores that the validity of a marriage involving Nigerian parties may require compliance with local customary or statutory norms, irrespective of where the ceremony was held. Similarly, Nigerian courts have consistently refused recognition of same-sex marriages celebrated in jurisdictions where they are legal. This is in line with the Same-Sex Marriage (Prohibition) Act 2013, which voids any such marriage and criminalizes its solemnization or recognition within Nigeria. This legislative stance illustrates a clear instance where Nigerian public policy overrides the principle of *Lex Loci Celebrationis*. These examples demonstrate that in Nigeria, as in many jurisdictions, *Lex Loci Celebrationis* is subject to contextual limitations. A

marriage celebrated abroad may not be recognized in Nigeria if it conflicts with Nigerian statutes, customary practices, or public morality. The doctrine thus operates within a complex interplay of territorial legality, domicile-based capacity rules, and public policy imperatives. This article therefore aims to critically examine the principle of Lex Loci Celebrationis as a determinant of marriage validity, tracing its etymological roots and historical evolution, while highlighting the challenges that arise in contemporary legal systems, particularly in pluralistic jurisdictions like Nigeria. Through doctrinal analysis, case law, and comparative perspectives, the article evaluates whether the principle retains its status as the primary criterion for validating marriage contracts or whether it is increasingly subordinated to more substantive legal and cultural considerations.

While the doctrine of Lex Loci Celebrationis has been widely recognized and applied in private international law, there is a lack of comprehensive, critical analysis exploring how its traditional primacy is being challenged or recalibrated across jurisdictions, particularly within plural legal systems like Nigeria. Existing literature often treats the doctrine in isolation focusing primarily on its formal application without adequately addressing, how evolving public policy concerns, constitutional norms, and human rights developments affect its enforceability and recognition; The tension between lex loci celebrationis and personal or domicile-based laws in multicultural or legally pluralistic societies; The comparative jurisprudential shifts in both common law and civil law jurisdictions that are redefining the doctrine's scope and relevance; and How Nigeria's unique blend of statutory, customary, and Islamic law complicates the recognition of foreign marriages, especially those that raise moral or public order issues. Understanding this evolving legal landscape is essential not only for cross-border marriage recognition but also for informing legal reform, judicial reasoning, and international harmonization of conflict of laws rules. Your study helps fill this gap by offering a doctrinal and comparative critique that highlights both the enduring relevance and the growing limitations of Lex Loci Celebrationis.

II. THE SIGNIFICANCE OF LEX LOCI CELEBRATIONIS

The principle of territoriality is central to the doctrine of Lex Loci Celebrationis. This principle holds that the legal validity of an act especially one as socially and legally significant as marriage is governed by the laws of the place where it is performed. In the context of marriage, Lex Loci Celebrationis means that the formal validity of the union such as the presence of witnesses, officiation by a recognized authority, public registration, or age and consent requirements is determined by the municipal laws of the country or region where the ceremony occurs, regardless of the parties' nationalities or domiciles. The foundational justification for the primacy of this principle lies in its alignment with the doctrine of state sovereignty. Since marriage is not merely a private arrangement but a public act with legal, social, and at times religious implications, it is subject to regulation by the state within whose borders it takes place. This approach affirms the right of every jurisdiction to regulate legal acts performed on its territory and ensures the legal system's internal consistency regarding the recognition of personal status. Furthermore, by requiring compliance with local formalities, the principle promotes legal certainty and predictability, particularly in cross-border or international marriages. When couples marry abroad, they and the legal systems reviewing their union can rely on the objective test of whether the marriage complied with the procedural laws of the place of celebration. This is crucial in reducing disputes over validity, especially when the parties relocate or seek recognition in another jurisdiction.

Historically, the rule evolved alongside the rise of modern nation-states, when legal systems began to insist on formal rules governing marriage, distinguishing civil marriage from religious or customary unions. In continental European legal systems, and later in common law jurisdictions, Lex Loci Celebrationis became a widely accepted standard, largely due to its administrative clarity and the desire to uphold international comity the mutual recognition of laws and legal acts among sovereign states. In practical terms, the principle also acts as a shield against arbitrary or inconsistent recognition of marriages. For example, if two foreigners marry in

France, their marriage is typically considered valid if it meets French procedural rules, even if their countries of origin would not recognize the union due to different age requirements or religious restrictions. Conversely, a marriage conducted abroad might not be recognized in a country if the procedural rules of the place of celebration were not followed even if the marriage would otherwise be acceptable under the home country's laws. This approach, however, is not absolute. It is increasingly moderated by other legal doctrines, such as public policy exceptions and *Lex Domicilii*, especially in cases involving marriages that are valid where celebrated but offend deeply held moral or constitutional principles in the recognizing country. Nevertheless, *Lex Loci Celebrationis* remains a cornerstone of formal validity analysis in private international law and is frequently applied as the default rule in assessing the legitimacy of marriage ceremonies performed abroad.

III. INTERNATIONAL PRIVATE LAW PERSPECTIVE

In international private law, the principle of *Lex Loci Celebrationis* plays a crucial role in ensuring the continuity and stability of marital status across borders. It provides a clear and predictable legal standard by which the formal validity of a marriage is assessed based on the law of the country where the marriage is celebrated, irrespective of the parties' nationality or domicile. This principle is vital in a globalized world, where individuals frequently contract marriages across jurisdictions with differing legal and cultural norms. By anchoring validity to the territorial law of celebration, *Lex Loci Celebrationis* upholds legal certainty and international comity allowing states to mutually recognize personal status acts without applying their own procedural rules retroactively. For example, a marriage celebrated under Spanish law would generally be upheld in England or Nigeria, even if local formalities differ, as long as it does not contravene fundamental public policy. This prevents legal inconsistencies such as "limping marriages" those considered valid in one jurisdiction but not in another thus safeguarding spousal rights, inheritance claims, and the legitimacy of offspring. In common law jurisdictions, the doctrine has been repeatedly affirmed. In *Brook v Brook*, although the marriage was ultimately voided

for violating English public policy, the House of Lords upheld the principle that formal validity is determined by the law of the place of celebration. Similarly, Nigerian law implicitly incorporates the doctrine under the Marriage Act, which recognizes foreign marriages provided they are monogamous in nature and do not violate Nigerian public policy, especially under the conflict of laws framework involving statutory, Islamic, and customary laws. Moreover, *Lex Loci Celebrationis* protects the stability of marital status despite subsequent changes in domicile. A marriage lawfully celebrated in one country remains valid even if the couple moves to a state with different legal or moral standards. This ensures that marriages are not retroactively invalidated, which could otherwise disrupt familial relationships and legal entitlements.

IV. LEGAL PRECEDENTS SUPPORTING PRIMACY

A pivotal case that underscores the limitations of *Lex Loci Celebrationis* is *Hyde v Hyde and Woodmansee*, where the English court declined to recognize a polygamous marriage contracted in Utah under Mormon law. Lord Penzance, delivering the judgment, famously defined marriage as "the voluntary union for life of one man and one woman, to the exclusion of all others," thereby setting a precedent for the exclusion of marriages deemed incompatible with Christian or British public morality. This decision illustrates how public policy considerations may override the principle of *Lex Loci Celebrationis*, particularly where the foreign marriage contradicts deeply held societal values. Similarly, in *Obergefell v Hodges*, the United States Supreme Court held that same-sex couples have a constitutional right to marry, invalidating state laws that refused to recognize same-sex marriages legally celebrated in other jurisdictions. This case addressed the fragmentation of marriage recognition in the U.S., where some states upheld *Lex Loci Celebrationis* while others denied recognition based on public policy or statutory bans. The judgment emphasized that constitutional guarantees of equal protection and due process take precedence over territorial formalities, marking a significant evolution in the U.S. conflict of laws approach. The South African Constitutional Court in *Fourie v Minister of Home*

Affairs also challenged the traditional bounds of *Lex Loci Celebrationis* by recognizing same-sex marriage as constitutionally protected under the South African Bill of Rights, even though the Marriage Act at the time defined marriage as between a man and a woman. This further supports the argument that constitutional or human rights norms can override formalistic criteria derived from the place of celebration. Another relevant example is the English case of *Chief Constable of the West Midlands v. Deakin*, where the court emphasized that recognition of foreign marriages is conditional upon their compatibility with English public policy, particularly in cases involving underage spouses or coercion.

In the Nigerian context, although the courts have not yet adjudicated extensively on same-sex or polygamous marriages celebrated abroad, the Marriage Act and Same-Sex Marriage (Prohibition) Act 2013 clearly indicate that such unions, though possibly valid where celebrated, would not be recognized domestically due to strong public policy objections rooted in moral, religious, and constitutional values. This reflects a broader *ordre public* exception across jurisdictions whereby recognition of a foreign marriage is refused if it offends against the essential principles of justice or morality as understood in the forum state. In *Oyefusi v. Oyefusi*, The Supreme Court held that a marriage contracted in the UK was valid for purposes of succession in Nigeria provided it conformed to the foreign jurisdiction's law and did not violate Nigerian public policy. The case confirms continuity of formal validity under *Lex Loci Celebrationis* but underscores its conditional nature. The Nigerian Supreme Court affirmed that children born within a foreign marriage are legitimate in Nigeria, so long as the marriage was valid where celebrated and does not offend Nigerian public policy. This supports formal recognition yet emphasizes that substantive rights may still be withheld if the marriage contrasts with local moral or legal norms. In *Taiga v. Taiga*, the Court of Appeal considered whether a new customary marriage ceremony invalidated by operation of Nigerian law held legal effect when a statutory marriage subsisted under the Marriage Act. The court held that, by virtue of Section 35 of the Marriage Act, a customary marriage contracted while a valid statutory marriage subsists is invalid under Nigerian

law, even if the celebration occurred abroad. This illustrates that formal foreign ceremonies may be disregarded if inconsistent with Nigeria's internal statutory framework.

V. CHALLENGES AND LIMITATIONS

Despite its widely accepted role in private international law, the principle of *Lex Loci Celebrationis* that the validity of a marriage should be determined by the law of the place where the marriage was celebrated is not absolute or universally paramount. Many jurisdictions, while formally acknowledging the principle, impose substantive limitations through the application of public policy exceptions (*ordre public*) and domicile-based legal standards (*lex domicilii*). A central limitation arises when a marriage, though formally valid under the laws of the foreign country where it was contracted, offends the core moral, religious, or legal values of the recognizing forum state. In such cases, the forum may refuse to recognize the marriage under its *ordre public* doctrine, which acts as a safeguard to protect foundational societal values. In jurisdictions that recognize only monogamous marriages such as the United Kingdom or Nigeria under statutory marriage laws a polygamous marriage validly contracted in a country where polygamy is legal (e.g., under Islamic law) may be denied recognition for purposes such as succession, tax benefits, or immigration status. Polygamy, though legally and culturally accepted in several jurisdictions particularly in parts of Africa, the Middle East, and Asia is not recognized in England and many Western jurisdictions due to public policy considerations. The refusal to recognize such marriages is grounded not in a rejection of the *lex loci celebrationis* principle per se, but in the invocation of *ordre public* (public policy) as a limitation on the recognition of foreign legal acts that fundamentally conflict with a nation's moral, legal, or constitutional values. A marriage between minors that is valid under the laws of the country of celebration may be denied recognition in countries where such unions are seen as violating the rights and welfare of children. For example, European countries such as France and Germany strictly limit recognition of underage marriages even if valid elsewhere, citing violations of *ordre public* and human rights considerations. Some jurisdictions that do not permit

or recognize same-sex marriages may refuse to give legal effect to such unions contracted in jurisdictions where they are legal (e.g., Canada or parts of the U.S.), arguing that recognition would contradict their constitutional or religious norms. While this stance is increasingly being challenged under human rights frameworks, it illustrates how *Lex Loci Celebrationis* is often tempered by local values.

This balancing act is particularly evident in mixed legal systems and religiously pluralistic societies. In Nigeria, for instance, while *Lex Loci Celebrationis* may validate a marriage performed abroad, it cannot override statutory prohibitions under the Marriage Act, especially where such marriages violate Section 35 of the act, which bars persons already married under statutory law from contracting another marriage under customary or religious rites. Similarly, in France, Article 202-1 of the Civil Code allows recognition of foreign marriages but excludes those that violate French *ordre public*, such as forced or incestuous marriages. While *Lex Loci Celebrationis* provides a pragmatic and jurisdictionally respectful framework for validating international marriages, its authority is not unconditional. In modern legal systems, especially those rooted in constitutional democracy, public policy, fundamental rights, and societal norms can and often do override the territorial principle. Thus, recognition of foreign marriages is increasingly determined by a hybrid approach: formal validity under foreign law must also withstand substantive review under domestic public policy.

VI. THE ROLE OF LEX DOMICILII

While the principle of *lex loci celebrationis* traditionally governs the formal validity of marriage requiring compliance with the legal conditions of the place where the marriage is celebrated this is not always dispositive. In several legal systems, particularly those grounded in civil law traditions such as France, the law of domicile (*lex domicilii*) plays a determinative role in assessing the substantive validity of a marriage, especially when core social values or fundamental rights are implicated. The reliance on *lex domicilii* allows jurisdictions to evaluate foreign marriages through the lens of their own societal norms. This is particularly relevant

where the marriage, although formally valid under the *lex loci celebrationis*, violates public policy considerations of the domicile state. For instance, France, under its Civil Code, explicitly retains the authority to declare a foreign marriage null and void if it contravenes French moral or legal standards. Under Article 202-1 of the French Civil Code, marriages performed abroad by French nationals must comply not only with the law of the place of celebration but also with French public policy requirements. This dual threshold allows French courts to refuse recognition of certain marriages such as forced marriages, child marriages, or those involving consanguinity or polygamy even if those unions are legal in the jurisdiction of celebration.

“Les qualités et conditions requises pour pouvoir contracter mariage sont régies, pour chacun des époux, par sa loi personnelle.”

This provision emphasizes the importance of personal law, which is often interpreted as including the law of domicile or nationality, depending on the case.

A forced marriage celebrated abroad may be deemed void in France, even if it complies with the formal requirements of the country of celebration. The French courts have routinely invalidated such unions based on the principle that consent is essential to a valid marriage under French law. Similarly, if one of the parties is under the legal marriageable age in France (currently 18), a marriage validly contracted abroad while the party was a minor can be refused recognition. French courts have cited the need to uphold the child’s rights and protect against exploitation, aligning their rulings with international human rights obligations. While legal in countries such as Nigeria, Mali, or Saudi Arabia, France refuses to recognize such unions, particularly when they are relied upon to assert rights to spousal benefits, residency, or inheritance. The primacy of *lex domicilii* in such cases reflects a broader legal and philosophical approach where personal status matters such as marriage, divorce, and parenthood are not governed solely by territorial formalities, but by deeper considerations tied to national identity, human dignity, and social cohesion. In these jurisdictions, marriage is viewed not merely as a private

contractual arrangement, but as a social institution that must conform to the ethical and legal framework of the society in which the couple resides or to which they belong.

VII. COMPARATIVE JURISPRUDENCE

A comparative analysis reveals notable divergences in how jurisdictions apply and qualify the doctrine of *Lex Loci Celebrationis*, often reflecting broader legal philosophies, societal norms, and religious values. In European Union (EU) member states, the principle remains influential but is increasingly tempered by personal connection-based criteria such as domicile or habitual residence. The Rome III Regulation (Council Regulation (EU) No 1259/2010) introduces party autonomy in the choice of applicable law for divorce and legal separation, allowing spouses to pre-select the law of their habitual residence, nationality, or past residence in case of future disputes. While this regulation does not directly address marriage validity, it illustrates a broader EU commitment to flexibility and cross-border legal harmony that softens the rigid application of *Lex Loci Celebrationis* in personal status matters. Moreover, in countries like Germany and France, public policy (*ordre public*) exceptions and domicile rules (such as *lex domicilii*) play a gatekeeping function. For example, under Article 202-1 of the French Civil Code, marriages celebrated abroad may be denied recognition in France if they contradict French public policy such as involving forced consent or polygamy even if valid under the law of the place of celebration. Similarly, German private international law (*Einführungsgesetz zum Bürgerlichen Gesetzbuche*, *EGBGB*) mandates that certain core requirements like minimum age and absence of coercion must be fulfilled under German standards, even for foreign marriages.

In contrast, Middle Eastern jurisdictions tend to subordinate territorial legality to religious compliance. In Islamic family law systems such as those of Saudi Arabia, Iran, and parts of the United Arab Emirates the validity of a marriage is governed principally by Sharia law, irrespective of the location of the ceremony. This approach reflects a dual legal system wherein religious jurisprudence supersedes civil codes in personal status matters. Consequently,

marriages that meet civil formalities but violate religious precepts (e.g., interfaith marriages without conversion, or same-sex unions) are not recognized even if lawfully contracted abroad. In Commonwealth countries like Canada and Australia, the approach blends deference to *Lex Loci Celebrationis* with judicial scrutiny. Courts generally recognize foreign marriages if valid where celebrated, unless they violate public policy such as marriages involving underage parties or coercion.

In Nigeria, the principle of *Lex Loci Celebrationis* is recognized under the Marriage Act, which provides the formal requirements for valid civil marriages. However, Nigerian courts have also acknowledged the role of customary and religious laws in determining marital validity. Thus, while a marriage celebrated abroad may be recognized if it complies with the laws of the place of celebration, it may be refused recognition if it contravenes Nigerian public policy, especially where issues of consent, age, or prohibited degrees of affinity arise. Nigerian courts have in several cases stressed the importance of consent and free will in marriage, thereby aligning recognition with the constitutional protection of human dignity and freedom. Under Section 33 of the Marriage Act, marriages must not be within prohibited degrees, even if lawful elsewhere. In international human rights law, the European Court of Human Rights (ECtHR) has on several occasions balanced national traditions with evolving standards of human dignity and equality. In *Schalk and Kopf v. Austria*, for instance, the Court acknowledged that recognition of same-sex marriage remains within the discretion of member states, revealing how cultural, political, and legal pluralism affects the universality of marriage validity rules.

CONCLUSION

The doctrine of *Lex Loci Celebrationis* has long served as a cornerstone in private international law for determining the formal validity of marriage contracts. Rooted in the principle of territorial sovereignty, it offers predictability, legal certainty, and respect for the procedural autonomy of the jurisdiction where the marriage is celebrated. Its utility is especially evident in an increasingly globalized world where transnational marriages are

commonplace, and legal systems must grapple with the challenge of cross-border recognition of personal status. However, as this article has demonstrated, the primacy of *Lex Loci Celebrationis* is neither absolute nor universally determinative. Its formalist orientation often encounters limitations imposed by public policy (*ordre public*), the law of domicile (*lex domicilii*), and evolving constitutional, religious, and human rights considerations. Courts across jurisdictions—including Nigeria, the United Kingdom, France, the United States, and South Africa—have increasingly subjected foreign marriages to substantive scrutiny, especially when such unions offend deeply held moral, cultural, or legal norms. This is evident in the treatment of polygamous marriages, same-sex unions, underage marriages, and marriages that contravene religious or customary rites.

Loci Celebrationis lies not in its absolute primacy but in its ability to coexist with evolving legal, social, and moral imperatives across jurisdictions.

In pluralistic legal systems such as Nigeria, where statutory, customary, and Islamic legal regimes coexist, the interplay between *Lex Loci Celebrationis* and local norms is particularly complex. Nigerian courts have consistently underscored that recognition of foreign marriages depends not only on compliance with the law of the place of celebration but also on conformity with domestic legal standards and public morality. Statutes like the Marriage Act and the Same-Sex Marriage (Prohibition) Act illustrate how domestic policy can override the otherwise accepted territorial rule of recognition. Comparative jurisprudence further reveals a trend toward a hybrid model—one that respects the territorial foundation of *Lex Loci Celebrationis* but allows for exceptions where public policy or personal law traditions dictate otherwise. This recalibration reflects a more holistic approach to marriage validity—one that balances procedural formality with substantive justice, human dignity, and national identity. While *Lex Loci Celebrationis* remains a vital and generally accepted principle for assessing the formal validity of marriages, its status as the paramount determinant is increasingly conditional. Modern legal systems are moving toward a more nuanced framework in which the place of celebration is important but not dispositive. The recognition of foreign marriages is now contingent upon a complex interplay of territorial legality, personal law, public policy, and constitutional norms. Therefore, the future of *Lex*