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ASSIGNMENT:DISCUSS SECONDARY SOURCES OF LAW IN NIGERIA

ANSWER:

Law is defined as a rule of conduct developed by the government or society over a certain territory. Law is commonly understood as a system of rules that are created and enforced through social or governmental institutions to regulate conduct, although its precise definition is a matter of longstanding debate. It has been variously described as a science and the art of justice.

Secondary sources of law are background resources. They explain, interprete, and analyse. They include: Encyclopedias, law reviews, treaties and restatements.

The law is an abstract term. In order to know what comprises the law, you have to derive it from various places. These places from which the law is derived are aptly described as the sources of law. Sources of law can be defined as the places to which a legal practitioner or a judge turns to in order to answer a legal problem. They can be regarded as springboards from which law emanates. They are the various vehicles through which the law is carried. The sources of Nigerian law can be divided into primary and second. Secondary sources of law are only made use of whenever there are no primary sources of law to fall back on. Secondary sources of law, these furnish information or are derived from the primary sources of law through examination on the primary sources of law or through discussion on the primary sources i.e the primary sources provide explanation to the secondary sources and this is done through: Textbooks, law reports, treaties, periodicals, journals and legal digests, casebooks, legal dictionaries and newspapers.

Secondary sources of law are the sources that do not carry a legal weight and binding effect. The legal authorities contain in these kind of sources are diluted and persuasive which are not binding on any court of law. According to Beredugo{2009}, secondary sources of law are less significant sources of law that carry barely persuasive legal authority or effect and are therefore not binding on any court of law. Secondary sources can be useful in court of law or resorted to where the court finds the opinion or fact underlying the authority contained therein. Secondary sources can also be referred to in court if it supports the authorities of the primary sources. Examples of secondary sources of Nigerian law according to Beredugo are include:

* Decisions of courts of foreign countries
* International conventions, treaties and resolutions of international bodies
* Legal opinions contained in nullified judgements