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**MATRIC NUMBER: 19/LAW01/206**

**COURSE CODE: LAW 102**

**COURSE TITLE: LEGAL METHOD II**

**ASSIGNMENT TITLE: SOURCES OF LAW**

**Question: Discuss secondary sources of law in Nigeria. Times New Roman, front 12, justify your work.**

There are two sources of law in Nigeria and these sources of law refers to the materials through which a legal practitioner or a court or judge would find reliable authorities for a particular legal question. The two sources of law are: primary and secondary sources. **Primary sources** are laws, orders, decisions, or regulations issued by a governmental entity or official, such as a court, legislature, or executive agency; the President; or a state governor.  **Secondary sources** offer analysis, commentary, or a restatement of primary law and are used to help locate and explain primary sources of law.  Secondary sources may influence a legal decision but do not have the controlling or binding authority of primary sources. **Secondary sources** are supplemental **materials** which explain, discuss, analyze, and interpret the **law.**

I would be dwelling more on secondary sources of law in answering the question.

A secondary source is not the law. It's a commentary on the law. A secondary source can be used for three different purposes: it might educate you about the law, it might direct you to the primary law, or it might serve as persuasive authority. Few sources do all three jobs well. The important classes of legal secondary sources include: treatises, periodical articles, legal encyclopedias, ALR Annotations, Restatements, and Looseleaf services.

The secondary sources of Nigerian law comprise of law reports, textbooks, legal periodicals, law digests, legal dictionaries, newspapers, among others. Its worthy of note that only the primary sources could have binding force on a court of law in Nigeria whereas the mentioned secondary sources can merely serve persuasive purposes, and are usually relied upon where no primary source is available or applicable.

**Legal dictionaries**: What is a legal dictionary? A legal dictionary contains the definitions of legal terms taken from a variety of sources. A legal dictionary is the first place to look when a legal term is not clear. It provides definitions of words in their legal sense or use. These publications provide a short definition of foreign and Latin legal words and phrases, refer to cases and other legal sources for authority, and may give examples of word usage in various legal situations. They also include tables defining legal abbreviations and acronyms. *Black’s Law Dictionary* is the leading legal dictionary in the US. The two most commonly used legal dictionaries are Black’s Law Dictionary and Ballentine’s Law Dictionary. In addition to providing a general definition of the legal term in question, legal dictionaries may also provide references to applicable primary law and other secondary sources containing more in-depth discussion of the term.

**Words & Phrases**: This is a multivolume research tool, similar to a legal dictionary in that it includes legal definitions of words. However, Words & Phrasesalso includes multiple entries indicating how the term or the word has been defined by the courts. Words and Phrase is not technically a legal dictionary, it provides definitions of legal terms, and whereas legal dictionaries provide definitions taken from a variety of sources. Words and phrases provides definition taken almost exclusively from court opinions. This resource can be invaluable in helping one determine a specific court’s interpretation of a legal term. Words and phrases will assist in locating the meaning of words as defined by the courts and provide references to statutes or cases where words or phrases are defined these definitions can have legal authority as they have been defines in the courts. Over 500,000 words and phrases definitions, includes references to cases with quotation from the defining cases.

**Legal Encyclopaedias**: A legal encyclopaedia is a comprehensive set of brief articles on legal topics. It is arranged similarly to a general encyclopaedia such as, Encyclopaedia Britannica, with the topical articles arranged in alphabetical order and an index in the final volume/volumes. The most popular general legal encyclopaedias are American Jurisprudence (Am. Jur.), and Corpus Juris Secundum (C.J.S.). LegalEncyclopedias offer broad and general commentary on a full range of federal and state law. These are useful as a starting point for researching unfamiliar areas of law. Most of the articles in encyclopedias focus on case law and do not contain extensive citations to statutes or other secondary sources. Encyclopaedias articles can be a good starting place if you are researching unfamiliar area of law. They provide more in-depth information than a legal dictionary, while being nearly as accessible and easy to use. Encyclopaedias also include citations to cases and other useful materials on a particular issue. Legal encyclopaedias, however, are not intended to be used as authoritative courses on the law in any area, and thus are never cited in briefs, memoranda, or scholarly papers. `

**Annotated law reports**: annotated law reports is a guide which highlights a variety of secondary sources which are extremely useful in legal research, it is a go-to list with books organized by topic. It provides essays that analyze and discuss particular points of law. They focus on narrow legal issues rather than general points of law. The articles analyze and describe cases from every jurisdiction that have taken a position on the topic covered.  Along with critical case citations, the articles provide references to statutes, digests, texts, treatises, law reviews, and legal encyclopedias.

**Legal periodicals**: these are articles that often discuss subjects that are too new or specialized to be covered in books. Scholarship by prominent authors can be considered persuasive authority or can provide contemporary perspective on long-standing issues. The extensive usage of footnotes in legal articles often provides another layer of valuable research. They are very helpful in locating cases and statutes in a particular subject area and obtaining background information on an issue. Periodicals are also an excellent method of locating current information.  Articles in periodicals describe, analyze, and comment on the current state of the law. There are numerous types of legal periodicals available, including law school journals and law reviews, bar association journals, legal newspapers, and legal newsletters.

**Legal Treatises, Hornbooks and Nutshells**: Legal treatises are publications that present a highly-organized and detailed explanation of a specific area of law (for example, contract, tort, criminal, or property law). Treatises are published as single-volume or multivolume sets. Most treatises are updated by the use of supplements or pocket parts. Following are selected examples of treatisesThese are legal books that range from hornbooks and nutshells to multi-volume sets. Some treatises are geared for law students while others are more practitioner oriented. Some of the encyclopedic-like treatise sets are considered to be persuasive by the courts. These include 'classic' titles which were originally authored by famous scholars of the day such as:  Wigmore on Evidence, Williston on Contracts, and Collier on Bankruptcy. You can rely on treatises to succinctly explain the law on a particular topic, to be well indexed, and to provide citations to key cases and statutes.  These publications are regularly updated with pocket parts or supplementation. Hombooks are a type of treatise that provide the basics of a given legal topic. They are usually one-volume publications related to subjects covered in law school courses. The following publication is an example of a hornbook:  *Criminal Law*, provides an overview of substantive areas of law, legal and legislative processes, legal research and writing, and other law-related matters. The depth of analysis and explanation in a Nutshellis considerably more concise as compared to a treatise or hornbook, but Nutshells serve as a good introduction to an unfamiliar area of law. The following is an example of a Nutshell: *Civil Procedure in a Nutshell (7th ed.)*.

**Legal directories**: are locators for legal and government information. A variety of resources provide information about attorneys, law firms, legal experts, professors, government officers, corporate legal departments, legal aid organizations, and elected officials. For example, the *Federal Regulatory Directory* is a comprehensive guide to federal regulatory agencies. It includes citations to laws under which agencies derive their regulatory responsibilities. The most popular legal directory is the *Martindale-Hubbell Law Directory*, which provides a listing of attorneys and law firms by state and other countries. It allows for searches by lawyer, practice area, or geographic location. There are procedures for free listing in Nigerian Lawyers Directory. It launched in its present design on 29th January 2019, providing free premium listing of law firms and lawyers in Nigeria, as well as law-related businesses and institutions in the Nigerian legal system. Some directories include information about lawyers practicing in a specific area of law and/or in specific jurisdictions.

**REFERENCES:**

Georgia legal research;

Gallagher law library;

Secondary legal resources - Law library of congress;

Lillian Goldman Law Library;

Sources of Nigerian Law;

Sources of Nigerian Law/ Tobi Olatunbi - The Nigerian Blawg.