NAME: IROEGBU JENNIFER AMARACHI

MATRIC NUMBER: 19/LAW01/123

COURSE TITLE: LEGAL METHOD II

COURSE CODE: LAW 102

ASSIGNMENT TITLE: SOURSES OF LAW.

**SECONDARY SOURSES OF LAW**

Secondary sources of Nigerian law are the indirect ways through which we get our law. Secondary sources of Nigerian law are persuasive authority in the law courts. Law reports are only authoritative due to the fact that they serve as vehicle through which judicial precedent is carried. Examples are; law reports, text books and treaties, periodicals, journals, and legal digests, casebooks, legal dictionaries, newspapers.

The distinction between primary and secondary sources of law is very useful in determining authorities to follow in the law courts. If a case is brought before a court and one party uses a primary source of law as his authority while the other makes use of secondary sources, the scale of justice would tilt in favor of the person who presents primary sources of law. 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 are the sources of law that do not carry a dominant legal weight and binding effect. The legal authorities contain in these kind of sources are diluted and persuasive which are not binding in court by 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 use full in the court of law or resorted to where the court finds the opinion therein. Secondary sources can also be referred to in court if it supports the authorities of the primary sources.

More examples of secondary sources of Nigerian law according to beredugo include:

* Decisions of courts of foreign countries
* International conventions, treaties, and resolutions of international bodies;
* Statement or opinions or jurists and learned authors contained in law textbooks, journals, periodicals, dictionaries, letters, speeches, and interviews.
* Legal opinions contained in nullified judgments.

Secondary sources of law also include all sources that provide helpful introductions to legal subjects, synopses of decisions, statutes, and regulations in a given field, analyses of trends and historical background of law, explanation of new or difficult concepts, descriptions and analysis of the law and its development and citations to primary sources through footnotes and annotations.

Furthermore secondary sources of law are background resources. They explain, internet and analyze. They include encyclopedias, law reviews, treaties, restatements. Secondary sources are a good way to start research and often have citations to primary sources. Apart from the various primary sources, there exist many other sources of Nigerian law. These are mainly in documentary form. They are important because it is in book form. They are important because it is in book form that written laws are stated. Some of these sources are law reports, textbooks, periodicals, journals, law digests and law dictionaries. Explanations on some types of secondary sources of law in Nigeria-

**Law reports:**

Law reports as well as an efficient law reporting system are essential for a smooth system of judicial administration. This is because in any nation where the principle of judicial precedent is operational. Like Nigeria, it is only by reference to reported cases that occurs and lawyers would be able to ascertain the position of law in their areas of jurisdiction. The oldest species of law reports are the yearbooks (1282-1537). They are regarded as the most comprehensive reports but are criticized to have been mere notes taken by students and practitioners of law for educational or professional purposes. The first form of law reports in Nigeria was the Nigerian law reports which emerged in 1916 but today they have become extinct. In Nigeria today, we have quite a number of law reports in circulation, some of them are;

* Nigerian weekly law reports(NWLR) 1985
* ALL Nigerian law reports(ALL NRL)
* Federation weekly law report(FWRL) e.t.c

These and many others are also serving as sources of Nigerian law.

**Law textbooks and treaties**

A text book or treatise written by learned scholars and jurists, constitute a very important source of Nigerian law. It is the same experience in virtually all legal systems. Examples of classical authors are Braxton, coke and Blackstone, dicey etc. professor sagay has written extensively on international law. All these present a potent source of Nigerian law and can be authority where there is scanty or absence of judicial decisions in which situation they could be persuasive aurhorities. Where such works are cited, the weight to be attached to them will depend on the personality of the author and the significance of the subject covered.

**Periodicals, journals and legal digests:**

These are produced in various forms and colors in Nigeria. Some are professional while some are academic, and yet some are a mixture of both. For instance, In Nigeria there exist learned journals published by different law faculties as well as private law publishers. Digests are equally available for example, the digest of Supreme Court cases. Digests are abridgements of cases, that is they are useful summaries of the facts, issues, arguments and decisions in judicial proceedings. Some foreign legal dictionaries are also available in Nigeria. Some of these are jowitts dictionary of English law, strouds judicial dictionary, etc. all the above provide helpful guidance in interpreting Nigerian law.