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LEGAL METHODS ASSIGNMENT

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SECONDARY SOURCES OF LAW

The secondary sources of Nigerian law are the indirect ways through which we get our law. Save for law reports, secondary sources of Nigerian law are of persuasive authority in the law courts. Law reports are only authoritative due to the fact that they serve as the vehicle through which judicial precedent is carried. Examples of secondary sources of law are:

LAW REPORTS

A law report is a compilation of the judgement of other courts. Such judgments may cover a broad area like constitutional law, company law, etc. They include the judgments of:

The supreme court

The court of appeal

High courts or any tribunal however so designated, wether existing or already abolished

Examples of law reports in Nigeria are: ALLNR, FWLR, SCNLR, LRN, etc…these reports contain records of past cases and as a result can serve as a source of finding suitable judicial precedent for a particular case.

TEXT BOOKS

It is common knowledge that certain legal textbooks house the expertise or expert opinions of experienced legal practitioners and can be consulted to influence laws or court decision.

PERIODICALS, JOURNALS AND LEGAL DIGESTS

These legal periodicals and journals contain much needed information like the briefings of certain political meetings and the arrived decisions of these meetings as well as the opinions of learned officials either in the legal or political field.

Other secondary sources of law include:

1.Casebooks

2.Legal Dictionaries

3.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 favour 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.