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**ASSIGNMENT TITLE:** SOURCES OF LAW

**COURSE TITLE:** LEGAL METHOD II

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**QUESTION:** Discuss the secondary sources of law in Nigeria.

There are two main and broad sources of law; the primary sources and the secondary sources of law. The secondary sources are mainly found in documented form. They are important because it is in the book form that written laws are stated. Some of these sources of law are law reports; textbooks; periodicals; journals and law digests; and law dictionaries.

A. LAW REPORTS:

Law reports as well as an efficient law reporting system are essential for the 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 courts and lawyers would be able to ascertain the position of law in their areas of jurisdiction.

The oldest species of law reports are the Year books (1282-1537). They are regarded as the most comprehensive reports but are criticised 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 1881 but today they have become extinct. One regrettable trend in the law reporting system in Nigeria is the lack of sustainability. This has been the experience with most government and private initiatives in this regard.

In Nigeria today, we have quite a number of law reports in circulation, among which are the following:

1. Nigerian Weekly Law Reports (NWLR)1985

2. Supreme Court of Nigeria Judgements (SCNJ)

3. Law Reports of the Courts of Nigeria (LRCN)

4. All Nigerian Law Reports (All NLR)

5. Federation Weekly Law Reports

B. LAW TEXTBOOKS,BOOKS AND TREATIES:

A textbook or treatise written by learned scholars and jurists constitutes a very important source of the Nigerian law. Classical authors of outstanding textbooks on the English law include: Bracton; Coke and Blackstone; Dicey; Cheshire; Hood Philips; Wade etc.

In Nigeria, textbooks of reputable standards have been written by Obilade; Nwogwugwu; Okonkwo; Kodilinye; Aguda amidst many others. 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 could be of persuasive authorities. 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.

C. PERIODICALS, JOURNALS AND LEGAL DIGESTS:

These are produced in various forms and colours in Nigeria. Some are professional while some are academic and yet some are an admixture of both. For instance in Nigeria, there exist learned journals published by different law faculties as well as private law publishers.

Digests are abridgements of cases, that is, they are useful summaries of the facts, issues, arguments and decisions in judicial proceedings.

Some foreign law dictionaries are also available in Nigeria. Some of these are Jowitt’s Dictionary of English Law, Stroud’s Judicial Dictionary etc.

All the above provide helpful guidance in interpreting Nigerian laws.