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**ASSIGNMENT TITLE: DISCUSS SOURCES OF SECONDARY LAW.**

***SOURCES OF SECONDARY LAW***

The law is an abstract term. In other 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. These laws are categorised into Primary and Secondary sources of law. We shall be considering the Secondary sources of law. Secondary sources of law are background resources. They explain, interpret and analyse .They include encyclopaedias, law reviews, treaties restatement, textbooks, periodicals, journals, law digests and law dictionaries. Secondary sources are a good way to start research and often have citations to primary sources. These are mainly in documentary form. They are important because it is in book form that written laws are stated. We shall attempt to discuss some of these sources in turn.

***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 court sand lawyers would be able to ascertain the position of law in 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 criticized to have been mere notes taken by students and practitioners of laweducational and professional purposes. The first form of law reports in Nigeria was the Nigerian Law Reports which had emerged in 1916 but today they have become extinct. One regrettable trend in 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.

i Nigerian Weekly Law Reports (NWLR) published since 1985;

ii Supreme Court of Nigeria Judgments (SCNJ);

iii Law Reports of the Courts of Nigeria (LRCN)

iv All Nigerian Law Reports

v Federation Weekly Law Reports (FWLR)

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

***LAW TEXTBOOKS AND TREATISES:***

A textbook or treatise written by scholars and jurist, constitute a very important source of Nigerian law. It is the same experience in virtually all legal systems. Classical authors of outstanding textbooks on the English law include Braxton; Coke and Blackstone. Others like Dicey; Cheshire; Hood Phillips; Wade have continued to emerge over the years. In Nigeria, legal textbooks of reputable standards have been written by Obilade; Nwogwugwu; Okonkwo; Kodilinye; Aguda among 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 they 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.

***PERIODICALS, JOURNALS AND LEGAL DIGEST:***

These are produced in various forms and colours 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. Digest is equally available for example, the Digest of Supreme Court cases. Digest 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 Jowitt’s Dictionary of English law, Stoud’s Judicial Dictionary, etc. All the above provide helpful guidance in interpreting Nigerian law.

***LAW DICTIONARIES:***

The law dictionary is a book which contains more than 4,000 entries detailing terms, concepts, events, movements, cases, and individuals significant to the Nigerian law. Regarded by leading attorneys, jurist, scholars, and reviewers as one of the most practical works of its kind, The Law Dictionary is a comprehensive source of law and meanings used for thousands of today’s most common legal terms. It has gained widespread praise for its scope and clarity.

The distinction between primary and secondary 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.