Momohjimoh Hayatudeen

19/law01/147

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:

 1.Law Reports

 2.Text Books and Treatises

 3.Periodicals, Journals, and Legal Digests

 4.Casebooks

 5.Legal Dictionaries

 6.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. 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 on any court of law. According to Beredugo (2009), secondary sources of law are less significance 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 useful in court of law or resorted to where the court finds the opinion or fact underlying the authority contained therein. Secondary sources can also be referred to in court if it supports the authorities of the primary sources. Examples of secondary sources of Nigerian law according to Beredugo includes:

(a) decisions of courts of foreign countries

(b) International conventions, treaties, and resolutions of international bodies;

(c) Statements or opinions of jurists and learned authors contained in law textbooks, journal, periodicals, dictionaries, letters, speeches, and interviews;

(d) legal opinions contained in nullified judgements.

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 developments and citations to primary sources through footnotes and annotations.

Law Library as a Centre for Legal Research and Depository of Legal Resources

As oxygen is a necessity for human survival so is the law library to research activities. Law library belongs to the special library category of library as it serves special research needs of lawyers in their day-to-day business of providing legal advice, assistance, representation and other services to the clients. Law library is the library that is found within the law firms, court, faculty of Law in

Universities, Law Schools, and other legal institutions to serve as a research unit that supplies research resources, legal information services and research-support assistance to the lawyers for the day-to- day legal operations.

According to Gusau (2017), a law library is the library set up to provide legal materials to assist judicial officers, other members of the court and their clients in case of the court, law scholars and students in academic institutions and other law officers in ministries, police stations and other law related bodies. In the light of the core legal research, Miyetti Law (2019) defines law library as a library that serves the research needs of legal practitioners, paralegals, researchers, academic scholars and other members of the law library.

The law library is as important as the law profession itself because “Legal profession needs information on how to determine the case, argue or represent a client before the law court, and how to pass the law examination” (Olorunfemi and Mostert, 2012). the Law library houses different kinds of primary resources which contain information that has ground and binding significance. Meanwhile, primary resources are legal information resources that constitute laws or ground norms, precedents and binding authorities that determine the decision or judgment of the court. They are regarded as primary resources because they contain primary sources of law. The materials contain first-hand legal information that has not been diluted.

Akinyemi (2017) defines primary information resources as information resources that have not been diluted, manipulated or rearranged. They are original in nature. Example of primary information resources include:

•

•

•

•

•

•

Constitution (1999 Nigerian Constitution) Statutes, Acts, Decrees

Rules, Codes, Ordinances (Federal and State Government bodies) Parliament Debates, bills, /Proceedings (both Upper and Lower Houses)

Gazettes (both Federal and State Governments) Legal Periodicals

• Government Publications (Federal, State and Local Government)

• Institutional Papers and documents of various agencies

• Treaties

• Other documents of binding significance.

• Law Reports or Court Judgments (Supreme Court, State High Courts, Tribunals, Special Courts) There are many law reports available in Nigerian Law libraries and most of them, if not all, are published by individuals over the years. There is no government organ solely responsible for law The law reports are published on a commercial basis. While some are consistence with publishing on weekly, monthly and quarterly, others could no longer continue as a result of high cost of production.

The law reports that have been published over the years in Nigeria include the following:

Nigeria Law Report

All Federation Weekly Law Reports

All Nigeria Law Reports

Commercial Law reports

Customary law in Nigeria through the cases

Eastern Region of Nigeria Law Reports

Election Petition Reports

Failed Banks Tribunal of Nigeria Law Reports Federal Reporter

Federation of Nigeria Law Reports

Federation Weekly Law Reports

Judgement of the Supreme Court of Nigeria

Law Reports of Nigeria

Monthly Judgments of the Supreme Court of Nigeria