**HUNGA GBEWATO SOLOMON**

**LAW102**

 **DISCUSS SECONDARY SOURCES OF LAW IN NIGERIA**

 **Secondary sources are a great place to begin your research. Although the primary sources of law--case law, statutes, and regulations--establish the law on a given topic, it is often difficult to quickly locate answers in them. Secondary sources often explain legal principles more thoroughly than a single case or statute, so using them can help you save time. Secondary sources also help you avoid unnecessary research, since you are tapping into work that someone else has already done on an issue. Secondary sources can be seen as background resources that explain, interpret, and analyze. Secondary sources are good ways to start research and often have citation to primary sources. 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**
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**Textbooks and treatises**

* **Textbooks summarize single specific legal topics. Treatises include textbooks and cover broader subject areas. Both provide authoritative and thorough treatment of the subject area, and are useful to those unfamiliar with a subject area. In addition to a summary of and commentary on the law they will include tables of content, tables of cases and subject indexes. In addition to print versions of the texts and treatises some are also available in electronic format. These will be searchable by subject, keyword, title, or author.**
* **Textbooks and treatises are not primary sources of law; however, they can have persuasive authority, in the courts.**
* **Once you have located some preliminary information in texts or treatises you will have know some of the expressions  or concepts that you will need to continue further with your research**

 **Case books**

**Unlike textbooks, casebooks do not summarize or provide unique commentary on the law; instead they contain excerpts from cases, journal articles and treatises for discussion in class. A casebook is a type of textbook used primarily by students in law school rather than simply laying out the legal doctrine in a particular area of study, a casebook contains excerpts from legal cases in which the law of that area was applied. It is then up to the student to analyze the language of the case in order to determine what rule was applied and how the court applied it. Casebooks sometimes also contain excerpts from law review articles and legal treatises, historical notes, editorial commentary, and other related materials to provide background for the cases. 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.**

**Legal dictionary**

**A legal dictionary contains the definitions of legal terms taken from a variety of sources. They are the first place you should look when you do not understand what a legal term means.
The two most commonly used legal dictionaries are Black's Law Dictionary and Ballentine's Law Dictionary. Print copies of Black's are located throughout the library on swivel stands. Black's is also available on Westlaw, while Ballentine’s is available on lexis.**

**Law report**

**Law reports or reporters are series of books that contain judicial opinions from a selection of case law decided by courts. When a particular judicial opinion is referenced, the law report series in which the opinion is printed will determine the case citation format. Secondary sources of law are only made use of whenever there are no primary sources of law to fall back on.**

**Periodicals, Journals, and Legal Digests**

**Legal periodicals contain articles about emerging areas of law and are written by professors, practitioners, judges, and law students. A legal periodical is a periodical about law. Legal periodicals include legal newspapers, law reviews, periodicals published by way of commerce, periodicals published by practitioner bodies, and periodicals concerned with a particular branch of the law.**

**Journals**

**When researching foreign law, journal articles can be an excellent source for learning about narrower, more specialized topics.  Articles published in law journals typically include extensive footnotes with citations, which will help you to locate relevant primary law sources, as well as additional secondary sources.**

**Legal digests**

**Digests are multi-volume, bound sets used to locate cases that are relevant to your legal issue and ideally within your jurisdiction. There are a number of different digest resources available.**

**The case digest system created by the West Publishing Company, was the first significant print system.**

**Both West and LexisNexis have created online digest systems but out of these two publishers only West's is available in print.**

* **Digests generally correlate to specific case reporters.**

**For example the Federal Practice Digest covers reported federal cases, state digests cover state reporters, etc.**

**There are also specialized digests that focus on cases within a certain area of law, such as bankruptcy or education law.**

* **Generally, digests will assign a keynote or headnote to an issue that is discussed within a case. Along with the headnote or keynote it will give an excerpts about that issue. You can then use that headnote or keynote to find other cases discussing that topic.**