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**Discuss secondary sources of law in Nigeria**

There are two sources of law:

1. Primary sources of law;

2. Secondary sources of law.

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 to the law 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 will tilt in favor of the person who presents primary sources of law. Secondary sources are only made use of whenever there are no primary sources of law to fall back on.

Secondary sources of law includes:

1. Customary law and Islamic law

2. Law reports

3. Textbooks

1. **CUSTOMARY AND ISLAMIC LAW:**

Customary and Islamic law are rules and regulations recognized by the indigenous people to whom they relate as regulating their conducts in specific areas. Such areas may include marriage, divorce, succession and inheritance, land and chieftaincy matters. For any customary or Islamic rule to have the force of law, it must not be repugnant to natural justice, equity and good conscience. Secondly, such rule must not be incompatible either directly or by implication with any law for the time being in force. Finally, it must be the existing native law or custom and not the native law and custom of ancient time. This can be seen in the case of *Lewis vs. Bankole (1908) 1 NLR & 81 at p. 83* and in the case of *Dawodu vs. Danmole (1962)1 WLR 1053.*

Customary law must be proven of existence in any Nigerian society before non-customary courts either through the testimony of witnesses who are considered versed in that area or through the use of books and manuscripts. Proof of a particular custom by evidence can be dispensed with if judicial notice has been taken of it in such circumstances stated in the Evidence Act.

**2. LAW REPORTS:**

Law reporting is essential for the growth of case law system. There have been private, governments imitative in this direction. The Nigerian Weekly Law Reports (NWLR) by Chief Gani Fawehinmi and the All Nigerian Law Reports by the Federal Ministry of Justice amongst others are some of the well compiled and edited series.

**3. TEXTBOOKS:**

Finally on points of law, especially where such points have not been previously decided in the court or where the position of the law on the point is not clear, courts may turn to textbooks by notable authors for assistance and guidance. But their books are merely persuasive. The Evidence act specifically provides as regards customary law**s** that any book or manuscript recognized by natives as a legal authority is relevant. Especially books written Seasoned legal Icons.