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 **SECONDARY SOURCES OF LAW IN NIGERIA**

The law is an abstract term. In order to know what comprises the law, one has to get it from

various places. These places from which the law is gotten or sourced from are described as the

sources of law. Sources of law can be defined as the places to which a legal practitioner or a

judge turns to in order to answer a problem.

They can be seen as springboards from which the law is carried. The sources of Nigerian law can

be grouped into primary and secondary sources but we are going to discuss about the secondary

sources of law. 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:

**LAW REPORTS:** Law reports are series of books that contain judicial opinions from 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.

In common law countries, court opinions are legally binding under the role of stare decisis. That

rule requires a court to apply a legal principle that was set forth earlier by a court of a superior

jurisdiction dealing with a similar set of facts.

A good printed law report in traditional form usually contains the citation reference, the name of

the case, catchwords, a recital of the facts of the case, a note of the arguments of counsel before

the judge and the headnote (a brief summary of the case, the holding, and any significant case

law considered).

**NIGERIAN LAW REPORTS:** Nigerian law reports (NLR) is probably the first law report in

Nigeria. It commended publications in 1916 and reported cases of the former supreme court

together with a few cases on appeal to the privy council from Nigerian courts. The Nigerian law

reports (NLR) covered the period 1881-1955. It consist of 21 volumes and index.

**CASEBOOKS:** A casebook is a type of textbook that is used primarily by students in law

 schools. 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 particular area was applied. It

therefore 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. The teaching style based on casebooks is known as

casebook method and is supposed to instill law students how to think like a lawyer. The

casebook method is most often used in law schools in countries with common law legal system,

like Nigeria where case law is a major source of law.

Most casebooks are authored by law professors, usually with two, three or four authors, at least

one of whom will be a professor at the top of his or her field in the area under discussion

Casebooks sometimes also contain excerpts from law review articles and legal treaties and this

brings us to our third source of law in Nigeria.

**TREATISES:** A treaty is an international agreement concluded between two or more sovereign

states in written form ad governed by the international law, whether embodied in a single

instrument. Treaties go by many names: conventions, agreements, covenants, pacts, charters and

status among others. The choice of name has no legal significance. Treaties generally fall into

one of two board categories: **bilateral** and **multilateral**. The four steps of treaty research process

are outlined below. The sources you consult will vary, depending on whether the treaty is

bilateral or multilateral and on whether or not the U.S. is a party to the treaty.

**Step 1:** use an index to find a **citation** to the full-text source.

**Step 2:** retrieve the **full text** of the treaty.

**Step 3:** determine the **current status** of the treaty

**Step 4:** if the text of the treaty is ambiguous, you may need to help **locate its drafting history** tohelp you interpret its meaning**.**

In addition, there are many free online treaty collections that focus on a particular jurisdiction, region or subject matter. Depending on the type of treaty you are researching.