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COURSE TITLE: LEGAL METHOD II

COURSE CODE: LAW 102

**ASSIGNMENT: Discuss secondary sources of law in Nigeria**

SECONDARY SOURCES

A good place to start most research projects is with a secondary source. A secondary source is not a law. It is a commentary on the 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 before a court and one party uses a primary source of law and his authority while the other makes use of secondary sources, the scale of justice would tilt in favor 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 second out of the two classifications of the sources of law in Nigeria. They are background resources that explain, interpret and analyze. They are a good way to start a research and often have citations to primary sources. They are derived from primary sources through examination of the primary sources. A secondary source can be used for three different purposes. It might educate you about the law, it might direct you to the primary law or it might serve as persuasive authority. Few sources do all three jobs well. The important classes of legal secondary sources include:

1) Treatises

2) Newspapers

3) Journals

4) Legal encyclopedias

5) Legal Dictionaries

6) Law Reports

This guide will provide a brief description of these sources.

**TREATISES**

In this context, legal treatises are single or multi-volume works dedicated to the examination to an area of law. Treatises tend to be very good at describing the law, they are good law finders, and many of the classic treatises are persuasive. Treatises tend to provide an indebt discussion of a particular area of law and will provide the researcher with references to a few status and statutes. Lawyers commonly use treatises in order to review the law and update knowledge of pertinent case decisions and statutes. The Legal Information Buyers Guide and Reference Manual describe the important legal treatises in several areas of the law. To identify and locate a legal treatises use a library catalogue like MORRIS (searching by topic and handbook, or topic and nutshell) or the Georgetown Treatise Finder. NOTE that the word treatise is not often associated with legal treatises in the legal treatise in the catalog record.

**LEGAL ENCYCLOPEDIAS**

Legal encyclopedias are immense sets of books that briefly describe all the main legal issues for a particular jurisdiction. An encyclopedia can provide a basic introduction to an area of law and will provide the users with some case and statutory citations. Legal encyclopedias will not delve deeply into an area, nor will they discuss the finer points of an area of law. Legal encyclopedias are available in prints and online.

**LAW REPORTS**

Law reports 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.

**JOURNAL**

The Law Journal is a scholarly or academic publication presenting commentary of emerging or topical developments in the law, and often specializing in a particular area of the law or legal information specific to a jurisdiction. Law journals are critical to the proper functioning of legal systems. They contribute invaluably to the development of the law by influencing statutory law reforms and case laws. A law journal offers an opportunity for unbiased reflection on specific legal issues, which is critical to the proper development of the law.

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