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DEPARTMENT: LAW.

COURSE TITLE: LEGAL METHOD. II.

ASSIGNMENT TITLE: SECONDARY SOURCES OF LAW.

**QUESTION:**

 Discuss the secondary sources of law in Nigeria.

**ANSWER:**

Secondary sources of law are basically background resources. A secondary source is not the law. It’s a commentary on the law. 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. Secondary sources offer analysis, commentary, or a restatement of primary law and are used to help locate and explain primary sources of law. They explain, interpret and analyze and critique the law. they discuss the law but are not the law itself. Unlike primary materials, secondary sources will help you learn about an area of law and provide you with citations to relevant primary materials. They include encyclopedias, law reports, treatises, restatements, periodical articles, ALR, Annotations etc. Secondary sources are a good way to start research and often citations to primary sources. The following are a few of the secondary sources:

**Law reports**

Law reports are essential for the smooth running of the judicial administration. This is so because in any nation where the principles of judicial precedent are operational, like Nigeria, it is only by reference to reported cases that courts and lawyers would be able to ascertain the position of law in their areas of jurisdiction. The first series of law reports are the *Year Books* (1282-1537). They are regarded as the most comprehensive reports but are criticized to have been mere notes taken by students and practitioners of law for educational purposes.

The first form of law reports in Nigeria although extinct now was the *Nigerian Law Reports* which came in 1881. One of the flaws of the law reporting system in Nigeria is its lack of sustainability. A few examples of law reports in Nigeria are as following:

1. Nigerian Weekly Law Reports (NWLR) --- 1985
2. Supreme Court of Nigeria Judgement (SCNJ)
3. Law Reports of the Courts of Nigeria (LRCN)
4. All Nigerian Law Reports (All NLR)
5. Federation Weekly Law Reports.

**Law texts and books**

A textbook written by learned scholars and jurists constitute a very important source of Nigerian law. It is the same experience in virtually all legal systems. Classical authors of outstanding textbooks on the English law include Bracton, Coke and Blackstone. Others are Dicey. In Nigeria, legal textbooks of reputable standards have been written by Obilade; Nwogwugwu; Okonkwo; among many others. Professor sagay has written extensively on international law.

**Legal periodicals, Journal and legal digests**

These are produces in various forms and colors in Nigeria. Some are professional while some are academic, and yet some are an admixture of both. For instance, in Nigeria, there exist learned journals published by different law faculties as well as private law publishers. Digests are equally available for example, the digest of Supreme Court Cases. Digests are abridgements of cases, that is, they are useful summaries of the facts, issues, arguments and decisions in judicial proceedings.

Law Journals are scholarly publications covering the legal field. They publish articles that are comprehensive studies of current topic in law, generally written by law professors and practitioners. The articles generally contain substantial citation to primary and secondary sources on the topic, which may lead you to additional information on the subject.

Legal periodical articles are in-depth discussions of narrow areas of the law and legal issues. Periodical articles can be very good law finders; they tend to have a great many footnotes with a lot of legal citations. Some articles by eminent scholars can be persuasive. Occasionally, legal periodical articles can be useful for explaining the law, but often they are too theoretical for that.

**Treatises**

Legal treatises are single or multi-volume works dedicated to the examination of an area of law. treatises tend to be very good at describing the law, they’re good law finders, and many of the classic treatises are persuasive. They tend to provide an in-depth discussion of an area of law and will provide the researcher with references to a few cases and statutes. *The Legal Information Buyer’ Guide and Reference Manual* describes the important legal treatises in several areas of the law. To identify and locate a legal treatise, use a library catalogs like *Morris*.

**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 a basic introduction to an area of law and provide the user with some case and statutory citations. They will not delve deeply into an area, nor will they discuss the finer points of an area of law. they available online and in print.

**Restatements**

The restatements were developed by legal scholars initially to restate the law, and currently to describe what law should be. In either case, restatements are very persuasive although they are not very good at describing the law. they can serve as adequate law finders. They are available on Lexis and in print. Online, they can be searched in full text, in print you would use the library catalog.

**Legal Dictionaries**

Legal dictionaries provide definitions of words in their legal sense or use. These publications provide a short definition of foreign and Latin legal words and phrases, refer to cases and other legal sources for authority, and may give examples of word usage in various legal situations. They also include tables defining legal abbreviations and acronyms. An example is *the Black’s Law Dictionary*.

Other examples of secondary sources are:

* Diaries.
* Biographies, autobiographies.
* Interviews or speeches.
* Newspapers or Magazines.
* Creative art works.

**REFERENCES:**

**[[1]](#footnote-1)**YALE UNIVERSITY. *Secondary sources*. [online]. Yale law school. 2020. <https://library.law.yale.edu/secondarysources>.

[[2]](#footnote-2)NEW YORK UNIVERSITY LAW LIBRARY*. Secondary sources*. [online]. New York. Aug 6, 2019. <https://nyulaw.libguides.com/c.php?g=7738428p=5551762>.

1. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)