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**COLLEGE: LAW**

**COURSE CODE: LAW 102**

**COURSE TITTLE: INTRODUCTION TO LEGAL METHOD II**

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**QUESTION: Discuss secondary sources of law in Nigeria. (Times New Roman, front 12, justify your work.)**

**SOURCES OF NIGERIAN LAW**

**Nigerian law derives from several sources; the sources of Nigerian law assist the lawyer to identify how and where to locate information on which law applies or which the position of law is in relation to any legal problem that may confront him. They are materials where reliable authorities for a particular legal question can be found. These sources can be classified into two parts, the primary sources, which have binding effects on law courts in Nigeria and the secondary sources which are simply persuasive and not binding on the law courts. While the primary sources include the received and extended English law, Nigerian legislation and subsidiary enactments; Nigerian case law or judicial precedents and customary law rules, including the Islamic law where applicable.**

**This works aims at explaining the secondary sources of law in Nigeria which are mostly in written form and are important because the laws of Nigeria are contained in books in written form. The secondary sources of Nigerian law which are simply persuasive comprise of**

1. **Law reports**
2. **Law books, treaties and Textbooks**
3. **Legal periodicals, journals and digests**
4. **Newspapers and magazines**
5. **Reference books, among others.**

**A detailed explanation of these sources can be found below:**

1. **LAW REPORTS:**

**Essential for a smooth system of judicial administration, law reports are the decisions of courts such as the supreme court of Nigeria, the court of appeal, the high courts, and any tribunal or court whether existing or abolished, such as the west African court of Appeal (WACA) published in volumes periodically, at intervals determined by the publishers. In a country like Nigeria where judicial precedent is operational, the only way to ascertain the position of law in areas of jurisdiction is by reference to reported cases. Yearbooks produced between 1282 and 1537 as the oldest type of law reports and they are regarded as the most comprehensive reports but are criticised to be mere notes taken by students and practitioners of law for educational or professional purposes. There are foreign law reports and Nigerian law reports. Examples of Nigerian law reports are;**

* **All Nigerian Law Reports – ALL NLR**
* **Nigerian Weekly Law Reports (published since 1985) – NWLR**
* **Supreme Court of Nigeria Judgements/ Supreme Court Reports - SCNJ/SC**
* **Law Reports of the Courts of Nigeria – LRCN**
* **Federation Weekly Law Reports – FWLR**
* **Weekly Reports of Nigeria – WRN**
* **Rivers State Law Reports – RSLR**
* **Plateau State Law Reports - PLR ; and so on**

**FOREIGN LAW REPORTS**

**Foreign law reports are numerous and may be found in most law libraries in Nigeria. Examples include:**

* **All England Reports – ALL ER United Kingdom**
* **Queen’s Bench Reports – QB United Kingdom**
* **King’s Bench Report – KB United Kingdom**
* **Appeal Cases- AC United Kingdom**
* **Weekly Law Report – WLR United Kingdom**
* **English Reports- ER United Kingdom ; and so forth**
1. **LAW TEXTS ,BOOKS AND TREATISES**

**Textbook or treatises written by learned scholars and jurists constitute a very important source of Nigerian law. It is the same experience in virtually all legal systems. These texts present a potent source of Nigerian law and can be authority where there is scanty or absence of judicial decisions, in which situation they could serve as persuasive authorities. Textbooks could be written on any legal subject or related fields as the library may have. They may be written by local authors (Nigerian) such as *Introduction to Nigerian Legal method* editedby Abiola Sanni and *The Nigerian Legal Method* by Ese Malemi or foreign authors such as the classical authors of outstanding textbooks on the English law such as Bracton; Coke and Blackstone etc.**

1. **LAW PERIODICALS, JOURNALS AND DIGESTS:**

**A periodical provides helpful guidance in interpreting Nigerian law and is also known as a journal. It is a magazine, journal brochure, newsletter, catalogue or other book or information published at fixed intervals of time, such as once a month, bi-annually, once a year and so forth, whatever its name or field of specialization, it may be professional or academic or an admixture of both. A periodical has briefer articles than books and makes it easier for the reader to pick up essential facts, periodicals may be Nigerian or foreign. There are two basic types of law journals, the general law journal with articles of different fields of law and the specialised journal that is devoted to a particular aspect of law such as business law. Examples are Nigerian law journal, journal of Islamic and comparative law.**

1. **NEWSPAPERS AND MAGAZINES:**

**Newspapers and magazines contain a wide range of information, they could also contain articles written by legal practitioners to shed more light on legal issues and principles, these newspapers may be local or foreign. Examples of local newspapers are This day newspaper and Daily Trust Newspaper.**

1. **REFERENCE BOOKS:**

**There are times when a legal practitioner or researcher requires brief and concise information such as the meaning of a word, date of events, quotation, location of places etc. reference books are books containing facts and information, about various subjects. Such information can be quickly looked up in a reference book without reading a book from cover to cover. Examples of reference books are: Halsbury’s Laws of England, Index to Nigerian Weekly Law Reports by Gani Fawehinmi, Black’s law dictionary, Dictionary of Law by L.B. Curzon.**

**REFERENCE(S)**

**Ese Malemi, 2012.The *Nigerian Legal Method. Lagos:* Princeton Publishing Company. Pages 423-425**

**Abiola Sanni (Ed), 2012. *Introduction to Nigerian Legal Method*. Ile-Ife: Obafemi Awolowo University Press Limited. Pages 457-458**