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**COURSE TITLE**: Legal Method

**QUESTION:** Discuss secondary sources of law in Nigeria.

**INTRODUCTION**

**WHAT ARE SOURCES OF LAW?**

Sources of law are the origins of laws, or the binding rules that enable any state to govern its territory. Sources of law may sometimes refer to the sovereign or to the seat of power from which the law derives its validity. Sources of law are like vehicles through which the law is carried. Places from which the law is derived are described or known as the sources of law. The sources of Nigerian law can be divided into **primary** and **secondary**.

**PRIMARY SOURCES OF LAW**

Primary sources of Nigerian law can be defined as the sources whose provisions are binding on all the courts of Nigeria. Primary sources of law are the actual or real laws in form of constitutions, court cases, regulations, etc. Examples of primary sources of law are: received **English law, case law, Nigerian legislation, customary laws, and international laws.**

**SECONDARY SOURCES OF LAW**

On the other hand, 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, text books and treatises, “periodicals, journals, and legal”, digests, casebooks, legal dictionaries, and newspapers.**

**DIFFERENCE BETWEEN PRIMARY AND 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 before a 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 would tilt in favour of the person who presents primary sources of law.

**Note:** Secondary sources of law are only made use of whenever there are no primary sources of law to fall back on.

**WHY USE SECONDARY SOURCES OF LAW?**

* Secondary sources are the best place to start a research work.
* Secondary sources provide terminology.
* Secondary sources are easier to find.
* Secondary sources give a feel or overview of the event or issue, and often supply dates, names and other background information, such as the names and citations of statutes and court cases.
* Secondary sources are more readable than many primary sources.

**Note:** Secondary sources of law are derived from primary sources of law and offer commentary on those sources.