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MATRIC NO\_:17/SMS08/002

COURSE TITLE: NIGERIA LEGAL METHOD

QUESTION: DISCUSS SECONDARY SOURCES OF LAW IN NIGERIA.

**ANSWERS**

In explaining the Secondary sources of Law in Nigeria, it is important that we define the keyword ‘**Law**’

What is law?

Law can be simply seen as rules guiding people or instrument for orderliness.

In the sources of Nigeria laws, it is worthy to point out that only the primary sources hve binding authorities or force on a court of law in Nigeria, whereas the secondary sources can merely serve persuasive purposes. Secondary sources give a general overview of the subject and identify the relevant statutes, regulations, constitutional provisions and important cases that relate to a topic. Secondary sources are rarely cited as legal authority and finding aids are never cited as legal authority. Secondary sources also can be used mainly to find citations to primary sources and to gain an overview of a subject.

Some of these secondary sources of law include:

Law reports, textbooks, periodicals, treatises, journals, law digests, law dictionaries, which will be discussed extensively in this work.

**LAW REPORTS**:

Law reports as well as an efficient law reporting system are essential for a smooth system of judicial administration. This is because in any nation where the principle of judicial precedent is operational, like Nigeria, it is only a reference to reported cases that courts and lawyers will be able to ascertain the position of law in their areas of jurisdictions.

The first form of law reports in Nigeria was the ‘Nigerian Law Reports’ which emerged in 1881 but today they have become extinct. One regrettable trend in the law reporting system in Nigeria is the lack of sustainability. This has been the experience with most government and private initiatives in this regard. Examples of law repots in Nigeria include;

* Nigerian Weekly Law Report (NWLR) published since 1985
* Federation Weekly Law Report
* Law Reports Of the Courts of Nigeria(LRCN)
* All Nigerian Law Reports (All NLR)
* Supreme Court of Nigeria Judgment (SCNJ) and many others.

**PERIODICALS, LEGAL DIGESTS AND JOURNALS**:

Legal periodicals such as law reviews, bar journals, and legal newspapers are excellent secondary sources to find relevant articles that explain, analyze and critique a topic. This is especially true for law review articles that go into some detail in analyzing legal issues on a variety of subjects.

These Journals are produced in various forms and colour in Nigeria.Some are professional, while some are academic, and yet some are in admixture of both. In Nigeria,there exist learned journals published by different law falculties, as well as private law publishers, national, state and local bar associations publish journals that contain articles on the law, news of interest to members, and in some cases text of legal ethics opinions,trade journals and newsletters publish articles, court decisions, and other noteworthy information regarding a specific area of law,newsletters, depending on their frequency, can be invaluable when researching a very new area of law

Digests are equally available. For example; the digest of Supreme Court Cases, Digests of abridgements of cases, that is, they are useful summaries of the facts, issues, arguments and decisions in judicial proceedings.

**LEGAL ENCYCLOPEDIAS**

Legal encyclopedias cover a broad range of legal issues and are written in narrative form. Legal encyclopedias are arranged alphabetically by subject, with footnote references to case law, statutes, regulations and other primary sources. The entries are brief articles on particular areas of law, written in a summary fashion, and do not attempt to analyze the issues.

**TREATISES AND TEXTBOOKS**

Treatises are scholarly analyses of particular areas of law written in book format. Treatises include multivolume works, textbooks, hornbooks (usually one volume summary of the law), practical guides, and shorter monographs. Treatises are specific in nature and treat a subject in more depth than a legal encyclopedia by offering critical analysis with extensive interpretation of cases or doctrine. They also can summarize historical development, explain disparities, predict change, and offer practical advice. Footnotes in treatises are invaluable sources of case references, law review articles, and other relevant citations. In Nigeria, legal textbook of reputable standards have been written by Obilade, Nwogwugwu,Aguda,Okonkwo,. Professor Sagay, has written extensively on International Law. All these present a potent source of Nigerian Law and can be authority where there is scanty or absence of judicial decisions in which situations they could be of persuasive authorities. All these can be attached to find the personality of the author and the significance of the subject covered.

**REFRENCES:**

[**WWW.wikipedia.com**](http://WWW.wikipedia.com)

**Abiola Sanni;2006;p.245-257;Secondary sources of law.**