**NAME; ISHIE DESTINY CHINEYE**

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**COURSE TITLE; LEGAL METHOD II**

**COURSE CODE; LAW 102**

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**Assignment; Discuss the secondary sources of law in Nigeria.**

**SECONDARY SOURCES OF LAW**

Secondary sources of law are background resources. They explain, interpret and analyze.

They include; encyclopedia; law reviews, treaties, restatements, etc. Secondary sources are a good way to start research and often have citations to primary sources. A good way to start most research projects is with a good secondary source. Secondary source is not the law. It’s a commentary on the law. A secondary source can be used for three different purposes; i) it might educate you about the law. ii) it might direct you to the primary law. iii) it might serve as persuasive authority. The important classes of secondary sources of law includes;

* Legal Encyclopedias
* Treaties and textbooks
* Legal Periodicals
* ALR
* Restatements
* Looseleaf Services

1. **LEGAL ENCYCLOPEDIAS:**  Legal encyclopedias are immense set of books that briefly describes all the main legal issues for a particular jurisdiction. An encyclopedias can provide a basic introduction to an area of law and will provide the user with some cases and statutory citations. Legal encyclopedias will not delve deeply into an area, nor will they discuss the finer point of an area of law. Legal encyclopedias are available online and in print. The two national encyclopedias are American Jurisprudence and Corpus Juris Secundum. Many states also have legal encyclopedias, which are available in print or online( lexis nexis, west law).
2. **TREATIES AND TEXTBOOKS:**  In this context, legal treaties are single or multi-volume works dedicated to the examination of an area of law. Treaties tend to be very good at describing the law, they are good law finders and many of the classic treaties are persuasive. Treaties tend to provide an in-depth discussion of a particular area of law and link provide the researcher with references to a few cases and statutes. Text books summarize single specific legal topics. Treaties includes textbooks and cover broader subject areas. Both provide authoritative and thorough treatment of the subject area. In addition to a summary of and commentary on the law they will include tables of content, tables of cases and subject indexes. In addition to print versions of the texts and treaties some are also available in electronic format. These will be searchable by subject, keyword, title, or author. Textbooks and treaties are not primary sources of law, however, they can have persuasive authority, in the courts. Once you have located some preliminary information in texts and treaties you will have know some of the expressions or concepts that you will need to continue further with your research.
3. **LEGAL PERIODICLAS;** Legal periodical articles are in-depth discussions of narrow areas of the law and the legal issues. Articles in academic journals tend to revolve around every theoretical and cutting-edge legal issues. Articles in practitioner-oriented journals tend to be more practical. Periodical articles can be very good law finders; they tend to have 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. The major American legal periodical indexes are the index to legal periodicals. However, there are several databases that includes; full-text legal periodical articles which contain the full text of legal periodical articles for many law reviews from roughly the past decades.
4. **ALR;** ALR provides topical annotations that focus on relatively narrow areas of the law, but discuss it in some depth. They provide a good basic grounding in law, as well as serve as good case findings. ALR is available in prints and on Westlaw. Annotations can be identified in print by using ALR Index to Annotations and online via online searches. Please note that the ALR title tends to be very descriptive. So it can be useful to limit your search to the title field. In addition, the second section of an ALR annotation generally covers related annotations. This is the often worth examining.
5. **RESTATEMENTS;** The restatements where developed by legal scholars initially to restate the law, currently to describe what the 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. There are restatements for many areas of law: but not all. The restatements are available on Lexis and Westlaw and in print. Online, they can be searched in full text; in print you will use the library catalogue to identify the relevant restatements and then the restatements own index to find the relevant sections.
6. **LOOSELEAF SERVICES;** Looseleaf services bring together all of the law on a particular topic. Looseleaf services don’t exist for all areas of law, but when they do exist, they can be an invaluable resource. They are rarely cited except when they serve as case reporter. However, for a researcher, they bring together in one place the code, administrative regulations, court decisions, administrative decisions, citators, finding aids, commentaries, forms, etc. Looseleaf services are moving online.