***DAUDA GBEMISOLA KHADIJAH***

***19/LAW01/062***

***COLLEGE OF LAW***

***LEGAL METHOD 2 ( LAW102)***

The law is an abstract term. In order to know what comprises the law, you have to derive it from various places. The law is commonly understood as a system of rules that are created and enforced through social or governmental institutions to regulate conduct. It has been variously described as a science and art of justice. These places from which the law is derived are aptly described as the sources of law.

Sources of law can be defined as the places to which a legal practitioner or a judge turns to in order to answer a legal problem or question. The Nigerian sources of law are classified into two aspects, primary sources and secondary sources. Primary sources of law include English law, Nigerian legislation and subsidiary enactments, Customary and Sharia law, and Judicial Precedent. It is necessary to point out that only the primary sources of law could have a binding force on a court of law in Nigeria whereas the mentioned secondary sources can merely serve persuasive purposes.

Secondary sources of Nigerian law are the indirect ways through which we get our law. Secondary sources of Nigerian law are of persuasive authority in the law courts and they are mainly in documentary form. Some of them included:

* Law reports: They are essential for a smooth system of judicial administration. It contains references to reported cases that courts and lawyers were able to ascertain the position of the law in their area of jurisdiction.
* Textbooks and treaties: These are written by learned scholars and jurists. They constitute a very important source of Nigerian law.
* Casebooks
* Periodicals, Journals, and Legal Digests: They are produced in various forms in Nigeria. Some are professional while some are academic, and some are a mixture of both.
* Legal Dictionaries and Newspapers

It is important to note that law reports are only authoritative due to the fact that they serve as the vehicle through which judicial precedent is carried.

Secondary sources of law are usually made use of whenever there are no primary sources of law to fall back to. Secondary sources of law are background resources. They explain, interpret, and analyze. Secondary sources of law are a good way to start research and often have citations to the primary sources. They are used to locate primary sources of law, define legal words and phrases, or help in legal research.

The distinction between primary sources and secondary sources of law is very useful in determining authorities to follow in the law court. For instance, 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 favor of the person who presents the primary sources of law.