NAME: OGBEBOR EHIZOGIE SUSSY

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DEPARTMENT: LAW

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SECONDARY SOURSES OF LAW IN NIGERIA.

Unlike primary sources of law, the secondary source of law does not have a binding effect. It is persuasive in nature. Secondary sources of law are trivial sources of law that carry barely persuasive legal authority. They can be referred to in court if they are in line with the primary sources of law. Secondary source of law isn’t the law. It is a commentary on the law. It can be used for three different purposes: it might educate you about the law, it directs you to the primary law, and it is a persuasive authority. Secondary sources also provide introduction to legal subjects, synopsis of decisions, statutes, and regulations in a given field, historical background of law etc.

Secondary sources of law include:

1. Treaties
2. Legal periodicals
3. Legal encyclopedias.
4. Restatements
5. Books.
6. Letters
7. Speeches
8. Interviews.
9. Looseleaf services
10. Law reports etc.

TREATIES

A treaty is a formal written agreement entered into by actors in international laws, namely sovereign states and international organisations. It is an international agreement, protocol, covenant, convention, pact, or exchange of letters, amongst other terms. In this context, legal treaties are single or multiple volume works dedicated to the examination of an area of law.

1.Importance of legal treaties:

2.They are good at describing the law

3.They are good law finders

4.Thy are persuasive in nature

5.They provide in depth discussion of a particular area of law

Legal periodicals

Legal periodicals are in depth discussions of narrow areas of the law and legal issues. They are very practical, they are good law finders, they have good law footnotes with a lot of legal citation. Articles from eminent scholars can be persuasive. They are used to explain the law but sometimes they are too theoretical for that. Legal periodical is a periodical about law. They include newspapers, law reviews, periodicals published by way of commerce, published by practitioner bodies, and periodicals concerned with the particular branch of law discussed.

Legal encyclopedias

These are immense and large sets of books that briefly describes all the main legal issues for a particular jurisdiction. It provides basic introduction to an area of law and will provide the user with some case and statutory citations. They are available online and in print. They don’t delve too deep into an area or discuss the finer points of an area of law.

Restatement.

The restatement were developed by legal scholars initially to restate the law, and currently to describe what the law should be. They are not good at describing the law. They are adequate law finders. There are restatements for many areas of law but not all.

Looseleaf services

It brings together all of the law on a particular topic. Looselesf services don’t exist for all areas of law. They rarely cited except when served as a case reporter. It brings together in one place the code, administrative regulations, court decisions, citators, finding aid, commentaries, forms etc.

Law Reports.

Law reports are compilations of the judgement of other courts. Such judgements may cover a broad area, constitutional, company, administrative, issues concerning bail, arbitration and banking. Examples are commonly used law reports in Nigeria: FWLR, FNLR, LRN, ALL NLR.

REFERENCES; digitalcommons.unl.edu. black law dictionary. https://library.law.yale.edu.