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LEVEL: 100 LEVEL

COURSE CODE: LAW 102

COURSE TITLE: LEGAL METHOD

MATRIC NO: 19/LAW01/267

ASSIGNMENT:

Discuss secondary sources of law in Nigeria

Sources of law is the ultimate origin of the whole body of legal system from which the system derives its validity or authority. There are two sources of law which are primary and secondary sources but here I will be talking about secondary sources.

 Secondary sources are background sources. They do not carry a dominant legal weight and binding effect. They explain, interpret, analyze and critique the law. They discuss the law, but are not the law itself. They are also a good way to start research and often have citations to primary sources. Secondary source of law can be used for five different purposes: it educate you about the law, direct you to the primary law, understanding the key terms of art in an area, serves as persuasive authority and identifying essential cases and statues. Examples of secondary source of law are encyclopedias, treatises, law journals, letters, foreign materials etc. Law reports are only authoritative due to the fact that they serve as the vehicle through which judicial precedent is carried.

1. Treatises:

Legal treatises are single or multi-volume works dedicated to the examination of an area of law. They tend to be very good at describing the law and provide an in-depth discussion of a particular area of law and provide the researcher with references to a few cases and statues. They are good law finders and many classic treatises are persuasive. They may come in the form of bound books updated with pocket parts or loose leafs with easily replaced pages. To identify and locate a legal treatises, use a library catalog like MORRIS. Some treatises are intended for law students while others are meant for practicing lawyers

1. Legal periodicals:

This is also known as journals. They are in-depth discussions of narrow area of the law and legal issues. They have many footnotes with a lot of legal citations. Articles in academic journals tend to revolve around very theoretical and cutting-edge legal issues. They are the most current sources of law because of their frequency of publications. Some being quarterly or bi-annual, monthly. They contain scholarly articles, commentaries, notes and comments on current legal problems. It may be broadly categorized into foreign and local titles. Periodicals often contain book reviews, seminars, and roundtable and conference announcements. Some of the Standard foreign law journals are Cambridge law journal, Harvard law journal and Yale law journal. Some examples of academic and professional local journals include Nigeria law journal and The Nigerian Journal of Contemporary law.

1. Legal encyclopedias:

They are immense sets of books that briefly describe all the main legal issues for a particular jurisdiction. It explains relevant terms of art. They also provide citations to relevant primary law and sometimes citations to relevant major law review articles. There are two national encyclopedias which are American Jurisprudence and Corpus Juris Secundum.

1. Restatements:

They were developed by legal scholars initially to restate the law and describe what the law should be. They are persuasive but are not good at describing the law. They serve as adequate law finders. They cover broad topics such as contracts or property. They are organized into chapters, titles and section.

1. Dictionaries:

They are indispensable sources of law. The law library keeps some Standard English language dictionaries and lexicons. These include the Oxford English dictionary, chambers English dictionary and Webster’s international English dictionary. They help not only in verifying the meaning of words and phrase, they assist in the use of appropriate style, construction and framing of legal sentences to elucidate some precision, conciseness, simplicity and unity all of which are salient hall marks of any source of law.

Legal dictionaries may either be exclusively in English or bi-lingual. Examples of Standard English legal dictionaries includes Black’s law dictionary and Stroud’s judicial dictionary. Bi-lingual dictionaries are relevant in the sense of deciphering certain words or phrases especially in Latin or French. Most of such words have Roman and Anglo-Saxon origins. Examples are English-French, English-Latin, English-Italian and English-Arabic dictionaries.

How to cite a secondary source of law

For Dictionaries

Rule 15.8 of the blue book (20th ed.) governs the citation of dictionaries. The citation includes

* Title of entry (italicized or underlined).
* Title of dictionary (italicized or underlined)
* Edition
* Year

Example: Replevin, Black’s law Dictionary. (10th ed. 2014)

Restatements

The citation should include the following

* Restatements series (italicized or underlined)
* Section
* Copyright date of the volume
* E.g. Restatement (Third) of torts &46 (2012)

Legal periodicals

 The citation include the following

* Author’s name
* If the article is written by a student author, the designation of the piece (see R. 16.7.1)
* Title of the article in italics or underlined
* Volume number (if no volume, use the year as the volume and don’t put the year at the end).
* Abbreviation of journal name (Tables 10,13 and 13.2 in the blue book)
* The beginning page number (if pinpoint citing, include the beginning page number and the pinpoint cite)
* Year (in parenthesis)
* E.g. Charles A. Reich, The New Property, 73 Yale L.J. 733, 737-38 (1964).

Treatises

A citation to a treatise should contain the following elements:

* Volume if applicable
* Author
* Title
* Section or page
* Editor, translators
* Edition
* Copyright date
* E.g. 2 Joseph M. Perillo & Helen Hadjiyannakis Bender, corbin on contracts & 1.1 (1993).

Good evening Ma, am sorry for writing this late. I have submitted my assignment before but I forgot to write my matric number, am so sorry ma. For online classes please I have been trying to do it or enter the class but it is not possible. I downloaded the Jitsi meet app but I do not know what to do. One of my roommates told me that they presented their assignment today during the meeting today. I am really confused and also asked for directions but all is futile. I know is personal but please can you help me with directions. I am sorry to bother you. Thanks. Happy new month.