NAME: DENZEL METUH

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Question: Discuss secondary sources of law in Nigeria.

ANSWER:

**Introduction**

There is no universally accepted definition of law. According to black’s law dictionary law properly implies a science or system of principles or rules of human conduct, answering to the Latin “jus;” as when it is spoken of as a subject of study or practice. Law can also be said to be the judgment of a competent, court, until reversed or otherwise superseded, is law, as much as any statute. Law has both primary and secondary sources. Primary sources of law are those sources that state the law, example Received English law, Islamic law, customary law and parliamentary legislation. While Secondary sources of law are usually relied upon where no primary source of law is available or applicable. They include the following:

**1. Treaties** : Treaties and Conventions are written agreements that states willingly sign and ratify and as such are obliged to follow. International conventions, treaties, and resolutions of international bodies.

**2. Law Reports:** Law reports are essential for an effective system of judicial administration. The position of the law is ascertained by reference to reported cases by courts and lawyers. The first form of Law reports in Nigeria was the Nigerian Law Reports which emerged in 1916. They are no longer in use. Examples of Law reports in Nigeria include Nigerian Weekly Law Reports (NWLR) since 1985, Supreme Court of Nigeria (SCNJ), All Nigerian Law Reports (All N.L.R), Federation Weekly Law Report (FWLR) and so on.

**3. Legal Journals:**

Legal journals are the most current sources of law because of their frequency of publications, some being monthly, quarterly, half-yearly or bi-annual. They contain scholarly articles, commentaries, notes and comments on current legal problems. Examples are Nigerian Law Journal (N.L.J), Nigerian Journal of Contemporary Law (N.Y.C.L).

**4. Newspaper Interviews and Articles:**

Newspaper interviews granted by legal luminaries also serve as a secondary source of Nigerian law. These legal luminaries are regarded as authorities, hence their speeches or legal letters are deemed persuasive. Newspapers and magazines provide the most accessible current sources of research materials and notable news items. Although, some facts contained in a particular report or write-up may need to be verified for authenticity. Notwithstanding, newspapers are dependable secondary sources of law. Newspaper articles also cover a wide range of subject matters.

**5. Textbooks:**

Legal textbooks can be regarded as one of the most authoritative secondary sources of law. They consist of scholarly views, opinions, commentaries and authoritative expositions in certain subject areas. Some notable modern legal text writers include Lord Denning in general aspects of law and practice, Schwarzenberger in the field of International Law, Winfield and Jolowicz on Torts, Cheshire and Fifoot on Contracts, Roscoe Pound, Hart and Fuller on Jurisprudence and legal theory, Margery and Wade on Property. In Nigeria, notable legal text writers include Obilade, Kodilinye, Aguda, Itse Sagay and so on.

**6. Encyclopaedias**:

Encyclopaedias such as Encyclopaedia Britannica and Encyclopaedia America are also foreign sources of law. They cover wide areas of law, jurisprudence and legal theory and legal biography.

Precedent books contain samples of works done by legal authors to be followed or used as templates. Precedent books include the Butterworth’s Encyclopaedia of forms and precedents which covers extensive areas of solicitor’s work and the Atkin’s court forms which deals with the forms, contents and procedure in civil matters.

Other basic foreign materials include the famous Halsbury’s Laws of England and Halsbury’s Statute of England.

**7. . Legal Dictionaries:**

A legal dictionary contains the definitions of legal terms taken from a variety of sources. They are the first place you should look when you do not understand what a legal term means. They also assist in the use of appropriate style, construction and framing of legal sentences. They may be either English or Bi-lingual. The bi-lingual dictionaries interpret foreign words or phrases found in a passage such as French or Latin. Examples of legal dictionaries include Black’s Law Dictionary, *Nolo’s Plain English Law Dictionary and Stroud’s Judicial Dictionary.*

**8. Bibliographies:**

Bibliographies serve as a vital source of law. A bibliography is a publication that lists the topic or titles of materials available in a given subject. The general arrangement is usually in alphabetical order by subject. An example of a legal bibliography is Jegede’s Nigeria Legal Bibliography 1993, which is a detailed listing of invaluable source materials on various aspects of the Nigerian law.

General references usually at the end of a chapter in a book or at the end of an article assist in legal research by offering directives as to further sources of information.

**IMPORTANCE OF SECONDARY SOURCES OF LAW**

There are a number of reasons why secondary sources are so essential to the practice of law. One of the chief reasons being that secondary sources may reflect the prevailing view on how courts interpret primary sources. Some secondary sources are so authoritative that courts themselves rely on them in their rulings. Restatements of the Law are a prime example of such an authority. Many courts are perfectly comfortable citing to a particular section of a Restatement to explain a particular legal issue. Similarly, Jury Instructions are widely relied upon by state and federal courts across the country as a highly authoritative reference when submitting instructions to the court.

**Conclusion**

Secondary information sources are the materials that contain information derived or extracted from the primary sources of law and have undergone diluted processes or certain alterations. secondary sources reflect how the law is viewed, they are truly essential to a more comprehensive understanding of the law.

REFERNCES

1. Blacks Law Dictionary
2. Introduction to legal method by Ese malemi
3. Introduction to Nigerian legal method Abiola sanni