

# ★ Unit 1 ★

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## ● WHAT IS HISTORY.

- History is the study of life in society in the past, in all its aspect, in relation to present developments and future hopes. It is the story of man in time, an inquiry into the past based on evidence. Indeed, evidence is the raw material of history teaching and learning. It is an Inquiry into what happened in the past, when it happened, and how it happened. It is an inquiry into the inevitable changes in human affairs in the past and the ways these changes affect, influence or determine the patterns of life in the society.
- History is, or should be an attempt to re-think the past. Collingwood (1945) is particularly interested in this concept of history.
- History aims at helping students to understand the present existing social, political, religious and economic conditions of the people. Without the knowledge of history we cannot have the background of our religion, customs institutions, administration and so on.
- The teaching of history helps the students to explain the present, to analyse it and to trace its course. Cause and-effect relationship between the past and the present is lively presented in the history.
- History thus helps us to understand the present day problems both at the national and international level accurately and objectively. In this unit we will be dealing with meaning, nature and scope of history, aims and objectives of teaching history at secondary level and values of teaching history. •

## ● Concept of History.....

- Concept of History is the analysis and interpretation of the human past enabling us to study continuity and changes that are taking place over time. It is an act of both investigation and imagination that seeks to explain how people have changed over time.
- Historians use all forms of evidence to examine, interpret, revisit, and reinterpret the past. These include not just written documents, but also oral communication and objects such as buildings, artefacts, photographs, and

paintings. Historians are trained in the methods of discovering and evaluating these sources and the challenging task of making historical sense out of them.

- History is a means to understand the past and present. The different interpretations of the past allow us to see the present differently and therefore imagine—and work towards—different futures. It is often said to be the “queen” or “mother” of the social sciences. It is the basis of all subjects of study which fall under the category of Humanities and Social science .

## ● Define :

- The origin of the word History is associated with the “Greek” word ‘Historia’ which means ‘information’ or ‘an enquiry designed to elicit truth’.
- History has been defined differently by different scholars. Following definitions indicate the meaning and scope of History.
- **Burckhardt:** “History is the record of what one age finds worthy of note in another.”
- **Henry Johnson:** “History, in its broadest sense, is everything that ever happened.”
- **A NCERT:** “History is the scientific study of past happenings in all their aspects, in the life of a social group, in the light of present happens.

## ● Interdisciplinary Approach

### What is interdisciplinary study ?

- This type of study allows the student to learn by making connections between ideas and concepts across different disciplinary boundaries. Students learning in this way are able to apply the knowledge gained in one discipline to another different discipline as a way to deepen the learning experience.
- The most effective approach to interdisciplinary study enables students to build their own interdisciplinary pathway by choosing courses which make sense to them.
- For example, it is not too difficult to find a theme which crosses over disciplinary boundaries in literature, art and history or science and mathematics. Studying topics thematically is one way to bring ideas together resulting in more meaningful learning. This can occur by allowing students to

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choose their own subjects and their learning is deepened when they reflect on the connections between what they are learning in different disciplines.

- One of the biggest barriers to achieving true interdisciplinary study in education environments is the necessity for collaboration of educators. This can be difficult to achieve, but not impossible. Interdisciplinary teaching and learning is maximised when professionals from different disciplines work together to serve a common purpose and to help students make the connections between different disciplines or subject areas.
- Such interaction is in support of the constructivist paradigm which allows for new knowledge construction and a deeper understanding of ideas than disciplinary

## **What is so beneficial about this type of study?**

Making connections between different concepts is essential in interdisciplinary study. Here are some other benefits of studying in this way:

- Students are highly motivated as they have a vested interest in pursuing topics that are interesting to them. As a result, the content is often rooted in life experiences, giving an authentic purpose for the learning and connecting it to a real world context. Consequently, the learning becomes meaningful, purposeful and deeper resulting in learning experiences that stay with the student for a lifetime.
- Students cover topics in more depth because they are considering the many and varied perspectives from which a topic can be explored.
- Critical thinking skills are used and developed as students look across disciplinary boundaries to consider other viewpoints and also begin to compare and contrast concepts across subject areas.
- Students begin to consolidate learning by synthesising ideas from many perspectives and consider an alternative way of acquiring knowledge.
- Exploring topics across a range of subject boundaries motivates students to pursue new knowledge in different subject areas.
- Transferable skills of critical thinking, synthesis and research are developed and are applicable to future learning experiences.
- Interdisciplinary knowledge and application of different disciplines can lead to greater creativity.

- Worthwhile topics of research can fall in the 'spaces' between the traditional disciplines.

### **Final thoughts:**

- Interdisciplinary study allows for synthesis of ideas and the synthesis of characteristics from many disciplines. At the same time it addresses students' individual differences and helps to develop important, transferable skills. These skills, such as critical thinking, communication and analysis are important and continually developing at all stages of life. Educational systems are serving students best if they enable and encourage students to build their own interdisciplinary pathway. This approach is sure to foster a love of learning, ignite a spark of enthusiasm and address learning differences for students.

### **Relationship of History with Law :**

- History is information, interpretation, education and enlightenment .To the legal community history is very process of understanding law in context. .Without history, law is set of bare principle devoid of social meaning and culture orientation. It is in history context, law assumes the quality of life and evolves organic structure, developing and changing to the need of good governance. No wonder historical jurisprudence both as a method as well as a substantive school of thought captured the attention of scholars pursuing legal studies everywhere since along .Admittedly, history is essential reading for every law student.
- The importance of history has led to a variety of problems too. Because history can be written from a variety of viewpoints and the interpretation can be varied as the author choose to have it, there have been lot of differences and great deal of disenchantment in the study of legal history .
- Student of law look at a history with a view to understand the nature of polity ,development of freedom of human rights, the pattern of administration of justice and the nature of legal and judicial institutions .there are value of assumption and cultural imperatives implicit in the analysis of these aspects and unless the historians is careful about them, there is likelihood of distortions with dangerous consequence to society . This is all the more true when the history relates to pluralist society in colonial domination .

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- law is a rule of life. It is founded on the damages and experiences of life, and life's damages and experiences are recorded in a vastly wider library than the covers of the law book comprise. the wellbeing of humanity depends upon order and progress , and order means , stability of social institutions which, if they are to endure , must be based on the supremacy of rational law. The test of political progress of a state is therefore the predominance of justice or dharma, which means respect for humans personality and wellbeing, and this means equality of all before law. Though law cannot make all men equal if there is no restraining influence of law, there would be anarchy and would be flying at each other.
- In primitive and modern societies, law has always represented supreme social force compelling obedience by communal disapprobation of its transgression. Forms of disapproval have varied from time to time and reaches by habits and custom in past were looked upon as frequent source of calamities , not to individuals but also to the groups , offenders were segregated and proprietary sacrifices offered to gods .
- There is a body of custom in all forms of modern societies too , that are regarded as binding upon the whole body of persons , violation of which is visited by penalties for violation of custom , its will has not merely transmuted the habits of individuals into custom of community , but also has sanctified by force or the compulsive sanctions so complete as to guarantee against injury and loss and this sanctions has to be supplemented by other restraints based on personal recognition and public opinion for the authority of law itself may be derived by divine source , by custom or by force of some human authority .
- Law , then , is a form of special force and ordering and adjusting of human activity and relations , through the systematic applications of the force of politically organized community , the aim of law is right and justice and it may express canons for the guidance of men' s conduct and may have reference also to internal acts of will.
- **The great function of law** is "the maintenance of fundamental orders , with which men will find security and common condition of opportunity and the adjustment of those conflict of interest between individual and groups , which

they cannot settle for themselves or in settling which, they encroach upon the interest of other.”

- The spencer define of law “mainly and embodiment of ancerstral injunctions”. But he also recognize that legal institutions develop as other social institutions developed and the law is nor merely a body of formal rules possessing objective validity but is an institution the development of which is inseparable part of social process.
- It follows from this, law is a body of principles applied by the courts in the exercise of their jurisdiction, and its sources are custom, judicial construction and precedent and legislative enactments. custom was law , a restraining force and a bond of primitive society , which did not possess a strong , unifying coercive , authority to enforce its authority in spite of the growth of laws in modern times, custom remains still a substratum and its judicial recognition provide for legal regulations of social facts and circumstances which law cannot readily take cognizance of .New circumstances and the influence of new consideration necessitates the modification of original authority . A statement made by a judge in course of judgement by way of explanation or illustration or general exposition of law becomes a precedent. Such obiter dicta have no correspond to clause of a statue in enacted law, a statue enacted by legislature aims emphatically at the formulation of legal rules in a definite manner.
- Law has thus become an important instrument of progress . The habits and customs of the people, their history and tradition, their qualities of character and conduct, social life and religious beliefs are represented in the law of state. The knowledge of the sources of which can be considered as the essence of the subject – matter of legal history, connects history with law. Just as the present is the daughter of yesterday, the past, the present legal system is rooted in the past. Law is said to be tool prise open mind of a man and the spirit of the nation of period of study. Legislation as source of law is inseparable from a process of interpretation by the courts.
- This demands the determination of the general meaning of a clause and peculiar technical significance that the legislature intend to convey. In such cases there has to be a historical interpretation which in turn, requires a thorough knowledge of historical background for the enactment. Law is primarily the mirror of active organic political life today and it ought to be an often is instructed by ethical judgement of the community, though its own providence is neither ethical nor religious.

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- Theories as to origin and functions of state , ideas as regards the meaning and purpose of life, the sanctions by which social duties are enforced in the community . Various agencies through which justice is administered, are some of the factors that have determined the nature of law in history. Some have argued, perhaps rightly, that a legal historian must be a lawyer .The utilitarian connection between his subject and law is clear as day light.
- In Great Britain where the memory of law goes back further than in other countries, the story of the realm is a matter of considerable importance as well as a subject asking for the most specialization .Devoid of knowledge of history it may be not possible for the legal historian to get better look into issues which alone enable him to perceive its true import. Therefore history and law are mutually dependent on one another.