

School of Law, HILSR

Jamia Hamdard

Course Syllabus

Course Overview:

Course Title: History – II

Course Code: BALLB - 204

Semester: Second

Credits: 4

Medium of Instruction/Assessment: English

Objectives of the course: The purpose of this course is to help students understand India's colonial past, the shaping of nationalist ideology and the unfolding of the national movement. Integral to the course is the premise that ideas of democracy and freedom and corresponding social relations and political and institutional practices took shape in the context of the anti-colonial struggles. The current legal system reflects the imprint of the colonial experience and the manner in which they have been transformed in the course of social struggles and the national movement, which is why it is critical for the lawyers of tomorrow to have grounding in this period of our collective legal history.

Assessment and Evaluation:

The course has a weightage of 100 marks. 75 % of the marks will be covered by the End Semester Examination; while as 25 % will constitute internal assessment to be done by the concerned instructor.

(A) End Semester Examination: There will be ten questions in the Question paper with two from each unit. Students will have to answer five questions in all selecting one from each unit.

(B) Internal Assessment: A student will be assessed and evaluated by the concerned teacher during the entire semester at regular intervals. This will be done by employing a wide range of methods including written tests, tutorials, term paper writing, presentations etc. Attendance of the students will also form a part of the internal assessment.

Course Outline:

The course is based on five units.

Unit I: Eighteenth Century

Decline of the Mughal Empire: Causes and Debates

India in the Eighteenth Century: Society, Polity and Economy

Unit II: India at the Dawn of the East India Company

East India Company Foundation and Growth, Charters of the East India Company: 1600, 1661

Settlements: Surat, Madras, Bombay

Courts: Mayor's Court of 1726 and Supreme Court of 1774

Regulating Act, 1773; The Act of Settlement 1781

Warren Hasting's Judicial Plans of 1772, 1774 and 1780; Lord Cornwallis's Judicial Plans of 1787, 1790 and 1793; Lord William Bentinck's Judicial Reforms

Unit III: Constitutional Developments

The Indian Councils Act, 1861, 1892; The Government of India Act, 1909; The Government of India Acts, 1919 and 1935; Accession of Princely States and Reorganisation of the States

Unit IV: Modern and Contemporary India

Revolt of 1857: Civil Rebellious and Peasant Revolts with Special Reference to Indigo-Revolt, Deccan Riots and Santhal Uprising

Colonialism and Imperialism: Stages of Colonialism, Impact on Economy, Permanent Settlement

National Movement

Partition: Politics and Communalism

Unit V: Contemporary Issues and Legal Amendments

Legality and gender discourse, Legal instrumentation and environmentalism, Caste discourse and law, Indian law and retention of culture, Indian media and legal system

Suggested Readings:

1. V.D. Kulshretha and V.M. Gandhi, *Landmarks of Indian Legal and Constitutional History*, Eastern Book Company, Kurukshetra, 2005
2. M.P. Singh, *Outlines of Indian Legal History*, Universal Law Publishing Co., 2010
3. H.L.O. Garren & Abdul Hamid, *A Constitutional History of India, 1600-1935*. London, 1936
4. Radha Kumar, *The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800-1990*, Zubaan, 1993
5. Granville Austin, *The Making of Indian Constitution*, OUP, 1999
6. Ania Loomba, *Colonialism/Postcolonialism*, Routledge, 1992
7. David Ludden, *India and South Asia: A Short History (Including Bangladesh, Bhutan, Nepal, Pakistan and Sri Lanka)*, Oxford: One World Publications, UK, 2004
8. Ranajit Guha and Gayatri Chakravorty Spivak, (eds.) *Selected Subaltern Studies* (New York : Oxford University Press)
9. Ramachandra Guha, *India after Gandhi: The History of the World's Largest Democracy*, Macmillan, 2007
10. Bipan Chandra, Mridula & Aditya Muherjee, *India Since Independence*, Penguin, 2008
11. Shireen Moosvi, *Capitalism, Colonialism and Globalization, Studies in Economic Change*, Tulika Books, 2017
12. Ashis Nandy, *The Intimate Enemy: Loss and Recovery of Self Under Colonialism*, OUP, 2009
13. Irfan Habib, *The National Movement Studies in Ideology & History*, Tulika Books, 2018
14. Benedict Anderson, *Imagined Communities*, Verso, 2016
15. A. G. Noorani, Romila Thapar, and Sadanand Menon, *On Nationalism*, ALEPH
16. Aparna Balachandran, Rashmi Pant, Bhavani Raman ed. *Iterations of Law, Legal histories from India*, OUP, 2017
17. Mithi Mukherjee, *India in the Shadows of Empires, A Legal and Political History 1774-1950*, OUP, 2011
18. Rajni Kothari, *Caste in Indian Politics* (New Delhi: Orient Longman)