

## **REVISITING THE SIGNIFICANCE OF HISTORY AND ITS RELEVANCE TO THE LAW PROFESSION**

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### **Abstract**

*Following the removal of history from the academic disciplines in Nigeria's educational curriculum in 2009, many unsavory definitions were promoted to justify its diminished significance vis-à-vis other academic disciplines like the proverbial dog to justify its killing. Such definitions seem to portray the subject as mere stories of no consequence which need not bother critical minds. But with the reintroduction of the discipline of history into the Nigerian school academic curriculum in all segments of learning in 2020, October 16, it becomes very necessary to undrape the changing relevance of the discipline long forsaken, misinterpreted and misunderstood and as well show the changing significance of history to the society and to other disciplines such as Law. The paper discovered that the disdain the discipline has suffered in the time past, apart from ignorance, has been largely due to lack of adequate awareness of the rich content and significance of the discipline coupled with the definitions bequeathed to it by the colonial masters including deliberate attempt to conceal events that otherwise would have been of immense benefit to the development of the nation. The period covered by this work spans from precolonial period to the period of reinstatement of history as an academic discipline in 2020. This paper discovered through a re-examination of extant literature the invaluable nature of history to not only individuals and institutions and leaders but to the discipline of Law. It would be an invaluable resource to students of Law,*



*history, state administrators and curriculum planners of Nigeria.*

**Key words:** Curriculum, Development, Discipline, History, Relevance.

## **Introduction**

The renowned father and acclaimed first writer of modern history, Herodotus saw history as relationships between cause and effect. In his *Historie*, he articulated the causes and the effect of the Greco-Persian war. Although Thucydides discarded his works as mere story-telling, yet *Historie* has stood as the first example of modern history. However, following from his work, others like Burckhardt has defined history as the record of what one age finds worthy of note in another. Henry Johnson says it is everything that ever happened. For Smith, V.S., “The value and interest of history depend largely on the degree in which the present is illuminated by the past.”<sup>1</sup>

To Rapson, “History is a connected account of the course of events or progress of ideas.”<sup>2</sup> For 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 happenings.”<sup>3</sup> Jawaharlal Nehru: says, “History is the story of Man’s struggle through the ages against Nature and the elements; against wild beasts and the jungle and some of his own kind who have tried to keep him down and to exploit him for their own benefit.”<sup>4</sup> Karl Marx sees the whole history as a course in class struggle between the owners of means of production and the proletariat. In another parlance he says it is the study of man’s influence on his environment and that of his environment on him. Perhaps another popular definition of history is that given by Edward Harllet Carr, who said that history “is a continuous process of interaction between



the historian and his facts, an unending dialogue between the present and the past”.<sup>5</sup>

Of all the definitions that have been given of history, none seems more appropriate than the one given by R.V. Daniels of whom Rev. Cannon Obaro Ikime also acknowledged. R.V.

Daniels says that,

*History is the memory of human group experience. If it is forgotten or ignored, we cease in that measure to be human. Without history, we have no knowledge of who we are or how we came to be, like victims of collective amnesia groping in the dark for our identity. It is the events recorded in history that have generated all the emotions, the values, the ideals, that make life meaningful, that have given men something to live for, struggle over, die for. Historical events have created all the basic human groupings – countries, religions, classes – and all the loyalties that attach to these.*<sup>6</sup>

An elementary appreciation of history as a subject will show that it is about the knowledge and study of the past. It is a form of collective memory. It is the story of who we are, where we come from, and can potentially reveal where we are headed. A sound knowledge of the past is the basis for nationalism or patriotism and indeed the driving force in modern nation building. History creates and reinforces national identity and self-determination as noted by Daniels above. The United States of America, United Kingdom, Japan, etc are striking examples of nations that transmit their national history to succeeding generations. These nations made history a core part of their educational curriculum and without question, it has driven the patriotism exhibited by citizens of these countries. It is in this sense of the past, present



and future attributes of history that Justice L. T. C. Eruba called it “The Eternal letters.”<sup>7</sup>

As rightly remarked by Rev. Canon Obaro Ikime, the National educational policy makers in the time past consigned history to the rubbish dump.<sup>8</sup> Reason being that they thought Nigerians could catch up with the developed countries of the world through science and technology. Little did they realize that the developed countries of the world hold their history sacrosanct, teaching it dedication to their pupils and students. It took a decade and a fraction before the educational planners realized that the scientists and technicians so produced have left the country as they never understood the reason they were Nigerians. The current emphasis on the importance of history behooves the practitioners of the discipline to utilize every available opportunity to relive the importance of history to the teeming youth and students.

One of the importance of history is that it helps a people to know more about themselves by promoting the the understanding of their past. History satisfies a man’s instinct of curiosity about past developments in all aspects of life. Hence history links the past with the present and therefore stresses the continuity of human consciousness from generation to generation thereby showing causal relationships between events. Furthermore history helps to know the truth about the past by sifting facts or what really happened from mere myth, legend and fiction. History does this by promoting a critical analysis of events and this assists in decision making; promotes the habit of serious examination of events and offers opportunity for a special intellectual experience which sharpens the imagination, enriches understanding and deepens one’s knowledge about the development of a society. According to Falola *et al*,



*The use of historical method in the search for truth has shed more light in the 'histories' of various Nigerian ethnic groups in terms of their places of origin, relationship with other groups, achievements and problems. More light has been shed on recent Nigerian history through history method ...We learn from it that it is not enough to explain the economic crises in Nigeria only in terms of the global economic recession.<sup>9</sup>*

Another importance of Nigerian history is that it teaches the citizenry not to accept explanations on face value. It therefore helps to dig out the root of events so as to help understand an event better. It shows that a better understanding of the contemporary economic and political problems are better achieved by a critical examination of the inherited colonial structure and thereby help appraise former colonial relationships.

A study of Nigeria's pre-colonial intergroup relations helps strengthen the contemporary relationships and help deemphasize current misconceptions occasioned by misinterpretations of the past. It is on this note that Nigerian history teaches that political emancipation must go hand in hand with intellectual emancipation.

History teaches that man is a prisoner of his past and since every prisoner desires freedom, it assists him seek for ways of securing freedom from the wrongs of the past. And as people escape from the wrongs of the past, they become wiser regardless of their age especially as they grapple with the problems confronting humanity both locally and globally in the struggle for nation building.

The study of Nigerian history helps people to appreciate their cultural heritage which gives them a racial pride and shows that



they have unifying factors even before the coming of colonial rule. The study of Nigerian history also helps to refute certain Eurocentric theories such as the Hamitic Hypothesis which credits every development in the black world to the Caucasian race. Hence the study of ancient centers of civilization such as NOK, Igbo Ukwu, Benin and Ife makes the deception of Hamitic hypothesis more glaring.

Another importance of studying the past is not to help predict the future alone but to have a full and proper understanding of human behavior in the past and since similar elements exist in the present it will enable similar problems to be tackled better and more intelligently.

Finally, it helps to orientate a people amidst the bewildering currents of human diversity. It exposes the characters of bygone ancestors by seeing it in comparison with the contemporary generation. It familiarizes with variations in social forms and cures readers of a morbid dread of other cultures and change.<sup>10</sup> Ikime had reiterated the importance of history when he averred that,

*Everyday man makes history. That History must be documented and taught to man so that man may learn how he has got on from age to age, what problems have confronted him, how such problems have been solved from place to place over the ages. To deny man knowledge of this is to deny man knowledge of himself. We thus take the view that as we seek national development, we must seek to maintain a proper balance between the pursuit of science and technology and the pursuit of other desiderata of national development. Unless we do this, we may well find that we may ultimately have science and technology but no nation for science and technology to serve.<sup>11</sup>*



## **Global perspective of history**

History gives a clear picture of how the various aspects of society like technology, governmental systems and governance including society as a whole worked in the past. This is the reason history is sometimes referred to as a record of the past. That way one can understand how it came to work the way it is now. This is how by the knowledge of history it is easy to explain the present state of affairs. That is to say, history is not just a record of what has happened in the past as if it is consigned to the dustbin of records; it actually provides an explanation of what is happening today. Quite often, by the force of history, it is easy to predict the future. So history in its global coverage is organic.

Given the stage of earth's history, every institution should have a priority attention to History as it affects everyone, Christians and non-Christians. The eschatological dream of King Nebuchadnezzar<sup>12</sup> as contained in the Bible Book of Daniel Chapter 2, is history's best gift to mankind. It gave the whole world a salvation time table. The crisis in the world today has put a lot of governments, even the mighty powers of the earth that control international politics and diplomacy into a state of perplexity. But a good student of history who has read the interpretation of that dream revealed to Daniel by God will be at peace because it gives the trajectory of world events till the end as it was schematically scheduled in that dream<sup>13</sup>. Every History and Diplomatic student should easily understand that the world is at a stage where international cooperation and cohesion even with the best diplomatic maneuvers can never again unite Europe or indeed any other countries in the world just like iron and clear cannot cleave.

According to L. T. C. Eruba, the point here is not the theological imperatives derivable from that dream but rather the account of that dream recorded and provided by history as the events



unfolded<sup>14</sup> which gives the assurance that what is left in that dream will be fulfilled as accurately as the previous events. That is to say, that the efficacy of such theological imperatives like prophecies is history dependent. It can then be said quite frankly that history is the fabric by which faith is sustained. Ellen G. White captured this very important part of history when she said, "...we have nothing to fear for the future, except as we shall forget the way the Lord has led us, and his teaching in our past history<sup>15</sup>.

Simply put, history foretells the future with the records of the past. As prophesy predicted the rise and fall of world empires, history documented the reality and periodicity and provides the rationale for faith in the fulfillment of the remaining parts of the prophecy.

Therefore given how critical history is in the interpretation of the eschatological prophecies otherwise referable as salvation timetable, Eruba appeals that the subject of history be made compulsory in institutions of learning to assist students interpret world events in the light of eschatological prophecies and by that knowledge become unique, and veritable ambassadors, to a world heedlessly heading to destruction in a vehicle of deceptive and puerile international politics and diplomacy.<sup>16</sup>

## **Society and People**

Studying history allows one to observe and understand how people and societies behaved.<sup>17</sup> For instance historians are able to evaluate and predict war, even when a nation is at peace, by looking back at previous events. A critical study of the history of Nigerian civil war can help the Nigerian Government and the gladiators in power appreciate the gathering storms. A good student of Nigerian History should know that by now the predominant fratricidal cry of self-determination along tribal lines that has become mournful tunes exacerbated by the





nepotism recklessly elevated in the administration of successive leaders, are replaying the scenario that played out in 1969 with the mishandling of the agitations of Biafra by General Gowon.

History helps in creating a sense of identity in people. This is actually one of the main reasons that history is taught in schools around the world. Historians have been able to learn how countries, families, and groups were formed, and how they evolved and developed over time. The entire effort in the book, *Roots*<sup>18</sup> is an attempt to use the workings of history to identify, not only the genealogy of a people, but also their migration waves.

History helps to understand present day issues by asking deeper questions as to why things <sup>19</sup>are the way they are. For instance, why did wars in Europe in the 20<sup>th</sup> Century matter to countries around the world? How did Hitler gain control and maintain power for as long as he did? How did this shape the world and the global political systems today? Coming again to Nigeria, what was the cause of the civil war? Are the signs of civil war rearing its ugly head again?

University is where universal Knowledge is acquired. The Ancient Songhai empire may seem irrelevant to the contemporary society, yet there is a parallel between the rise and fall of Songhai Empire with the current dynamics of the Nigerian State that can help to predict its nearest future. History has it that Songhai Empire<sup>20</sup> grew from the ashes of Mali. From the exploits of Sonni Ali who conquered Timbuktu. Songhai reached its peak in the defeat and replacement of Mali in the 15<sup>th</sup> Century. But Songhai started its decline with internal political struggles predicated on suppression of viable economic regions as is the current state of affairs in Nigeria. History records that Morocco, which was a territory in Songhai revolted, to gain control of its gold mines and



the sub-Saharan gold trade. With all the military might of Songhai Empire, the attack from Moroccan army in 1591 collapsed Songhai as its cities fell into anarchy and that great Empire in African History disappeared.

In present day Nigeria there is the suppression of industrious people and economic blocks. The internal political struggles are beginning to polarize along the line of separatist tendencies arising from protests against unjust exploitation of economic capitals. Good students of history should now have started warning that a Morocco may soon attack! This is how important history can be. It can be used to analyze present day issues with an intention to avert an impending doom or take timely steps to avoid being affected by its imminence.

Consequently it seems like an aberration that Nigerian students graduate from the university without a proper knowledge of Nigerian history – a course that developed countries insist that their university students undergo.

Factors that bear relevance to change are events that took place in the past. Only through the study of history can one really see and grasp the reasons behind changes, and only through history can one understand what elements of an institution or society continue regardless of continual change.

The study of history is a non-negotiable aspect of a better citizenship. This is one of the main reasons it is taught as part of school curricula. Those that push for citizenship history<sup>21</sup> just want to promote a strong national identity and even national loyalty through the teaching of lessons of individual and collective success.



## **History and the law profession**

According to the legal luminary, History provides data that is used to make laws or theories about various aspects of society. The discipline of Law is an instrument of social engineering. It is not therefore possible to produce sound lawyers if they do not have a sound knowledge of history.<sup>21</sup> For instance, chapter four of the Constitution of Nigeria, where the Human rights is enshrined owes its origin in the constitutional history and it is this constitutional history that gave rise to the documentation of the Rights of Man by Thomas Paine<sup>22</sup>. Imagine for one moment that history did not document the rationales behind the Rights of Man, how colossal would it have been that the jurisprudence would have been bereft of those species of rights classified as fundamental which today include right to life, liberty, religion, the dignity of the human person, freedom of movement to mention but a few. It is history that provided the data with which these laws were made.<sup>23</sup>

Eruba wondered how students of law graduate without a rudimentary knowledge of history. How will such lawyers cope with land law that is heavily dependent on historical artifacts, he queried. It is history that documents customary law. It is history that documents succession upon intestacy. It is history that documents inheritance rationales and migration waves that determine title to land in most cases. Consequent upon these realities, the earlier law students begin to take courses in history that can prepare them to process traditional history, by which land titles are anchored, the better equipped they will be.<sup>24</sup> He further gave instances where history is indispensable to Law discipline.

There are five ways of proving title to land.<sup>25</sup> They are:

- By traditional evidence.



- By production of documents of title duly authenticated and executed.
- By acts of ownership, extending over a sufficient length of time numerous enough as to warrant the inference of true ownership.
- By acts of long possession and enjoyment.
- By proof of possession of connected or adjacent land in circumstances rendering it probable that the owner of such connected or adjacent land would, in addition, be the owner of the land in dispute<sup>26</sup>.

It is not difficult to see that items 1, 3, 4 and 5 above are all dependent on history. Traditional evidence is history of the land subject matter of litigation. Acts of ownership extending over sufficient length of time requires history to provide the data. Long possession implies length of time. therefore, to prove ownership by possession of adjacent land requires traditional history. When a client comes telling his lawyer that his forbears have been in possession of a piece of land from time immemorial, a lawyer with a good sense of history will begin to guide the thoughts of that client with events in history that will help him provide the time lines that will make the testimony more graphic, comprehensible and compelling.<sup>27</sup> That is how land matters are won. In view of the importance of history to the society and institutions, he advocates that history departments host the archives of every institution as it is expected to document every inch of the development of the institution and make it available in the future to seekers of classified information.<sup>28</sup>

## **Conclusion**

As it is, a proper knowledge of history can help one care for today and look into the future. It would be unthinkable if any authority in Nigeria attempts to remove history from the nation's curriculum or question its overriding importance anymore.



Christians have faith that Jesus will come again<sup>29</sup> because history provides the evidence that the prophesy that he will come the first time<sup>30</sup> was fulfilled. Graduates of faith-based Institutions and non-faith based-institutions alike, ought to be distinguished by their sound knowledge of history as a force to reckon with in sustaining faith in their society and God. The eternal letters of history, more than science, interprets universal proclivities clearer and gives meaning and relevance to religion which ultimately states the purpose of life and how eternity is impelled. You shall not be afraid of the future except you have forgotten how God led you in the past and his teaching in the past history. There is therefore every need to factor the discipline of history properly into our academic curriculum if we desire to see the light and grow as a nation.

## End Notes

- 1 Pallavi Takekau, Jyotrimayee Nyak, & S. Harichandan. *In <https://www.ddceutkal.ac.in>educ...> Accessed March 19, 2024.*
- 2 Pallavi Takekau *et al.*
- 3 Pallavi Takekau *et al.*
- 4 Pallavi Takekau *et al.*
- 5 Edward H. Carr. *What is History?* London: Penguin, 1961
- 6 R.V. Daniels. *Studying History, How and Why?* In Obaro Ikime (eds) *History, the Historian and the Nation*. Ibadan: HEBN Publishers. 2006. (vii)
- 7 Justice I.T.C. Eruba's speech in the maiden History and Diplomatic Day of History and Diplomatic Department of Clifford University in 2022, titled, "History as Eternal Letters"
- 8 Rev. Canon Obaro Ikime. *History, the historian, and the nation*. Ibadan:HEBN Publishers. 2006. Vii.
- 9 Toyin Falola et al. *History of Nigeria 1*. Ikeja: Learn Africa Plc. 2014. 1-2.



- <sup>10</sup> Toyin Falola *et al.* 2014. 2.
- <sup>11</sup> Obaro Ikime. 2006. xvi.
- <sup>12</sup> Holy Bible – Daniel Chapter 2.
- <sup>13</sup> Ellen G. White – Education, 177: Prophecy traced the rise and fall of the world’s great empires – Babylon, Medo Persia, Greece, and Rome. With each of these, as with nations of less power, history repeated itself. Each had its period of test, each failed, its glory faded, its power departed, and its place was occupied by another.
- <sup>14</sup> Babylon the head of gold was a world Empire that reigned from 608 – 538 BC; Medo-Persia the chest and arms of silver, was a kingdom of Medes and Persians that conquered Lydia, Babylon and Egypt and came into power in 538 BC; Greece, the belly and thighs of bronze became a world power under Alexander the Great in 331 BC; the Roman Empire, the feet of partly iron and partly clay, was established in 168 BC as the 4<sup>th</sup> world power as the Iron Kingdom. The mass migrations of 351 – 476 AD saw the Roman Empire broken into pieces of 10 smaller European Kingdoms as symbolized by the 10 toes. Characteristically iron and clay cannot cleave. So also will the kingdoms of Europe not be able to ever come together again. You can recall the example of Bri-exit that saw the UK pull out of Europe. The world is currently in this disharmony. What we should be expecting now is the stone cut without hands to strike the image on its feet and the image will be crushed like chaff and the wind will carry same away. Then the stone that crushed the image will become a great mountain that will fill the whole earth. This is the last world Empire where Jesus Christ will reign forever. Amen.
- <sup>15</sup> Ellen G. White, - Life Sketches 196 (1902)
- <sup>16</sup> Eruba
- <sup>17</sup> Ibid.



- 18 Alex Haley 1976. Wikipedia - This is a historical fiction that tells the story of an American family. It uses the character Kunta Kinte, an 18<sup>th</sup> century African, captured as an adolescent, sold into slavery in Africa, and transported to North America; it follows his life and the lives of his descendants in the United States down to Harley.
- 19 K.B.C. Onwubiko. *History of West Africa 1000-1800*. Onitsha: Africana Educational Publishers. 1967. Pp 20-32 <sup>20</sup> Relationship between a citizen and the State.
- 20 Onwubiko
- 21 Eruba
- 22 Thomas Paine – 1749-1822. An English born American Philosopher.
- 23 Eruba in his speech, ‘Eternal Letters’.
- 24 Ibid.
- 25 Ibid.
- 26 This simply means the history of ownership from the person who deforested the land, to the current person pleading the title.
- 27 Eruba.
- 28 Ibid.
- 29 Holy bible – John 14:1-4.
- 30 Holy Bible – Isaiah 7:14; Matthew 1:23; John 1:1-2 and 14.

