Preface

This book, a revised version of the doctoral dissertation I submitted to Heidelberg University's Faculty of Philosophy in March 2017 and defended in May 2017, represents the culmination of a four-year research project (2013–2017) supported by the Cluster of Excellence “Asia and Europe in a Global Context” under the German Universities Excellence Initiative.1 The main ambition of the work lies in a comprehensive investigation into the formation and implementation of the (Mulukī) Ain of 1854, a foundational legal code with constitutional attributes. Central to this examination is the detailed editing and translation of the articles pertaining to homicide within both the Mulukī Ain of 1854 and its successor, the Mulukī Ain of 1870. These analyses are juxtaposed with relevant contemporaneous legal and administrative documents, with the aim of providing a robust and contextual understanding of the legal framework. In essence, this study endeavours to serve as a scholarly resource, shedding light on the intricate role of legal systems in shaping modern Nepal's identity as a nation-state, while concurrently delving into the legal evolution and transformation that characterized the 19th-century landscape.

I would like to express my heartfelt gratitude to Prof. Dr. Axel Michaels, my supervisor and mentor, without whom the completion of this work would not have been possible. He has been instrumental to my work in virtue of his vast knowledge of Hindu legal traditions, Nepalese legal history, and deep critical thinking within academia. Furthermore, I am immensely grateful to him for extending an invitation to Germany, allowing me to pursue my doctoral studies here. I am indebted to him not only for his countless suggestions and enlightening comments on all sections of this work but also for his significant contributions to the field of Nepalese studies as a whole.


DOI: https://doi.org/10.17885/heiup.1276
I am also deeply indebted to Prof. Dr. Martin Gaenszle for his evaluation of my dissertation and insightful suggestions for its improvement. The final result has been accepted by Prof. Dr. Barbara Mittler, head of the advisory board of the Research Unit: Documents on the History of Religion and Law of Pre-modern Nepal, for publication in the Documenta Nepalica book series, for which I am truly grateful.\(^2\)

The completion of this work would not have been possible without the inspiration and unwavering support of my dear friends Dr. Manik Bajracharya and Dr. Simon Cubelic. I express special thanks and deep appreciation to them for their invaluable presence throughout this journey, which made the realization of this book possible. Furthermore, I would like to acknowledge with gratitude Dr. Astrid Zotter and Dr. Christof Zotter (along with their sons), who not only provided valuable and constructive suggestions on my work but also warmly welcomed me as a member of their family during my initial days in Germany.

My sincere thanks also go to Prof. Bhim Kandel and my friend Dr. Nirajan Kafle each for their teaching of Sanskrit over the years. Nirajan, in particular, has been an unwavering source of support throughout my personal, student, and professional life, for which I am deeply appreciative. I am indebted to him for his careful reading of and corrections to the final draft of this publication. I extend my gratitude, too, to the late Dr. Albrecht Hanisch and to Anna Hanisch for their constant inspiration.

I would like to acknowledge the support and helpful suggestions of Dr. Dikshya Karki and Dr. Ramhari Timalsina during my research. Special appreciation goes to Sonam Dechen Gurung, Philip Pierce, and Michael M.B. Zrenner for their valuable contributions in reviewing the English. I am particularly grateful to Philip Pierce for his meticulous proofreading and critical comments, which greatly enhanced the quality of this publication.

I express my gratitude to the National Archives, Kathmandu, and its chief, Saubhagya Pradhananaga, for granting me access to the historical documents preserved in NAK. The documents discussed in this work are among those featured in the research project “Documents on the

\(^2\) Note that Prof. Dr. Axel Michaels and Prof. Dr. Martin Gaenszle carefully reviewed the successive drafts of this work during the dissertation evaluation process and its subsequent preparation for publication. Their generously supplied expert knowledge significantly rectified many structural and factual issues present in the earlier draft and helped to give shape to the final version. Whatever errors and shortcomings may persist are solely my responsibility.
History of Religion and Law of Pre-modern Nepal.” I am thankful for the support received from this project in advancing the understanding of Nepalese religious and legal history.

I want to express my profound gratitude to the Nepal-German Manuscript Cataloguing Project, where I worked for over a decade. This experience played a crucial role in developing my critical thinking skills and deepening my knowledge in manuscriptology. Therefore, I am extremely grateful to all those who were involved in managing and carrying out the project.

I am thankful to our dear friends Josef Sonnen and Gabriele Sonnen for their unwavering inspiration and motivation throughout the process of completing this book. Their presence on the day of my dissertation defence meant a lot to me, and Josef, though no longer with us, will always hold a special place in our memory.

Finally, I offer my deep and sincere gratitude to my family for their continuous and unparalleled love, assistance, and support. I am grateful to my wife, Tsowang Lama, for her steadfast love, inspiration, and support throughout my academic career and our domestic life together. I also extend my thanks to my daughters, sisters, brothers-in-law, nephews, and nieces for always being there for me as friends. I remain forever indebted to my parents for providing me with the opportunities and experiences that have shaped the person I am today.

Heidelberg, 2024

Rajan Khatiwoda