

## Foreword by Patrick Olivelle

The publication, a complete translation of the Nepali law code, the *Mulukī Ain*, is indeed a milestone in modern scholarship into traditional South Asian law, especially the law encoded in the Sanskrit Dharmaśāstras. There has been a long-standing debate whether laws spelled out in these ancient codes were purely theoretical constructs or constituted the ‘law of the land’ and actually applied in courts of law. The truth lies somewhere in the middle, and this Nepali code shows how these ancient Sanskrit treatises influenced modern jurisprudence as a traditional 19th century society attempted to write a comprehensive code of civil and criminal law.

For scholars of Dharmaśāstra, simply reading the Contents of this long and detailed code reminds them of the topics of the Sanskrit treatises: partition of property, adoption, legal procedure, theft, debts, deposits, slaves, and marriage, and over two hundred pages on sexual offenses. As in the Sanskrit texts, gambling is controlled—profitably no doubt—by the state. As opposed to the Dharmaśāstras, which generally approve of and give detailed rules with regard to ordeals, the *Ain* disapproves of this practice as a legal means of dispute resolution.

The scholarly community owes a debt of gratitude to Rajan Khatiwoda and Simon Cubelic and especially to Axel Michaels, who started working on this project thirty years ago, for their diligence and persistence in translating this long and complicated text. This legal code is, as Professor Michaels says, ‘a text at the confluence of Indology and Anthropology,’ and, indeed, a text that bridges the ancient Brahmanical legal treatises and the needs of a society in the process of becoming a modern state.

*Patrick Olivelle*

*Professor Emeritus*

*University of Texas at Austin*