

Preface

The (*Mulukī*) *Ain* of 1854, Nepal's first legal code, is a book that is more quoted than understood. So far, only a few Articles have been translated (see Table 1, pp 10–11). This is all the more astonishing as the text is a unique testimony for South Asia, bringing together and recording predominantly Brahmanical social ideas, legal concepts and local practice. Moreover, it captures the richness of life in Nepal in the mid-19th century – with all its social, religious and economic problems and conflicts.

I had always wanted to translate this important code, considering it a wonderful example of a text at the confluence of Indology and Anthropology (cp. Michaels 2020)—and, in fact, started to do so almost at the beginning of my academic career. In 1990, I was granted a 5-year Heisenberg Fellowship by the German Research Council (DFG) for this task. However, I could enjoy the fellowship only for a few months, because I was then offered the chair for Religious Studies at Berne University in Switzerland. Afterwards, my obligations at Berne and later Heidelberg did not allow me to pursue the translation project.

I was all the more delighted when, in 2015, I was awarded the Lautenschläger Research Award. With the prize money, I was able to employ Rajan Khatiwoda and Simon Cubelic, both at that time my PhD students, meanwhile post-docs at Heidelberg University, for a couple of years.

In our weekly meetings we discussed and reviewed jointly all chapters of the *Ain*, for most of which Rajan had prepared an initial translation. We have endeavoured to make this first full translation of the *Ain* of 1854 readable, which is not always easy with legal texts and their technical terminology.

I am extremely grateful for Rajan's and Simon's relentless work, as well as their genuine concern to disentangle the intricated language of the *Ain* and to pursue every detail. Without them, my dream of a translation of the *Ain* of 1854 would not have come to fruition 30 years after its inception.

I would also like to thank Manfred Lautenschläger, himself a jurist by training, for the award and his interest in the project and support throughout the years.

Thanks are further due to Douglas Fear and Philip Pierce, who both copy-edited the English and suggested many valuable improvements. Manik Bajracharya was an everlasting source of inspiration; thanks also to him. We are grateful finally to Nutan Sharma and Rajendra Shakya, who helped with preliminary translations of some Articles.

The Heidelberg Academy of Sciences and Humanities made it possible to include the book in the *Documenta Nepalica Series*, which we gratefully acknowledge.

We wish to thank the excellent team at Heidelberg University Publishing—Maria Effinger, Daniela Jakob, Anja Konopka, Frank Krabbes and Jelena Radosavljević—for bringing the book manuscript into a printable form.

A special thank goes to the artist group ArTree with Lavkant Chaudhary, Hit Man Gurung, Sheelasha Rajbhandari and Subas Tamang for their interest in and inspiring art on the *Mulukī Ain*. A part of Hitman Gurung's installation *How many times I had to burn it?* (2018) is used for the cover page. It depicts a leather-bound copy of the first Ain of 1854 as used in the field, the cover page of the first printed edition and the Constitution of Nepal from 2015 thus demonstrating Nepal's long and hardous way from tyranny to democracy. Subas Tamang's etching with the title 'Study of History' on p. xix is another example for the great interest that contemporary Nepal still shows for this key text in its history.

I hope that this translation will be well received and critically studied by scholars in Nepal and abroad. It deserves a prominent place in the histories of law, society, politics and religion in South Asia and in Comparative Law Studies.

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Axel Michaels

Postscript: While handing this book over to the press, the sad news arrived that my Nepālī teacher Laxmi Nath Shrestha died on 3 September 2020. I met Laxmi-ji in February 1981 and since then he became a close friend of my family and my colleagues at Heidelberg whereto he regularly came for crash courses in Nepālī and Nevārī. In fact, I started reading the *Ain* with him in the early 1980s. We will miss him a lot.