THE ROYAL EDICTS OF KING RAMA SHAH OF GORKHA

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INTRODUCTION

In two significant articles, A. W. Macdonald has called our attention to the importance of traditional Nepali law for our understanding of the history and society of the central Himalayas. ¹ This law was codified in the middle of the nineteenth century and was given the name of Mukuli Ain, or "Law of the Realm". ² In this form, it consists of a large body of complex principles, mostly Hindu in inspiration, which attempt to regulate social intercourse between the various castes and ethnic groups inhabiting the country. Many of these principles are similar to those contained in the Hindu law books, and many of them may indeed be derived directly from them. Of even greater interest, however, is the independence from orthodox Hindu thought displayed in the Nepali code, for in this freedom from orthodoxy we can see how Hinduism changed in order to conform to the complicated ethnic situation prevailing in the mountains. Whatever the sources of the code, it is clear that it reflects the influence of the Nepali-speaking peoples of Western and Central Nepal and their rulers, the Shahas ³ and

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² Except for passing references cited by Macdonald, the Muluki Ain or le code Nepalais, as he calls it, has rarely been discussed elsewhere, in part because of ignorance of its existence, but also because of the great difficulty of its language. In the first article listed above, Macdonald cites its importance for the field of Himalayan anthropology: "L'étude ethnographique descriptive des diverses populations du Népal demeure notre tâche essentielle. Mais cette ethnographie en même temps qu'elle éclaire le Code, peut être éclairée par lui. C'est autour de cette double conronnation que l'on bâtira, un jour qui semble encore lointain, une véritable ethnologie structurale du Népal" (p. 152).
³ I have used the common English spelling of this name rather than the transliterated forms, Sāha or Śāha.
later the Ranas. It is through their conquests and rule that it eventually became the law of all of Nepal, and was to be so until the middle of this century.

A full discussion of the development of the Muluki Ain is beyond the scope of this paper. One of the most important links in its development, however, can be found in the edicts of King Rama Shah of Gorkha, and it is my purpose here to present both the text and translation of these legal maxims. Rama Shah has had little notice outside of Nepal, but he played a major role in strengthening the kingdom of Gorkha; it was his descendant, Prithvi Narayan Shah, who extended Gorkhali rule over all of Nepal a little more than a century later.4

1. Rama Shah (1606-1636)

According to traditional accounts, Rama Shah acceded to the throne of Gorkha in 1606 A.D. upon the death of his brother, Ksatra Shah, who reigned for only seven months. Their father, Purandara Shah, had ruled for thirty-five years, and had ascended the throne in 1570 upon the death of his father, Dravya Shah, who founded the dynasty in 1559 A.D.

While scholars still accept the traditional date of Rama Shah’s accession, there is some uncertainty over the length of his reign. The traditional accounts state that he ruled for twenty-seven years, died in 1633 A.D. and was succeeded by his son Dambar Shah. More recently discovered evidence indicates that he was still ruling in 1636, however. According to Surya Bikram Gyevali, “recent findings make it necessary to revise this traditional chronology. According to a document published by Yogi Naraharinath in Itihas Prakasha (Book 1, p. 40), King Rama Shah had established a monastery in Shrawana 1558 Shaka (1636 A.D.) thus disproving the Vamshavali’s claim that he reigned only until 1555 Shaka (1633 A.D.) We may now conclude that King Rama Shah reigned until 1558 Shaka (1636 A.D.)”5

Rama Shah is said to have extended the territory of his kingdom by conquering territory which extended to the Trisuli valley near Nepal proper. He is said to have

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sent missions to Delhi and to Udaipur, both of which were received cordially, and he established relations with the kingdom of Patan. 6

In addition to his skill in foreign relations, the tradition firmly establishes his reputation as a law-giver in west and central Nepal. Gorkha became the place where disputes were resolved, and in this regard, the \textit{Gorkhāvaṃśāvalī} records the following incident:

\begin{quote}
tāhā-dekhin caubisī bāiśi rājāharukā
mulukmā baḍā baḍā gāhṛā jhagaḍā paryā.
vahā kasaile chinna sakyānan. jab
gorkhā śrī pānch mahārājā rāma sāha kā
kacaharimā jāu bhani jhagadiyā jodi paṭhāi
dina lägyā jhagadiyāko citta bujhāi sab ko
citta bujhāi jhagḍā todi baksanu hundā “vidyā
hariyā kāski jānu nisāph harāyā gorkhā jānu”
boliko nisāna po cha tyo pani śrī pānč mahārājā
\end{quote}

6 Rama Shah is mentioned only briefly in western works on Nepal. In the early accounts of Kirkpatrick (\textit{An Account of the Kingdom of Nepal}, Cambridge 1811), and Hamilton (\textit{An Account of the Kingdom of Nepal}, London, 1819), he is barely noticed. Some of his edicts are summarized in Daniel Wright, \textit{History of Nepal}, Cambridge 1877, pp. 278-9; and the traditional length of his reign given. Lévi (\textit{Le Népāl}, Vol. II, p. 262) mentions him as a law-giver, but provides no other information. More recently, D. R. Regmi, \textit{Modern Nepal}, Calcutta, 1956, p. 19 has summarized portions of the edicts. Leo Rose and Bhuvn Lal Joshi, \textit{Democratic Innovations in Nepal}, Berkeley, 1964, p. 12, have called attention to his importance, and to the fact that the edicts may have played an important role in strengthening Gorkha rule over the central tribes. In another work, \textit{Nepal: Strategy for Survival}, Berkeley 1971, p. 13, Rose discusses briefly his campaigns against Tibet and his conflict with King Pratap Malla of Kathmandu. Bikrama Jit Hasrat (\textit{History of Nepal}, Hoshiarpur, 1970) has translated sections of a \textit{Gorkhāvaṃśāvalī} which deal with Rama Shah (pp. 106-120). Several court regulations are given (pp. 114-15) which are not included in the works used herein. See also: Naya Raj Pant, \textit{Śrī 5 Prthvī Nārāyaṇ Śāha ko Upadeśa} (401-600 prsthā samma) for an interesting account of Rama Shah. The text of the edicts is given on pp, 561-79.

I have not seen the Nepal work of Gyevali, \textit{Rāma śāha ko jivani} (\textit{Life of Rama Shah}), Darjeeling, 1933
rāma sāha dekhin caldo bhayo. 7

Then in the country of the Caubisi and Baisi kings, a very grave dispute arose. No one could resolve it. The parties to the dispute were sent to the court of King Rama Shah, where the arguments were settled and all, including the litigants, were satisfied. From the time of King Rama Shah, therefore, the following proverb has been current “If knowledge is lost, go to Kaski, if justice is lost, go to Gorkha.”7

2. THE EDICTS

The edicts which have survived represent, in all probability, only a small portion of the number which Rama Shah promulgated. They do not form a code, but are, rather, single orders or proclamations.8 Unfortunately, they have not been preserved in their, original form, for the language in which they are cast has many characteristics of late eighteenth and early nineteenth century Nepali. 9 At some point, they were also preserved as sūtra that is, as very short maxims which indicate in abbreviated form the main intention of the edict. These are so brief that it is difficult to determine to which century they may belong. Possibly, they are anterior to the full forms of the edict, and may have been mnemonic devices used to recall the import of the edicts.

According to the official text, there are twenty-six, possibly twenty-seven, edicts. The number is artificial, however, since some which have been divided are

7 Yogi Naraharinath, Gorkhāvamsāvali, Kashi, B. S. 2021, p. 39. (This work is hereafter referred to as G). The proverb as quoted here differs from the one in common use which refers to Kāśī i.e. Banaras, rather than Kaski.
8 Here I disagree with Rose’s judgment, op. cit., p. 13, which refers to Rama Shah’s edicts as an organized code, comparing it to the thirteenth century attempt of Jayashthiti Malla to institute a caste system in Nepal. On the evidence available now, it does not appear that the edicts were originally a code, but rather a series of individual proclamations. The reference in one of the edicts to four varṇas and thirty-six castes is merely a traditional way of referring to the castes.
acutally single edicts. They cover many different subjects. In the order in which they are usually given, they cover the following topics:

1. The Royal Guru
2. On Measures
3. On Weights
4. On Debts of Grain
5. On Debts of Money
6. On Disputes Regarding Watering Places
7. On Disputes Regarding Oil Presses
8. On Disputes Regarding Irrigation Channels
9. On Endowing Land to Brahmans
10. On Endowing Land to Brahmans (cont.)
11. The Six Clans
12. On Pasture for Cattle
13. On the Preservation of Trees along the Road
14. On the Preservation of Trees at Watering Places
15. On Banishment of Brahmans and Kinsmen Who Commit Murder
16. On the Execution of the Members of Other Groups Who Commit Murder
17. On the Wearing of Gold
18. (Lost in the Original)
19. On the Duties of Brahmans
20. On the Duties of Pande Brahmans in Gorkha
21. On Worship in Talhā Kot and the Darbar
22. On the Appointments of Dadā etc.
23. On the Division of the Harvest
24. On the Twelve and Eighteen Thar
25. An Agreement with King Siddhi Narasimha Malla of the Kingdom of Patan
26. On Touching the Stone in Expiation
27. On Witches

Edicts 18 to 24 are the most problematic in the official version which I have used here. Edict 18 in the original is lost. Edict 19 is garbled, and Edicts 20, 21 and 24 are fragmentary; in the case of Edict 24, there seem to be contradictory versions.

Edict 27 does not occur in the official version of the edicts, but because it occurs in the other texts, I have added it at the end. In the other versions, it occurs much earlier in the list as number five. It is possible that it is the missing Edict 18, but this is not at all certain.
3. THE TEXT

The text of the edicts presented here is essentially the same as that contained in *Itihās Prakāś* (IP in the notes.) ¹⁰ and in the first appendix to the 1965 edition of the *Muluki Ain of King Surendra* (MA in the notes). ¹¹ The latter, while it is the official government version, is derived directly from the first. ¹²

In addition, two other important works have been consulted. These are the *Gorkhāvamsāvali* (G. in the notes) and a document in the *Itihās Prakāśmā Saṃdhīpatra Saṃgraha* entitled “Rāma śāha kā Gorkhāle gareko kehi pragati” (SP in the notes). ¹³ Both of these are narrative accounts of events in Gorkha, and both give versions of the edicts of Rama Shah. Neither of them contains all of the rules given in the first two works listed above, nor do the rules given differ in content. However, they are often worded differently, which in many cases has been helpful in preparing the translation. Edict 19, for example, which is confused in the official text, is much more clearly stated in these. In my notes, I have included the important variants between the various texts, and also, where available, the sūtra for each edict.

4. THE TRANSLATION

The language of the edicts is difficult for it is filled with rare vocabulary and obscure terminology. Where the translation is uncertain, I have tried to clarify my interpretation in the notes. Many points remain unclear, however.

The notes to the translation contain translations of each sūtra, and, where necessary, translations of parallel passages contained in G. and SP. Notes are numbered consecutively.

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Mr. Mahesh Raj Pant reviewed the translation with me after it had been prepared. I am indebted to him for his many suggestions and improvements.

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Nepali Text and English Translation
pratham chiti // // śrī nandamiśrajanī guru tulyāi baksanu First Edict.

bhāi hāmrā samtānle tapāka samtānlāi guru tulyāunu arulāi
na tulyāunu bhannyā dharma gari baksanu bhayo ... ... ...

Having appointed śrī Nanda Miśra guru, the law (dharma)
is proclaimed that our descendants will appoint your descendants
guru. No others shall be so appointed.

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1. Sūtra: none
   G: no thiti, but the story of Nanda Miśra is told in detail, p. 21.

2. Sūtra: None
   Ganda Miśra is not identified beyond the story in G., p. 21.
   This is the only use of the word dharma in the edicts. The
   words used most frequently are hukum, "royal order, decree",
   and thiti, "order, regulation". Thiti is collocated with the
   verb bāmdhṇu, lit. "to bind", and baksanu, lit. "to give",
   but used only of royalty. hukum baksanu and thiti bāmdhī
   baksanu both mean "to issue a royal order, edict, or decree."
   In the text given by Itihās Prakāś and the Muluki Ain, the
   expression thiti bāmdhī baksanu is used most frequently.
dosro thiti // // pailhe bāmskā dhungrāle ḍālāle āhrile
bharnyā bastu bharikana linu dinu estā tarahko linu dinu gardā
vithiti hunāle 10 muṭhiko 1 mānu 8 mānāko 1 pāthi 20 pāthiko 1
muri gari calan garnu bhani mānā pāṭhimā chāplāi baksanu
bhayo ... ... 2

Second Edict:
Formerly, it was the custom to use a vessel such as an
earthen pot or a bamboo pipe or basket for filling. Because
this has been without regulation, henceforward the following
measures are to be used: 10 muṭhi = 1 mānu; 8 māna = 1 pāthi;
20 pāthi = 1 muri. The King has caused the māna and pāthi
to be so stamped.

2. Sūtra: mānu pāthi muri
G: tesai belāmā pāthi mānu tulo esko sthiti hukum garnu
bhayo. kyā arthale esko sthiti bhanyā bāskā dhungrāle
dālāle āhrile estāi tarahsita calan garthyā. tasartha das
muṭhiko mānu. āṭh mānāko pāthi. bīs pāthi ko muri. es
ritle calan gara.
SP: aghi bāskā dhungrāle kāthakā āhrile coyākā dālāle
calan garthyā. ghaṭibadhīma vithiti bhayāko chīyo // tadartha
daś muṭhi agnale bharimir tabāko 1 mānu // āṭh mānāko ek
pāthi // bīs pāthiko ek muri // es rītle annāpraḥṛti
bharimāya bastumā calan gara.

Second Edict
Sūtra: On māna, pāthi, and muri.
SP: es rītle annāpraḥṛti bharimāya bastumā calan gara: in
this way use these vessels for measuring out grain etc.
1. āhri, also spelled āri: a tray, trough, pot, water clock.
2. The vessels often bear the dated royal seal guaranteeing their
accuracy.
tesro thiti // // tulo dhakko pani aghi withiti hunale 10
lal-ko 1 masa 10 masha 1 tol 18 lalko 1 pal 27 tolako bodi
108 tolako 1 bisauli 2 bisauliko 1 dharni tulyai calan garnu bhani
3 tulam aak kati dhakma charplai baksanu bhayo ... ... ...

Third Edict:
Because in the past weights and scales have not been according
to rule, the following are to be used: 10 laal = 1 masa; 10 masa
1 = 1 tol; 18 laal = 1 pal; 27 tol = 1 bodi; 108 tol = 1 bisauli;
2 bisauli = 1 dharni. The King has ordered the scales to be
inscribed with numbers, and the weights so stamped.

3. Sutra: bodi pal bisauli dharni
G: tastai ritle bodi pal bisauli dharni estai tarahle tulako
pani byavastha badhi calan gara bhani hukum bhayo.
Sp: tastai tula taraju kata prabhr tima taulinay bastum // das
lalko ek masha // das masha ek tol // athara tolako ek
pal // sattais tolako ek bodi // car bodiko ek visauli
//dui bisauliko yek dharni // yas rite calan garnu //

Sutra: On bodi, pal, bisauli, dharni
1. bodi: this term is not listed in the lexicons, but Turner (p. 328),
in his definition of dharni gives: 1 dh = 2 bisauli = 4 bodi.
These weights have slightly different values in Nepal today.
For details, see M.G. Regmi, A Study in Nepali Economic
History 1768 - 1846, New Delhi, 1971, p. 207.
Fourth Edict:

The following edict is proclaimed by the King:

Formerly, interest on a loan of grain was calculated annually for as many years as the borrower was not able to repay the money lender. Because the interest could be calculated annually even if the period of time were very long, everyone in the country could become debt ridden and would never be free of the money lender because of his inability to repay his debts. For this reason, the following edict is proclaimed: Twenty per-cent interest per year in ten years is equivalent to triple the amount. The money lender is to take this triple amount. No matter how many years over ten a debtor is not able to repay the loan, when he is again able to pay, the money lender is not to take annual interest, but only triple the amount.

Sūtra: Three times the grain

1. thiti bāṃḍhi baksanu bhayo, "the (following) edict is given". This phrase occurs at the end of many of the edicts and is a late addition.

2. pacaud - one fifth. This in all probability means two hundred per cent interest in ten years plus the principle. This would be the maximum which a creditor could take. Wright, op. cit., p. 279, translates one fourth rather than one fifth: "He also made laws for debtors and creditors, fixing the rate of interest at ten percent for money, and one fourth of the quantity of grain. If the debtor was unable to pay within ten years, the creditor after that time might take twice the principal in money, and three times the amount in grain, but no more. He made many other laws." See also D.R. Regmi, Modern Nepal, Calcutta, 1961, pp. 18-22 for a brief summary of the edicts.

4. Sūtra: annako tinu

G: tastai ritle annako stiti panī tebar linu bhani bāṃḍhi baksanu bhayo.

Sp: varṣa pratiko vyāj das varṣa nāgyā pachi na linu tastai annako tebar linu. bhani stathī bāṃḍhi baksanu bhayo //
pāṃcau thiti // // dāṃko pani pahile asāmile sāhuchey
liyako karja tirna nasakí jati sukai varsa rahya pani varṣai
pratiko vyaj jama hunāle kahile pani rīna tirna na sakā mulukma
kohita kaile pani sāhudekhi chuṭti na hunya bhai sabai ringraḥi
bhaya taskāraṇ 1 var sakā hisāble dasadukā 10 varṣamā dobar humcha
sahule dobar linu asāmile saum pani vyaj pani tirna na saki 10
varsa dekhī ubho jati sukai varsa rahyo bhanya pani pheri saknya
bhai tīrdakā belamā varsa pratiko vyaj sahule na linu dobar mātraī
linu bhanyā thiti bādhī baksanu bhayo ... ... ... 5

Fifth Edict:
The following edict is proclaimed by the King:
Formerly, interest on a loan of money was calculated annually
for as many years as the borrower was not able to repay the
money lender. Because the interest could be calculated annually
even if the period of time were very long, everyone in the
country could become debt ridden and would never be free of
the money lender because of his inability to repay his debts.
For this reason the following edict is proclaimed: Ten per-cent
interest per year in ten years is equivalent to double the
amount. The money lender is to take this double amount. No
matter how many years over ten a debtor is not able to repay
the loan, when he is again able to pay, the money lender is not
to take annual interest, but only double the amount.

5. Sūtra: dāṃko dunu
G: dāṃko dunu bhanyāko kyā artha bhanyā. aghi ta asāmile
karja li dasauti vyāj tirna na saki jati sukai varṣa rahya pani
varṣai pratiko vyaj gari tirna saknyā bhayaḥā belamā
limdā ta. kailhe pani sāhudekhi chuṭti na pāunyā hunyā bhai
muluk dherai ṛṇagṛhi hunyā. taskāraṇ dasadukā hisāble
das varṣamā dobar humcha. dobar linu. asāmile sāu pani
vyāj pani tirna sakena das varṣadekhi ubho jati sukai varṣa
tirna na saki rahyo bhanyā pani. pheri saknyā bhai tīrdakā
belamā. varṣai pratiko vyaj sāhule na linu. dobar mātraī linu.
bhanyā esto thiti bādhī baksanu bhayo.

Sūtra: Twice the money.
Sixth Edict:

In order not to hear trivial disputes with regard to watering places, the following edict is proclaimed by the King: Many women go to the watering places and, besides this, servants go. If there is no water, no one's work will go forward. Therefore, he who reaches the watering place first is to take water first. No one is to claim priority without right. Each one in turn is to take water; in this way water is to be taken. This edict is proclaimed by the King so that if some one causes such a trivial dispute, such (conflicting) arguments shall not be heard in court.

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Sutra: On not hearing disputes regarding watering places

1. padhyāro = padero = panero, watering place, spring, public well. This and the following two edicts are approximately the same in wording, and appear to be directed toward keeping servant disputes out of the courts. D.R. Regmi, op. cit., states that Rama Shāh intended that these disputes be settled by village councils, but none of the texts of the edicts indicates any such intention.
Seventh Edict:

In order not to hear trivial disputes with regard to oil presses, the following edict is proclaimed by the King:

For many houses there is but one oil press. Therefore, each person is to take his turn in pressing. No one is to claim priority without right. Moreover many women and servants go to the presses. If there is some trivial dispute, this edict is proclaimed to avoid hearing it in court.

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7. *Sūtra:* kolāko jhagarā na sunnu
G: Same
Sp: omitted

*Sūtra:* Disputes regarding oil presses will not be heard.
Eighth Edict:

In order not to hear trivial disputes with regard to irrigation channels, the following order is proclaimed by the King:

Often bondsmen, slaves, and servants go to the irrigation channels. Each one is to take in turn his share of water according to the extent of his fields. No one shall take water out of turn or more than his allotment. This edict has been proclaimed so that if there occurs a trivial dispute, it shall not be heard in court.

8. Sūtra: kulako jhagarā na sunnu
G: substantially the same.
Sp: "

Sūtra: Disputes regarding irrigation channels will not be heard.
Ninth Edict:

Formerly, in giving land to a Brahman, because there was no regularity in indicating the number of ropani and muri, or khet, one simply said: "I give the land between such and such a hill, such and such a stream, such and such a bluff, such and such a boundary." Observing, therefore, that there are no boundary markers for Brahman birtā and raiker land, the following edict is proclaimed by the King: Henceforward, when reading the samkalpa of the land for a Brahman, the number of ropani and muri shall be given by the [authority of] the king's realm (bhumi), the water jug (jhāri) of the king's kinsmen (cautariya), the word (bimti) of the judge (kāji), and the hand (hāt) of the Brahman. The agent of the king shall give a statement indicating the size of the land. In taking birtā from one and having it given to another, surveyors shall go by order of the king and bury four pegs as boundary markers indicating the amount of land and the number of ropani. Within the boundary, there should be no more no less than the amount awarded by the king's hand. As much as is given, so much should be within the borders.

   : aghi brāhmaṇ-lāi birtā didāmā pani. phalānu dādo. phalānu kholo. phalānu paharo kālhā bhitrako jagā. birtā dīnyū. bhanyāko mātra. yetī muri yeti khet bhanyā tēgānā na hunālē brāhmaṇkā birtā ko raiker jaggāko. sadā kīlāko baṛdej na bhayāko dekhā. yo thitī bādhī baksanu bhayo. śīrājāko bhumi. cautariyāko jhāri. kajiko bimti. brāhmaṇkō hāt. pāmṛcro sāmndh. kasto sāmndh bhanyā. cār kīlā gādi yeti muri eti sayā bhanyā sādā garnu hukum bhayo. yasta tarehilē dān garnyāle pani dān garnu. dān līnyāle pani dān linu bhanyā hukum bhayo. p: Substantially the same.
1. Ropani, muri and khet are measures of land. According to M.C. Regmi, op. cit., p. 205, the muri, the smallest of these units, was an area yielding 1 muri of grain (a muri of grain being equal to two maunds of 160 lbs.). "If the land was of high productivity, a smaller area was required to produce 1 muri of grain than if it was of low productivity. Accordingly, 1 muri of land of the lowest grade of productivity was larger in area than 1 muri of the highest grade. Irrespective of the grade, 4 muris of land made one ropani;" and twenty ropani = one khet. These units were generally used to measure khet or rice lands, dry lands, (pākhā)seldom being measured, according to Regmi.

2. Kāmlho = kāholo: Turner, p. 87, gives: "A boundary of stones or earth (less frequently of bamboo or shrubs) dividing two fields."

3. birtā, "freehold land," usually granted to a Brahman without rent, in which case it is called kus birtā, or to a chieftain with a small rent, in which case it is called sunā-birta.

4. raiker, or raiker jaggā, is leasehold land owned by the state. For complete discussions of the various kinds of land in the Nepalese economy, see the works of M.C. Regmi, A Study of Nepali Economic History (1768 - 1846), New Delhi, 1971, and his earlier, Land Tenure and Taxation in Nepal, Berkeley, 3 vol., 1963-65.

5. tharghar: Turner gives "surveyor;" a meaning confirmed by the Nepali lexicons. M.C. Regmi, however, defines it as "chiefs of selected castes who were in charge of such functions as demarcation of Birta boundaries." (op. cit., p. 229.) The word appears to have originally referred to the leaders of the thirty-six clans in which the nobility of Gorkha was divided. See Edicts 11 and 24.

6. sādh = sāmdh, "border" (Skt. sandhi)

7. bahūli, lit. "sleeve", a royal honorific for "hand".
Tenth Edict:

The following edict is proclaimed:

In endowing land for a god, or a dharsa, or giving
birth land to a Brahman, the purpose of [recognizing] the
water jug (jhāri) of the cautariyā is this: The cautariyā
is one's own brother. A brother is one's most important limb.
If one makes one's limbs strong and gives gifts, one receives
the fruits according to what has been said (in the sāstras).
This is the reason for the water jug of the cautariyā.

The meaning of [recognizing] the word (bimti) of the kāji
is this: The kāji beseeches the King without partiality for
what is right and what is not right. This is the meaning
of the bimti of the kāji. The meaning of the pancas of the
boundary is this: Members of the six clans and pancas
from other families, having witnessed a field of a certain
extent, of so many ropani and muri, with so much hillside
land, having determined the entrance way and the exit, and
the thoroughfare between the fields, sink four pegs, thereby
giving the borders. This is the meaning of the pancas of the
boundary.

Sūtra: None

1. Here, as in the following edict, is a recognition of the
political power of the cautariyā and the necessity of
authority.
2. aru pāc sādh bhai basi...the sense is not clear here.
3. saṃdhi sarpan, a thoroughfare where two pieces of land come
together.
yeghāraun tithi // // pāmde pāmth arjyāl khanāl rānā bohorā

timiharu cha thar bhayau timiharulāi cha thar bhanyāko bādhyāko

kyā arthale ho bhanyā cautariyā kājī sardār i prabhṛti aru jo kohi

anyā anritimā lāgi gādiko bigārnāma ra nisāph bigārnāma pasnan

tinko katti mohabād molāhijā na rākhī jo bhayāko bistār bīmītī garna
āunu bhani marji bhai cha thar bhāmyā vyavastā bādhi baksanu bhayo
timiharukā saṃtān darsantānlāi hāmrā saṃtān darsantānle gādiko

sojho garaṇjyālsamma thāmi baksaulā bhani hukum bhai tithi bādhi

baksanu bhayo ... ... ...
Twelfth Edict:

A royal order is given to preserve pasture for cattle. It is difficult for Brahmans to get food and because of this the king may incur guilt; therefore, the edict is proclaimed by the King to establish entrances and exits in every village and to preserve pasture for cattle.

12. Sūtra: gocar rākhnu

G: gāu-brāhmaṇko rakṣā rājaiṣṭa humcha. gaucar na rahiā rājālāi pratayavay lāgcha. bhani gāum gāum nikās...bhani hukum bhayo.

Sp: Same as G.
tehraum thiti // // bāṭākā rukh rākhnu bhamyā hukum bhayo
kyā arthale bhanā dukhī garīb kāj kām gari thāki āunyā bojhā boki
hidhyā aru jo kohi bāṭāmā hānyā mānis pani garmi huncha bhani
chāhāri basna khojchān bhāmnā nimitta bāṭākā rukh pālnu bāṭākā rukh
jo kattacha 5 rupaiyām damā gari liṅu bhānyā marji bhāi thiti
bādhi baksanu bhayo ....... 13

Thirteenth Edict:
A royal order is given to preserve trees along roads for this
reason: the wretched poor who work become tired, those who
carry loads, and everyone else who walks along the road
become hot. They all search for shade in which to sit.
Therefore, trees are to be preserved along the roads. He
who cuts down a tree will receive a fine of five rupees.

13. Sūtra: bāṭā-mā rukh pālnu
C: Same
Sp: Same

Sūtra: Preserve trees along roads.
caudaṃ thiti // // padhyārāmā ban pālnu rukh na bhayā
dekhi jaile khojyo taile pāni rahadaina sukī jāncha ban
dherai phādiyā pairo pāni jāncha dherai pairo gayā upadhāhā
calcha upadhālē khet pāni laijāncha ban na bhayā grhaistikō
kauaī kām pāni caldina tasartha padhyārāko ban jo kāṭlā teslāi
pāni 5 rupaiyām dānd gari linu bhanyā thiti bādhi baksanu
bhayo ... ... ...

Fourteenth Edict:
The following edict is proclaimed: Forests are to be preserved
near watering places. If there are no trees, there will be no
water whenever one looks for it. The watering places will become
dry. If forests are cut down, there will be avalanches. If
there are many avalanches, there will be great accidents.
Accidents also destroy the fields. Without forests, the
householders' work cannot be accomplished. Therefore,
he who cuts down the forest near a watering place will be
fined five rupees.

14. Sutra: padhyārāmā ban pālnu
G: padhyārāmā ban na bhayā jailhe kailhe pāni rahadaina
sukchā. tasartha ban pālnu. padhārkō ban jo kāṭlā.
taslāi pāni 5 rupaiyām dānd linu... etc.
Sp: tyāstait ritile padhyārāko ban kaṭnāle jailhe kailhe pāni
rahadaina tadartha padhyārāko ban kaṭnyālāi pāni pānc
rupaiyā dān linu... etc.

Sūtra: Preserve trees at watering places.
1. upadhāha? cf. upadhyāha = hardship, misfortune, accidents.
Sharma 118/1 gives "upadhā, chal, kapaṭ," i.e. deception,
deceit, identical with Skt. upadha. Possibly the word is derived
from upa + dah, "to set fire, burn."
Fifteenth Edict:

The following edict is proclaimed: If a cautariyā, brother, or gotiyā, should commit a great crime pertaining to life or body, he shall be shaven and banished. If a samnyāśī, vairāgi, or Bhāt should kill someone, he shall be shaven and banished. The reason for the first rule is this: it is written in the sastras that if a person kills someone, he shall be killed. However, in this case, if one executes the murderer, one is guilty of killing a kinsman; if one does not kill him, the king incurs sin. Therefore, it has been written that banishment is the same as death. If one kills a Brahman, one is guilty of murdering a Brahman; if he is not killed, the king incurs guilt. Therefore, shaving is said to be the equivalent to death, and so the Brahman is to be banished. Because vairāgi and samnyāśī have taken on the clothes of holy men, they are not to be killed; the Bhāts are also not to be killed, so that they too must be banished. And so it should be done thus.

15. Sūtra: gotra samnyāśī bairāgi bāhun bhāt kā jiu na linu muḍi bides garnu.
   G: cautariyā bhai gotiyā inle jiy sambandhiko thulo birāu garyā bhanyā bides garāunu. brāhmaṇle jiy sambandhiko thulo birāu garyā bhanyā muḍi bides garāunu. samnyāśī vairāgi bhāt...etc.
   Sp: the same as above, except bhikṣuk bhēkh is used instead of only bhēkh.
Sixteenth Edict:

The following edict is proclaimed by the King:

If there occurs a murder among the Khas, Magar, Newar, castes (jat) etc., then he who has committed such a crime is to be killed in accordance with the edict: Of whom there is guilt, of him the neck.

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16. Sūtra: For others (aru), he who commits sin shall pay with his life (lit. whose sin, his neck).

G: This test does not include the Newars, which may indicate that its formulation is an earlier one written before the Gorkhalis came in full contact with the Newars of Kathmandu.

1. The distinction made in Edicts Fifteen and Sixteen, between collaterals of the king, Brahmans, and holy men on the one hand, and the Khas, Magars, Newars, etc., on the other, presages one of the major legal caste distinctions of the Muluki Ain: those who are tāgādhāri (wear the sacred thread), and matvāli (lit. those who drink alcohol), a group which now includes most Tibeto-Burman speaking peoples, but not the Khas, who are tāgādhāri.
Seventeenth Edict:

The following edict is proclaimed: the Queen alone is allowed by the King to wear gold ornaments on her feet. 

This is for the following reason: Because gold is a part of Nārāyaṇa, and the king is a part of Nārāyaṇa, the Queen is a part of Lakṣmī, and therefore is to wear gold on her feet. Brothers, cautariyās and their wives, are allowed to wear gold on the feet only if the king and queen give permission; if it is not granted, they may wear it only up to the feet. The sons and daughters of the King’s brothers and the cautariyā are allowed to wear it on their feet only during childhood. Other castes, Brahmans, Khas, Magar, etc., are allowed to wear it on the hands only if the king so grants.

Sutra: None

Sp: Only Her Highness the Queen is to wear gold ornaments down to her feet. The reason for this is the following: By the earth (wife?) of Śrī Vishnu, through the delusion of the Golden Mountain, gold was worn from head to toe. Vishnu is the Lord of the three worlds. The kings are incarnations of Śrī Vishnu. So that they will have complete lordship over the earth, it is appropriate that gold be worn down to the feet by Her Majesty the Queen. The person who has no authority in the kingdom, if he wears gold on his feet, he incurs guilt. Brothers and the wives (rāṇī) of cautariyā may wear it if it is so granted by the king; if it is not so granted, then it may be work everywhere except the feet. Their children may wear it in childhood only. Brahmans, Khas, Magars, and other castes, if permitted by the king, may wear it on their arms; if not so granted, they may wear it everywhere except on the arms.
påtbandí, lit. "she who wears the royal turban," or paṭṭa. There are several variations used in Nepalese documents, påttabandhi, paṭṭabandha, paṭṭamahārānī, paṭtarājñī, and paṭṭadevi.

agnī = amūṃvatār = partial incarnation. Kings are said to be partial incarnations of Vishnu; the present king of Nepal is still considered to be an incarnation of Vishnu.

baksyā māṭrai pāumā na lāunu baksi ta pāubähek māṭramā lāunu -- na and lāunu should be reversed in order to preserve the sense.

bhaiyād = bhaiyāt = brothers, brothers and nephews.

For an interesting article dealing with the use of gold ornaments in Nepal from Licchavi times, see D.R. Pant, "Sunko Gahanā, ABHA, Vol. 1, No. 3, pp. 5-8 and 64.
athāraṁ thiti // (omitted)

unisaṁ thiti // cār purohit tulyāi baksanu bhayo
arjyāllāi arjyāli hotu acārja bagālya lāi hotu bhāryā lāi
arjyāli acārye khanāl lāi brāhmaṇ bhaṭṭarālī lāī gāṇeś ti cār
purohitkā vyavasthāko thiti bādhi baksanu bhayo ... ... ...  

18. Sūtra: pānce puret
G: Substantially the same.
S: gaṇapatī brahmā hotu acārya i cār karma ho prohityāi
arjyāl khanāl bhaṭṭarālī baksanu bhayo / tasmā bagālya
arjyāllāi hottu karma // bhāryā arjyāllāi acārya karma //
bhaṭṭarālī gaṇapatī karma // khanāllāi brahmāko karma
bhāmovā yo vyavasthā // inkā bhāgko vyavasthā ... pātha
japā dākṣīnāko pani vyavasthā gari baksanu bhayo //

1. This edict is not preserved in any of the documents, though it may correspond to Edict 27, which I have added to the main text.

Sūtra: The five priests
S: There are four karmas: Gaṇapatī, Brahma, Hotu, and Acārya. The following arrangement of them is made: The office of priest (purohit) is given to the Arjyaḷ, Khaṇāḷ, and Bhaṭṭarai clans. To the Bagāḷe Arjyaḷ is given the Hotu karma; to the Bhaṭṭarai Arjyaḷ is granted the Acārya karma; to the Gaṇapatī, and to the Khaṇāḷ is given the Brahma karma. These are their shares. Arrangement for patha, japa, and daksīna is also made. (This last sentence leads directly into the next two edicts which are not separated from this one in S.)
1. The text of IP and MA is confused. They list five purohits, but state that there are four. The sūtra indicates that there are five. S is at least consistent in giving four.
2. bagāḷe? = bangaḷe?, "Bengali." Bagāḷe and Bhaṭṭarai (Bihari) are two sub groups of Arjyaḷ Brahmans.
bisaum thiti // // gorkhamā praveś hinta paile tallā kotmā
gāḍī puryākā hunāle pāṃde brāhmaṇ lāī purohityāṁ baksanu bhayo
aryet paryet (adya paryanta) pani pāṃde brāhmaṇharu tallā
ekotmā purohit chadai chan ... ... ... 

Twentieth Edict:
The following edict is proclaimed by the King: when entering
Gorkha at first, because the throne was reached in the Talla
kot, to the Pāṇḍe Brahmans was given the work of purohit. Even
today the Pāṇḍe Brahmans are priests in the Talla kot...

20. Sūtra:
G: Same
Sp: Same

Sūtra: None
Twenty-first Edict:

The following edict is proclaimed by the King: Having consecrated the god Śrī Devatā in the Tallā Kot, having offered her sacrifice, sacrifice is to be done above in the palace. Having consecrated the god in Tallā Kot, and having sacrificed to her above in the palace, sacrifice and other rites are to be performed.

21. Sūtra:

G: tallā koṭmā śrīdevatā sthāpanā na gari balidān na gari yahāg:

darbārmā balidān na garnu. bhana hukum bhayo.

Sp: Same as above.

Sūtra: None

Because there is no god established nor worship done in Tallā Kot, worship is not to be done in the palace.

1. Here G. and Sp. appear to contradict IP and MA, neither of which is clear.
22. Sutra: grāmjā gyāmi āle lāi dadāṃgi
G: grāmjā thāpā lāi dadāṃgi mān baksanu bhayo. trokāksāki āle grāmjā thāpā grāmjā rānā i tin tharle ālo pālo gari khaññu bhani karpadāri mān baksanu bhayo. pāṃde panth arjyāl i tin thar lāi ālo pālo gari khaññāko mān baksī khaññāko kām calāuthyā. dharmadikār khardāri bhānṣyā eti mān kām pani arjyālailāi baksanu bhayo.
Sp: Same as above.

Sutra: To the Grāmjā, Gyāmi, and Āle the post of Dadā
G: Gives the name of the clans as Torkākṣaki Āle, Grāmjā Thāpā, and Grāmjā Rānā.
1. Grāmjā Thāpā is the name of a Magar clan.
2. Dadā usually refers to one who cares for the royal children. It may also refer to the royal huké or huka preparer.
3. Turkakṣaki Āle, a clan of the Magar tribe. D.B. Bista, People of Nepal, 1967, lists a clan known as Torchaki Āle (p. 59). The names Āle, Rānā, and Thāpā are the names of clans (thars). These are further subdivided into exogamous lineage groups called Torchaki, Gyāmi, etc.
4. These are all high administrative officials or part of the court: a. Karpardār, head of the king’s wardrobe; b. Khaññāci, the royal treasurer; c. Dharmadikār, the highest criminal judge; d. Sardār, a high military official; e. Bhānṣyā, the royal cook.

Twenty-second Edict:

The following order is proclaimed by the King: The Grāmjā Thāpā are given the office of dadā. The three clans, Turkakṣaki Āle, Grāmjā Thāpā, and Gyāmi Rānā, are to be appointed karpardār in turn. To the Pāṃde, Panth, and Ayyāl clans in turn is given the position of khaññāci. The positions of Dharmadikār, Sardār, and Bhānṣyā, are also given just to the Ayyāl.

Twenty-third Edict:

The following edict is proclaimed by the King with regard to landlord and tenant shares of the crop: the harvest of the first three years on freshly tilled land is to be given to the worker. From the fourth year, the owner gets his share and the tenant his wages.

23. Sūtra: bihrautāko trīsālā āphai khānu cauthā sāl baniboti dhaniboti chutāunu
G. and Sp: omit

Sūtra: One takes (lit. eats) the first three years' crop oneself. From the fourth year one releases (chutāunu) dhaniboti and baniboti.

1. dhaniboti, Dhungana, p. 224, gives: jaggāhanile pāune rakam vā dhāg, "i.e. the share to be received by the land owner."
2. baniboti, for bani, Dhungana, p. 290, gives: "jyālā, majduri," i.e., wages. The expression baniboti is not given in the lexicons. Sharma, p. 768, glosses it as dhāg, "share".
caubisaum thiti // // bāhra thar athār thar bhanyā caubisaum
thiti bādhi baksanu bhayo .... ... ...

Twenty-fourth Edict:

The twenty-fourth edict proclaims the twelve clans and the eighteen clans.

Sūtra: none

G: and Sp: omit

1. This is a mere fragment, or is possibly the sūtra itself. The reference is fairly clear, however. In the nobility of Gorkha, thirty-six clans were enumerated, and these were divided into a hierarchy of three groups. The first six, or Six Clans, have been referred to previously. They formed the highest level. The next two groups, the bāhra thar (twelve clans) and the athār thar (eighteen clans) formed the remainder. Whether this edict established these divisions or was merely commenting upon them is not known. For a description of them in the time of Prthvī Nārāyaṇ, see Lévi, I, p. 286.
paciesaum thiti // // pāṭankā rājā siddhinarsīmha malla hāmrā saṃtān na bhayā tamā saṃtānle tamā saṃtān na bhayā hāmrā saṃtānle rājye garnu bhanyā hukum bhai yasto baṃdopasta gairi baksi pāṭan bāṭa caubis koṭhi jhikāi in lāi sāṭ khat māph gari baksanu bhayo 25 hāmrā thiti bādi baksanu bhayo ... ... ...

Twenty-fifth Edict:

The following edict is proclaimed by the King:

With the King of Patan, Siddhi Narasimha Malla, the (following agreement is made): if we have no descendants, your descendants are to take our throne; if you have none, ours are to rule in their place. We have arranged for twenty-four merchants to come from Patan. They are exempted from the seven punishments.

25. Sūtra: None
G: omits
Sp: tāhān pachī cha thar prabhṛti aru manisharulāi pani nepālā rājāharu sitako ghā baṃdodast sa nepāl taraphko hal surat bhujnā nimitta sarsaṅgat khalta patra samet vakil pan...ghaya hāmrā saṃtānle rājya garnu // hāmrā saṃtān nabhayā tīṃrā saṃtānle rājya garnu hāmrā thiti māph gari baksanu bhayo // bāṭa caubis koṭhi mahājanharulāi sarsaṅgat khalta patra samet gari pathāyā ra // tinheru pani gorkhā śrī 5 mahārajaṅghirajakā hajurmā dakhil bhai sarsaṅgat khalta patra cahrāi darśan garyā ra // timheru yāhi bādi bādi hukum bhai jagā jamin baksanu bhayo // sāṭ hārāu bīrāu pani māph gari baksanu bhayo //

Sūtra: None
Sp: After that, in order to understand the conditions of Nepal and the treaty agreement with the kings of Nepal, representatives welcome...//(the text is interrupted here)...(If you have no descendants) ours shall rule. If we have none, yours shall rule. He sent to the king Ram Shah twenty-four merchants with a letter of greetings. They arrived in the presence of His Majesty and presented the letters of greeting. The king ordered them to remain there and gave them land. He exempted them from the seven punishments.
chavisaun thiti // // śrī 6 mahārāja rāmsāhabaṭa maile bādhyākā
thitima chotā baḍā prajā prāṇi ca varṇ chatis jāt jo lambhan
garla
taslāi ma merā samātān mā jo rājā holā usle dhungā chuvaśi khat
anusārko rājāle danda garnu bhanyā thiti bādhā baksanu bhayo ..
... yo dhungā chuvaśunu bhanyakā kasto ho bhanyā śrīlakṣminārāyaṇa
devtā ko pāukā pratinidhi dhumgo ho. so jānī pān phul dravya tasaś
silāmā cañhāi anśāya garyako pāṭak chūtnyā upāye ye hi ho bhāni
yasto thiti bādhi baksanu bhayo ... ... ...

26. Sutra: dhungā chuvaśunu
G: vahān dekhī śrī 5 mahārāj rāmsāhabaṭa bāmdhi baksanu
bhayako sthiti ra aru anriti anraś anyāy garī choto bado
prajā prāṇi jo hidālā taslāi śrī rājāle danda garnu. dhungo
chuvaśunu. tyo dhungo chuvaśunu. kasto ho bhanyā. śrī
lakṣminārāyaṇkā pratinidhi dhumgo ho. so jānī pān phul
dravya tasaś silāmā cañhāi anyāy garyako pāṭak chūtnyā upay
ehi ho.
Sp: Substantially the same as above.

Twenty-Sixth Edict

The following edict is proclaimed by the King:

Whoever, be he great or small, a living subject and member of
the four varṇas or thirty-six castes, violates one of the rules
proclaimed by me, King Rāma Shāh, is to be punished by me or by
my descendants and made to touch the stone. The purpose of
touching the stone is this: The stone is the representative
of the foot of śrī Lakṣmi Nārāyaṇ. Knowing this, one should offer
betal nut, flowers, and coins to the stone. Having made offerings
in this way, one who has committed an injustice frees himself of
guilt.

Sutra: Touching the Stone
G: Then, His Majesty Rām Shah proclaimed the order that whoever among
his subjects, great or small, commits an injustice or evil
shall be punished by the king. He shall be made to touch the
stone. The meaning of this is the following: The representative
stone is that of Lakṣminārāyaṇ. Knowing this, the way for someone
to become free of guilt for a crime is to offer betal nut, flowers,
and money to the stone.
1. The four varṇas and thirty-six castes are traditional numbers and
the use of the terms here does not imply that they were created
during the time of Rām Shāh.
2. Cf. Turner, p. 267, dhungā-chuvaśi, "A ceremony among Rais, in
which on his decision a magistrate orders a stone to be brought.
Upon this grass (dubho or dubho) is laid. The loser of the case
has to place one rupee and four dams on it and to touch it in
acknowledgment of his offence, after which he is said to be
dubho dhungo garera cokhāeko."
Twenty-Seventh Edict:

The following edict is proclaimed by the King:

The reason for not providing a plaintiff\(^1\) against a witch is this: Because a witch can only be punished by execution, her destructive power cannot be stopped and witnesses are not obtained. Justice, therefore, is to be administered without argument.\(^2\) If the witch wins, she is to receive a five rupee reward; if she loses, she is to be banished from the village.

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Sūtra: boksīlāi bādi na dinu //
boksīlāi bādi na dinu bhanyāko kyā artha bhanyā. boksīko bigo jiy saṃbandhi hunāle bigo bādhnu sakdina ra bādi paunna. ekoharo nyāy dinu ra boksīle jityo bhanyā pāmc rupaiyāko pagari dinu. hāri bhanyā gāum bāta nikāli dinu. bhanyā yasto sthitī bāmdhi baksānu bhayo.

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Sūtra: No witness for the witch (Boksī)
1. bādi, plaintiff. I have taken it in the sense of witness.
2. ekoharo, lit. "one-sided", i.e. without legal procedure which would involve argument for and against her.