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 Nepali, 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 nôtre tâche essentielle. Mais cette ethnographie en même temps qu’elle éclaire le Code, peut être éclairée par lui. C’est autour de cette double confrontation 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


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 Gorkhaśaṃśāvalī records the following incident:

tāhā-dekhin caubisī bāśī rājāharukā
mulukmā baḍā baḍā gāhrā jhagaḍā paryā.
vaḥā kasaile chinna sakyānan. jab
gorkhā sri pānch mahārāja rāma sāha kā
kacaharimā jāu bhani jhagadiyā jodi paṭhāi
dina lägyā jhagadiyāko citta bujhāi sab ko
citta bujhāi jhagāi todi baksanu hundā “vidyā
harāyā kāski jānu nisāph harāyā gorkhā jānu”
boliko nisāna po cha tyo pani sri pānč mahārājā

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6  Rama Shah is mentioned only briefly in western works on Nepal. In the early accounts of Kirkpatrick (An Account of the Kingdom of Nepal, Cambridge 1811), and Hamilton (An Account of the Kingdom of Nepal, London, 1819), he is barely noticed. Some of his edicts are summarized in Daniel Wright, History of Nepal, Cambridge 1877, pp. 278-9; and the traditional length of his reign given. Lévi (Le Népal, Vol. II, p. 262) mentions him as a law-giver, but provides no other information. More recently, D. R. Regmi, Modern Nepal, Calcutta, 1956, p. 19 has summarized portions of the edicts. Leo Rose and Bhuvan Lal Joshi, 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, 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 (History of Nepal, Hoshiarpur, 1970) has translated sections of a 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, Sri 5 Prthvi 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, Rāma śāha ko jīvanī (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 Kashi, 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 sutra 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

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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 Kāśi i.e. Banaras, rather than Kashi.

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 Jayasthitī 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 *Gorkhāvaṃsāvali* (G. in the notes) and a document in the *Itihās Prakāśmā Saṃdhipatra Samgraha* 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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\(^{11}\) Śri Pāṇc Surendra Bikram Shāh Devkā Śāsankālmā Baneko Muluki Ain, Kathmandu: Śri Pāṇc Ko Sarkār, Kānum Tathā Nyāy Mantrālaya, 2022 B.S., pp. 695-700.


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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Rama Shah Edicts / 35
Nepali Text and English Translation
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. Śūtra: none 

G: no thiti, but the story of Nanda Miśra is told in detail, p. 21.

2. 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 bāṃdhnu, lit. "to bind", and bāksanu, lit. "to give", but used only of royalty. hukum bāksanu and thiti bāmḍhi bāksanu both mean "to issue a royal order, edict, or decree." In the text given by Itihās Prakāś and the Muluki Ain, the expression thiti bāmḍhi bāksanu is used most frequently.
doṣro thiti // // pailhe bāmskā dhungrāle dālāle āhrile
bharnyā bastu bharikana linu dinu estā tarahko linu dinu gardā
vithiti hunnāle 10 muṭhiko 1 mānu 8 mānāko 1 pāthi 20 pāthiko 1
muri gari calan garnu bhani mānā pāthimā chāplāi baksanu
bhayo ... ... 

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: tesaī belāmā pāthi mānu tulo esko sthiti hukum garnu
bhayo. kyā arthale esko sthiti bhanyā bāskā dhungrile
dālāle āhrile estai tarahsita calan garthya. tasartha das
muṭhiko mānu. āṭh mānāko pāthi. bīs pāthi ko muri. es
ritle calan gara.
Sp: aghi bāskā dhungrile kāthakā āhrile coyākā dālāle
calan garthya. ghaṭibadhimā vithiti bhayāko chiyo // tadartha
daś muṭhi aṅgale bharamā tabāko 1 mānu // āṭh mānāko ek
pāthi // bis pāthiko ek muri // es ritle annaprabhṛti
bharīnyā bastumā calan gara.

Second Edict
Sūtra: On māna, pāthi, and muri.
SP: es ritle annaprabhṛti bharyā 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 vithiti hunale 10
lal-ko 1 masa 10 maasako 1 tolah 18 lalko 1 pal 27 tolako bodi
108 tolako 1 bisauli 2 bisauliko 1 dharin tulyai calan garnu bhani
3 tulam aank kati dhakma chhapai baksanu bhayo ... ... ...

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

3. Sutra: bodi pal bisauli dharin
G: tasta ritile bodi pal bisauli dharini esta tarahle tulako
pani byavastha badhi calan gara bhani hukum bhayo.
Sp: tasta tula taraju kata prabhrimai taulinyabastuma // das
lalko ek masa // das masesko ek tolah // athara tolako ek
pal // satkaas tolako ek bodi // car bodiko ek visauli
//dui bisauliko yek dharini // yas ritile calan garnu //

Sutra: On bodi, pal, bisauli, dharin
1. bodi: this term is not listed in the lexicons, but Turner (p. 328),
in his definition of dharin 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.

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4. Sūtra: annako tinu

G: tastai rile annako stiti panî tebar linu bhani bāmdhi baksanu bhayo.
Sp: varṣa pratiko vyāj das varṣa nāgyā pachi na linu tastai annako tebar linu. bhani sthiti bāmdhi baksanu bhayo //

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Sūtra: Three times the grain

1. thiti bāmdhi 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.
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: dāmko dunu
G: dāmko dunu bhanyāko kyā artha bhanyā. aghi ta asāmile karjā li dasauti vyāj tirna na saki jati sukai varṣa rahyā pani varṣai prātiko vyāj gari tirna saknyā bhayākā belāma limdā ta. kailhe pani såhudekhiko chuṭti na pāunya huyā bhai muluk dherai ṅnagāṛi huyā. taskāṛa ṃsāvadkā hisāble das varṣamā dobar humchā. dobar linu. asāmile sāu pani vyāj pani tirna sakena das varṣadekhi ubho jati sukai varṣa tirna na saki rahyo bhanyā pani. pheri saknyā bhai tīrdākā belāma. varṣai prātiko vyāj sāhule na linu. dobar mātrai linu. bhanyā esto thiti bādhi baksanu bhayo.

SP: dāmko dunu bhanyāko kyā artha ho bhanyā // aghi ta asāmile karjā liyāko dasaʊd vyājākā hisāble bamojim pratiwarsako byāj lidā ta kadhāci tirna nasaki kehi varṣa rahyō // tirna saknyā belāma tirna gayā pani sāhu dekhi chuṭti na pāunya bhayāra dherai muluk ṅnagāṛi hudā vithīti bhayākō thiyo... tadarth dasaʊdakā hisāble das varṣamā dobar humchā dobar linu // asāmile sāu pani vyāj pani tirna na saki das varṣa ubho jatisukai varṣa rahyo bhanyā pani sāhule dobar mātrai linu //
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.

6. Sūtra: padhyāro jhagārā na sunnu
G: substantially the same.
Sp: "

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 Rāma 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.

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

Sūtra: Disputes regarding irrigation channels will not be heard.
navaum thiti // // aghī brāhmaṇālī bīrta dīdāmā pani phalānu
dādo phalānu khoro phalānu paharo phalānu kālīho bhitrakojagā
vīrtā dīnyu bhanyāko mātraī eti muri yati ropani yeti khet
bhanyā ṭhegānā kehi na hunāle brāhmaṇko bīrta ko raiker jagākā
sādh kilako bāndej na bhayāko najar hudā kasto hukum bhayo bhanyā
aba uprānta brāhmaṇālī bīrta samkalp pari baksadā śrī 5 mahārājākako
bhumī cautariyākā jhāri kājiko bīṃti brāhmaṇko hāt dān garnaile
yeti khet yeti ropani yeti muri bhani samkalp garnu, samkalp
garāṇyāle pani samkalp vākya yahi yeti khet yeti ropani yeti muri
bhanyā vākya pari samkalp garāṇu bīrta linu arulāi dilānu śrī
5 mahārājākā hukumle thar ghar pāc-haru gāi sād lāi 4 killā gāḍī
yeti khet yeti ropani bhani sādhālā śrī 5 mahārājākā bāhulibāṭa
samkalp bhayāmā ghati bāḍhī katti nāpārī jati samkalp bhayāko cha
tatisādhālā āunu bhanyā thiti bāḍhī baksanu bhayo ....... 9

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 bīrta 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 (bīṃti) of the judge (kājī), and
the hand (hāt) of the Brahman. The agent of the king shall give
a statement indicating the size of the land. In taking
bīrta 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.

brāhmaṇ ko hāt // pāṃrko sāṃdhi
i: aghī brāhmaṇālī bīrta dīdāmā pani. phalānu dādo. phalānu khoro.
phalānu paharo kālīho bhitrakojagā. bīrta dīnyum. bhanyāko
mātraī. yeti muri yeti khet bhanyā ṭhegānā na hunāle-brāhmaṇkā
bīrta ko raiker jagākā. sādh kilako bāndej na bhayāko dekhdā.
yo thiti bāḍhī baksanu bhayo. śrīrājāko bhumi. cautariyāko
jhāri. kajiko bīṃti. brāhmaṇko hāt. pāṃrko sāṃdhi. kasto
sāṃdh bhanyā. cār killā gāḍī yeti muri eti sayā bhanyā
sādh garnu hukum bhayo. yesta tarahile dān garnāle pani
dān garnu. dān linyāle 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 muries 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. Kamliho = kāhlo: Turner, p. 67, gives: "A boundary of stones or earth (less frequently of bamboo or shrubs) dividing two fields."

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

4. raikar, or raikar 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. bāhulī, lit. "sleeve", a royal honorific for "hand".
Tenth Edict:

The following edict is proclaimed:

In endowing land for a god, or a dharamsala, 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 śāstras).

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. saṃdhī sarpan, a thoroughfare where two pieces of land come together.
Eleventh Edict:

The following edict is proclaimed:
To you of the Pande, Panth, Arjyal, Khanal, Rana, and Bohorá clans, is given the title of Six Clans, for the following reasons: If a cautariyá, káji, or sardár, etc., should enter into an unjust or unlawful act in order to destroy the throne or impair justice, then the Six Clans should come (to the court) and explain the details to the King without bias or compassion. This order is given to you, your descendants, and their descendants, by us, our descendants, and their descendants, in order to preserve the throne upright.

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Sutra: None

1. In these statements is the recognition of the power of the cautariyá and káji. Hence the necessity for a permanent alliance with the Six Clans. The ancestors of these groups were supposedly the allies who helped Drabya Shah take the throne of Gorkha from its Tibeto-Burman kings in 1559. See Wright, op. cit., p. 278.
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. Śūtra: gocar rākhnu
   G: gāu-brāhmaṇko rakṣā rājaibāta huncha. gaucar na rahiā rājālāi pratyavay lāgcha. bhani gāum gāum nikās...bhani hukum bhayo.
   Sp: Same as G.
tehraum thiti // // bāṭākā rukh rākhnu bhamnyā hukum bhayo
kyā arthale bhanyā dukhī garīb kāj kām gari thāki āunyā bojhā boki
hidhyā aru jo kohī bāṭānā hidnyā mānis pani garmi huncha bhani
chāhāri basna khojchān bhamnā nimitta bāṭākā rukh pālnu bāṭākā rukh
jo kattacha 5 rupaiyām damd gari linu bhanyā marji bhai thiti
bādhī baksanu bhayo ........

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
G: Same
Sp: Same

Sūtra: Preserve trees along roads.
caudaṃ thiti // // padhyārāmā ban pālnu rukh na bhayā
dekhi jaile khojyo taile pāni rahadaina suki jāncha ban
dherai phādiyā pairo pāni jāncha dherai pairo gayā upadhāhā
calcha upadhāle khet pāni lai jāncha ban na bhayā gṛhastiko
kaunai kām pāni caldaina tasartha padhyārāko ban jo kāṭlā teslāi
pani 5 rupaiyām daṇḍ gari linu bhanyā thiti bādhī 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. Sūtra: padhyārāmā ban pālnu
G: padhyārāmā ban na bhayā jailhe kailhe pani rahadaina
sukcha. tasartha ban pālnu. padhārāko ban jo kāṭlā.
teslāi pani 5 rupaiyām daṇḍ linu...etc.
Sp: tyasti rīte padhyārāko ban kaṭnāle jailhe kailhe pani
rahadaina tadartha padhyārāko ban kaṭnyālāi pani pānc
rupaiyā daṇḍ linu...etc.

Sūtra: Preserve trees at watering places.
1. upadhāha? cf. upadyaha = hardship, misfortune, accidents.
Sharma 118/1 gives "upadha, chal, kapat," 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 samnyāsi, 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 samnyāsi 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 samnyāsi bairāgi bāhun bhāt kā jiu na līnu muḍī bides garnu.

G: cautariyā bhai gotiyā inle jīy sambandhiko thulo birāgu garyā bhanyā bides garāunu. brahmaṇle jīy sambandhiko thulo birāgu garyā bhanyā muḍī bides garāunu. samnyāsi vairāgi bhāt...etc.

Sp: the same as above, except bhikṣuk bekh is used instead of only bekh.
Sutra: 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 tāgādhārī (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 tāgādhārī.
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, cautarīyās 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 cautarīyā 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 (rānī) of cautarīyā 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.
pātbandi, lit. "she who wears the royal turban," or pāṭṭa. There are several variations used in Nepalese documents, pattabandhi, pāṭṭabandha, pāṭṭamahārāṇī, pāṭṭarājñī, and pāṭṭadevi.

amī = amśāvatār = 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 mātrai pāumā na lāunu baksi ta pāubāhek mātraram lāunu -- na and lāunu should be reversed in order to preserve the sense.

bhaiyād = bhaiyat = 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."
Sūtra: The five priests
Sp: There are four karmas: Gaṇapati, Brahma, Hotu, and Ācārya. The following arrangement of them is made: The office of priest (purohit) is given to the Arjyāl, Khaṇāl, and Bhāṭṭarai clans. To the Bagāle Arjyāl is given the Hotu karma; to the Bhāhare Arjyāl is granted the Ācārya karma; to the Bhāṭṭarai is granted the Gaṇapati karma; and to the Khaṇāl is given the Brahma karma. These are their shares. Arrangement for patha, japa, and daksina is also made. (This last sentence leads directly into the next two edicts which are not separated from this one in Sp.
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. Sp is at least consistent in giving four.
2. bagāle? = bangāle?, "Bengali." Bagāle and Bhāhare (Bihari) are two sub groups of Arjyāl Brahmans.
bisaṃ thitī // // gorḵhāṁ pravaś hudā paile tallā koṭmā
gādī puryākā hunāle pāṃde brāhmaṇā lāḷ purohityāiṁ baksanu bhayo
daryet paryet (adya paryanta) pani pāṃde brāhmaṇaharū tallā
ekotmā purohit chadai chān ... ... ...  

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 Pāṃde Brahmans was given the work of purohit. Even today the Pāṃde Brahmans are priests in the Talla kot...

Sūtra: None
yakaisaṃ thiti // // tallā koṭmā śrīdevatā sthāpanā gari balidān gari māthi darbārmā balidān garnu tallā koṭmā devtā sthāpanā gari balidān garikana māthi darbārmā balidanādi bidhi garnu bhanyā thiti bāmdhi baksanu bhayo ... ... ...

21. Sūtra: 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.

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.
Twenty-second Edict:

The following order is proclaimed by the King: The Granjha Thapa are given the office of dadah. The three clans, Turukksaki Ale, Granjha Thapa, and Gyami Rana, are to be appointed kapardar in turn. To the Panth, Panth, and Aryal clans in turn is given the position of khajanci. The positions of dharmadhikar, sardar, and bhansyaa are also given just to the Aryal.

Sutra: To the Granjha, Gyami, and Ale the post of Dadah
G: Gives the name of the clans as Torkakshaki Ale, Granjha Thapa, and Granjha Rana.
1. Granjha Thapa is the name of a Magar clan.
2. Dadah usually refers to one who cares for the royal children. It may also refer to the royal huke (huka) preparer.
3. Turukksaki Ale, a clan of the Magar tribe. D.B. Bista, People of Nepal, 1967, lists a clan known as Torchaki Ale (p. 59). The names Ale, Rana, and Thapa, are the names of clans (thars). These are further subdivided into exogamous lineage groups called Torchaki, Gyami, etc.
4. These are all high administrative officials or part of the court: a. kapardar, head of the king's wardrobe; b. khajanci, the royal treasurer; c. dharmadhikar, the highest criminal judge; d. sardar, a high military official; e. bhansyaa, the royal cook.
teisaum thiti // // birautåko trisålå kamåi båli äphaile khånu
cauthå sål dekhi dhåni bøtî talsimlåi dinu båni bøtî kamåunyåle 23
khånu bhamnyå thiti bådhi baksånu bhayo ... ...

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. Sûtra: bihautåko trisålå äphaile khånu cauthå sål baniboti
dhaniboti chutåunu
G. and Sp: omit

Sûtra: One takes (lit. eats) the first three years' crop oneself.
From the fourth year one releases (chutåunu) dhaniboti and
baniboti.
1. dhaniboti, Dhunga, p. 224, gives: jaggåhanile påune rakam vå
dhåg, "i.e. the share to be received by the land owner."
2. baniboti, for båni, Dhunga, p. 290, gives: "jyålå, majduri,"
i.e., wages. The expression baniboti is not given in the
lexicons. Sharma, p. 768, glosses it as bhåg, "share".
Twenty-fourth Edict:

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

Sūtra: none

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 atthāra 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 Pṛthvī Nārāyaṇ, see Lévi, I, p. 286.
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.

Sutra: None

G: omits
Sp: tāhām pachī cha thar prabhṛti aru manisharulāi pani nepālā rājāhurā sitako ghā bāndobast ra nepāl taraphko hal surāt bahunā sitimta sarsaugat khelta patra samet vakil pan...ghaya hāmrā samtanle rājya gārnū // hāmrā samtan nabhayā timrā samtanle rājya gārnū bhamnyā ghā sailtānko khelta patra ādā // sīrī 5 mahārājādhirāj rāmsān kahjurā jāu bhani caubis koṭhi mahājanharulāi sarsaugat khelta patra samet gari pathāyā ra // tinharu pani gorkhā sīrī 5 mahārājādhirājākā kahjurā dakhil bhai sarsaugat khelta patra cahrāi darṣān geryā ra // timharu yahī bas bani hukum bhai jagā jamin baksanu bhayo // sāt harāu birāu pani māph gari baksanu bhayo //
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 Lakṣmī 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.

26. Sutra: dhungha chuvānu

G: vahān dekhi śrī 5 māhārāj rāmsāhabāṭa bāṃdhī baksanu
bhayāko sthiti ra aru anriti anrah ānyāy garī choto bado
prajā prañi jo hidīlā tāslāi śrī rājāle danda garnu. dhumgo
chuvānu. tyo dhungo chuvānu. kasto ho bhanyā, śrī
lakṣmīnārāyaṇkā pratiriddi dhumgo ho. so jānī pān phul
dravya tāssī silāmā cadhāi ānyāya garyāko pāṭak chutnāya upay
ehī ho.

Sp: Substantially the same as above.
Sūtra: boksīlāi bāḍī na dinu //
boksīlāi bāḍī na dinu bhanyāko kyā artha bhanyā. boksīko
bigo jīy saṃbandhi hunāle bigo bādhnu sakdina ra bāḍi paunna,
ekoharo nyāy dinu ra boksīle jītyo bhanyā pāṃc rupaiyāko pagari
dinu. hāri bhanyā gāum bāṭa nikālī dinu. bhanyā yasto sthiti
bāṃdhi baksanu bhayo.

Sūtra: No witness for the witch (Boksī)
1. bāḍī, plaintiff. I have taken it in the sense of witness.
2. ekoharo, lit. "one-sided", i.e. without legal procedure

Twenty-Seventh Edict:
The following edict is proclaimed by the King:
The reason for not providing a plaintiff 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. If the witch wins, she is to receive
a five rupee reward; if she loses, she is to be banished
from the village.