Received Date: March. 2026 Revised: April. 2026 Accepted: May. 2026

A Book Review on

Hamro Kanuni Itihas KO Nalibeli, Kirant Kaal Dekhi 2078 Saal Samma.

Author: Prakash Wasti[1]
Publication: Pairabi Publication
Genre: Law History
Pages: 1040 Pages

Reviewer: Pratibha Roka[2]

A Comprehensive Journey through Nepal's Legal Evolution: Reviewing "Our legal History from Kirant period to 2078"

A Meticulous work on Nepalese legal history

Prakash Wasti has profoundly authored a book that encapsulates the essence of legal features and provides a critical perspective on Nepalese historical context. The book that is entitled as "Our Legal History from Kirant Period to 2078"[3] is an exhaustive and meticulously researched work that delves into the legal history of Nepal, tracing the evolution of legal systems and practices from the ancient Kirant period to the contemporary present day (2078 BS, corresponding to 2021 AD). This extensive temporal scope enables readers to comprehend how historical events, political regimes and socio-

[1] Prakash Wasti is a renowned Nepali author and senior advocate, celebrated for his significant contributions to the field of legal history and jurisprudence in Nepal. With a career spanning several decades, Wasti has distinguished himself as a prominent figure in the legal community, both as a practitioner and a scholar. Wasti's academic background in law and extensive experience in legal practice, including involvement in numerous high-profile cases, have cemented his expertise. His profound understanding of Nepal's legal system, combined with his passion for historical research, has led him to an incredible author of several influential works that delve into the evolution of the country's legal frameworks. Among his notable works is "Hamro Kanuni Itihas Ko Nalibeli, Kirant kaal dekhi 2078 Saal samma," a comprehensive examination of Nepal's legal development from ancient times to the present. This book reflects his meticulous research and dedication to preserving and elucidating the rich legal heritage of Nepal. In addition to his writing, Prakash Wasti is a vocal advocate for legal reforms and a regular contributor to various legal publications and forums. His insights and analyses are highly respected by peers and the broader academic community. Through his work, Wasti continues to inspire and educate future generations of legal professionals in Nepal.

[2] Pratibha Roka, an Advocate, Law Practitioner and member of the High Court Bar Association Patan, holds an LL.M. specializing in 'Human Rights and Gender Justice' and is currently pursuing her Ph.D. (Submitted) An impassioned researcher and author, dedicated human rights advocate, and certified mediator, she continues to make significant contributions in her field. She can be reached at rokayaprateeva22qi@gmail.com.

[3] Prakash, Wasti, *Hamro Kanuni Itihas Ko Nalibeli, Kirant kaal dekhi 2078 Saal samma*, Pairawi Prakashan, 2079.

cultural shifts have shaped the legal landscape of Nepal. The book is a monumental contribution to the field of legal history, offering an in-depth analysis of the legal transformations that have influenced Nepalese society over millennia. As a work and genre of legal history, it involves the study and analysis of the development and changes in legal systems, practices, laws, and institutions over a specified period. The book highlights significant legal reforms and milestones in Nepal's history, emphasizing the importance of understanding and internalizing these reforms to comprehend the current legal system and its foundations. It also sheds light on the challenges and successes encountered on the journey towards a more modern and just legal framework. Being a well-documented and researched account, the book simultaneously serves as the preservation of legal heritage and an educational resource for comparative legal studies, eventually enriching the global understanding of legal history.

Utility of Appraisal

This review aims to provide a comprehensive and accurate overview of the book, highlighting its strengths and contributions to the field of legal history. Reviewing this book can provide insights into the legal evolution and historical context. The review can spotlight important aspects of legal history, making it a valuable resource for academic and professional studies. Examining this book can reveal significant historical, cultural, and societal changes influenced by legal developments. A review can emphasize the cultural heritage and societal transformations over time. Understanding the historical context of laws is crucial for contemporary legal reforms, policy-making, and development, and the review can link past legal practices to current issues and debates. The review can make the book more accessible to a wider audience by summarizing key points, assessing the quality and significance of the work, and recommending it to potential readers. In doing so, the review contributes to the preservation and dissemination of knowledge, ensuring that important works are recognized and discussed within the academic and public spheres. Understanding the historical context of Nepal's legal system and reviewing it with objective contextualization is crucial for comprehending its current challenges and guiding future reforms. Continuous exploration in the field is essential, and this review aims to facilitate that by providing a thorough and insightful analysis of the book. By offering a detailed and accurate overview of the book, this review will highlight its contributions to the understanding of legal history. It aims to underscore the significance of historical legal developments and their impact on present-day legal issues, making the book a valuable resource for those interested in the evolution of legal systems.

Content and Structuration

The book is likely characterized by through research and documentation, utilizing primary sources such as historical documents, ancient legal texts, inscriptions, royal decrees, and historical records to provide direct evidence of legal practices and institutions. The use of archival materials like court records, government documents, and official correspondence in the book offers insights into the functioning of the legal system over time. By citing existing research and scholarly works on Nepalese history and legal studies, the book

provides context and support its arguments. References to historical studies by other historians and researchers help situate the author's work within the broader field of Nepalese historiography. The book aims to provide a detailed historical account of Nepal's legal system, highlighting the significant legal transformations and continuities over the centuries. It offers readers an understanding of how historical contexts have shaped current legal practices and institutional development in Nepal. By organizing the content chronologically, the book presents the evolution of legal systems and practices in Nepal, detailing key events, legal reforms, and historical periods from the Kirant Period to the present. It highlights specific historical cases, legal disputes and landmark decisions to illustrate significant changes and developments over time.

The book is categorized into several chronological sections, each dedicated to a specific era in Nepalese history. Each chapter meticulously details the legal transformations and key legislative milestones. Author begins with the 'Introduction of Nepal'[4] in first chapter narrating the remarkable journey of the unification of Nepal, state expansion, Sovereignty and state authority. The origin and historical details of the legal system of the sovereign nation Nepal are collected, compiled and analyzed. The second chapter is titled as 'The place of our legal system among the major systems prevailing in the world'[5] that provides a comparative study of other legal systems, imperatively emphasizing the deep interrelation between legal systems and legal history. Chapter three is the presentation of an 'Ancient legal history'[6] that provides a detailed account of early legal practices, indigenous systems and societal norms, as for example Mundhum system during the Kirant Period. The author then consecutively shifts through the Lichhavi and Malla periods, highlighting the influence of Hindu and Buddhist philosophies on the legal system, the significant reforms and developments in law and governance, including legal institutions and judicial practices. Notably, the Nyayabikasini during the Malla legal system, codified in 1380 AD, is highlighted as a sophisticated written law predating the Napoleonic Code (1804 AD) by about 500 years. The gloriously historic campaign on the unification of Nepal under king Prithvi Narayan Shah, changes in the legal system with the rise of the Shah dynasty and the subsequent legal codifications have been thoroughly examined and explained. The fourth chapter 'Medieval Legal History'[7] examines legal reforms and the centralization of power during the Rana oligarchy, discussing the contributions of key leaders to the development of Nepal's legal system. Author provides a comprehensive analysis of the Muluki Ain (National Code) of 1854, which was a landmark codification in the legal history of Nepal. Chapter five 'Legal system of Nepal in the writings of some foreign scholars'[8], explores the contributions of foreign scholars like Kirkpatrick, Francis Buchanan Hamilton, Brian H. Hodgson, Sylvain Lévi, Gimlette, Perceval Landon, and Leonard Adams, who have documented and preserved Nepal's

[4] Ibid, pg.3.
[5] Ibid, pg.31.
[6] Ibid, pg.49.
[7] Ibid, pg.191.
[8] Ibid, pg.471.

ancient legal system through their writings. Chapter six deals with 'Modern Legal History'[9]. The modern period is extensively covered with detailed discussions on the legal developments. Not leastways, chapter seven is titled as 'Miscellaneous'[10], addresses democratic movements, legal reforms, constitutional development, contemporary legal issues, and progressive practices, providing an analytical discussion of these topics."

Analysis and Insights

The subject or motive of "Our Legal History from Kirant Period to 2078" by Prakash Wasti is a comprehensive examination of the history and development of the legal system in Nepal, spanning from the ancient Kirant Period to the contemporary era up to the year 2078. The book explores key historical periods and traces the evolution of legal practices, institutions, and reforms throughout Nepalese history. The book aims to illustrate how legal norms, practices, and institutions have adapted and transformed in response to various dynastic rules, foreign influences, internal socio-political dynamics and system of governance. The central argument emphasizes the continuity and change in Nepal's legal traditions and the enduring impact of historical events on the present legal landscape. Author's work is characterized by its thoroughness and detailed attentiveness to legal activities from the Kirant period to 2078. He meticulously cites historical documents, ancient manuscripts, records, legal texts, and scholarly works and painstakingly provides a robust framework for understanding and contextualizing the evolution of Nepalese law. Utilizing visual aids such as maps, charts, and illustrations, the book helps explain complex legal developments and historical contexts while specific instances of legal reforms, significant trials, or legal controversies are used to illustrate broader trends and arguments. This comprehensive approach ensures that readers are informed not only about the laws themselves but also about the socio-political contexts in which these laws were enacted and developed. The book critically evaluates various legal reforms and their effectiveness, providing objective arguments for the success or failure of certain changes. Discussion of legal challenges, controversies, and the reasons behind the persistence of certain legal practices despite reforms are reasonably included. Through effective presentation of historical facts and characteristics, author also offers critical analysis and commentary on the validity, reliability and impact of various legal systems. For example, the examination of the Muluki Ain (National Code) of 1854 provides a nuanced understanding of its significance and long-lasting influence on Nepalese society. Today, Nepal's legal system is influenced by both civil and common legal systems but retains elements of the Hindu legal system. While current laws are codified, their content and epistemic features are not aloof from Muluki Ain.

The Author's authoring is concise, engaging and accessible. His analysis is insightful, highlighting the interplay between legal developments and broader social, political, economic paradigms and system of governance. A remarkable strength of the book is its ability to contextualize legal changes within the broader historical narrative. The standout

[9] Ibid, pg.587.
[10] Ibid, pg.905.

feature of the book is its deep and intensive research. Despite the complexity of the subject matter, author significantly manages to present his findings in an informative, readable, contextual, analytical and profound manner. The use of anecdotes and real-life examples brings the historical narrative to praxis practices. Balancing scholarly rigor with readability, the book ensures further exploration and engagement for both legal scholars and general readers interested in Nepalese history and the historical development of its legal system. The work is significant in associating historical legal developments with current relevance, making it a valuable resource.

Subsequent Research and Supplemental !

Unequivocally, "Our Legal History from Kirant Period to 2078" offers a comprehensive overview of Nepal's legal evolution. However, there remains areas for further research and potential gaps or lapses that future studies could address. Some bridging possibilities and prospects are endeavored here. The book does not equally cover all historical periods in detail. Some eras are more thoroughly documented, while others, particularly those with limited historical records are less explored. Undistinguishing the diverse regional characteristics, the book has focused more on legal developments in certain regions, like the Kathmandu Valley, while underrepresenting other areas. A more balanced approach that includes diverse regional examination could offer a more comprehensive and undiminished depiction of Nepal's national legal system. The book focuses predominantly on formal legal systems, state-sanctioned laws and practices, while indigenous and customary legal systems, which have significantly influenced various communities throughout Nepal's history, are not fully explored. Future research could investigate the legal histories of regional systems such as Limbhuwan, Tharuwan, Maithil, Kirant, and Baise-Chaubise Rajya, and their interactions with formal legal frameworks. This would provide a richer understanding of Nepal's legal heritage. Additionally, the book does not adequately address the impact of legal developments on different genders and minority groups. Future studies could focus on women's legal history and the experiences of ethnic and caste minorities, adding valuable dimensions on Nepal's legal evolution from gender and human rights perspective. While the book covers up to 2078 (2021 AD), it does not extensively analyze the impact and effectiveness of recent legal reforms. Future research could assess how these changes have been implemented and their effects on society and the legal system. A comparative analysis with neighboring countries or similar legal traditions could provide additional context and insights into Nepal's legal development. The book's focus on internal legal history without extensive comparison to other legal systems limits its broader context. Comparative studies with legal systems of neighboring countries, such as India, China, and Bhutan, could highlight unique features, common trends, and external influences on Nepal's legal system. This global perspective would enrich the understanding and distinguishing of Nepal's legal evolution.

For future research and studies, Scholars can undertake various approaches and methodologies. Future research could address identified gaps by conducting in-depth studies of underrepresented periods, such as transitional phases between major dynasties

or less documented eras. Utilizing indigenous primary sources like ancient manuscripts, inscriptions, and historical documents could offer more detailed insights. Investigating regional legal histories outside the Kathmandu valley and examining regional archives could uncover unique legal traditions and practices, and also comparing and contrasting legal developments across different regions can provide a holistic view of Nepal's legal evolution. Ethnographic research and collaboration with community leaders could provide insights into customary laws and their interactions with formal legal systems. The gender-focused legal history research could explore the impact of legal developments on women and minority groups, using feminist and critical race theory frameworks to analyze legal history from marginalized perspectives. Despite significant changes in justice administration and legal practices, there remains a lack of permanent and sustainable course of conduct. The need for intensive study, continued research, and scholarly attention is crucial. Rigorous examination of ancient sources, beyond relying solely on foreign publications, is indispensable. For instance, a comprehensive analysis of Nyayabikasini could reveal new facts and supplementary issues through a complete and accurate translation of the Newari sections. The book's emphasis on historical legal analysis underscores its modern relevance by addressing contemporary challenges and promoting ongoing study and improvement of the legal system. As history is common heritage, the rigorous study and research are quintessential.

Concluding Remark

"Our Legal History from Kirant Period to 2078" by Prakash Wasti is a seminal work that offers a comprehensive and detailed account of the legal history of Nepal. The Author meticulously traces the evolutionary journey of the legal system from the ancient Kirant period to the contemporary era, emphasizing key legal reforms, significant milestones, and the sociopolitical context that shaped the legal landscape. Our legal system has evolved remarkably and beautifully, embodying our rich, glorious and illustrious history. It stands as a testament to our identity, recognition, and pride. The legal system of Nepal, while unique and original, remains interconnected and inalienable with global legal practices. It is robust, powerful, and affluent in its epistemic jurisprudence, exhibiting all the essential characteristics of a comprehensive legal system. Nepal's legal framework possesses its own distinct features and inherent strengths, not blinded by other legal systems. Progressing significantly in areas such as written laws, human rights, and humanitarian laws, Nepal stands at the forefront not only in Asia but also globally. Nepal is recognized as a successful country, both within the SAARC region and worldwide, excelling in environmental jurisprudence and the integration of the judicial system. The journey of our legal system has spanned centuries, culminating in a modern legal system where Nepal is an independent, indivisible, sovereign, secular, inclusive and federal democratic republic. It is a pioneer in environmental laws, codification of laws, the development of jurisprudential notions about individual's legal status after birth, directive principles and policies of state management, the regime of the Auditor General, independence in legal language and drafting, the abolition of the death penalty and slavery, early adoption of the

principle of separation of powers, constitutionalism, and the pursuit of an egalitarian society oriented towards socialism.

Nonetheless, this legal system requires expansion, development, consolidation of legal practices, judicial restructuring, and progression with contemporary reforms. The continuous study, research, investigation, training, and pedagogical advancements are essential for the development of any country's legal system. These intellectual efforts and epistemological approaches significantly contribute to the enhancement of legal frameworks. The author's meticulous research and insightful analysis make this book a treasure trove of information, a significant contribution to Nepalese legal historiography, and a valuable resource for legal historians, scholars, students, legal professionals, general readers, and anyone interested in the historical underpinnings of Nepal's legal system. The author's dedication to the subject matter is evident on every page, making this book a must-read for those seeking to understand Nepal's legal heritage. The author has provided a well-supported and comprehensive analysis of the evolution of Nepalese legal history from the Kirant period to 2078, showcasing the complexity and richness of Nepal's legal heritage. This book is a significant compilation of historical legal facts, balanced opinions, and concrete examples, offering a critical assessment based on explicitly stated rationale and findings. In this regard, the book reflects a comprehensive journey through Nepal's legal evolution.