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Research Report

Deontic & Legal Concepts in Sanskrit Philosophy

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Introduction

The development of modern international law is deeply entangled with colonialism. Its twentieth-century institutions emerged alongside European empires, with even the UN Charter's commitment to self-determination accommodating continuing colonial rule (Sands 2023). Yet the Charter simultaneously grounds international law in universality and "the sovereign equality of all its Members" (United Nations Charter, Preamble, art. 2(1)). Realizing these principles requires reconciling differences across global legal traditions despite the Eurocentric foundations of much modern international legal thought.

This research approaches that problem through two foundational legal questions: (1) what one is entitled to do and (2) how one may be held accountable for acting beyond that entitlement. Within the Sanskrit Dharmaśāstra tradition, the Mānavadharmaśāstra addresses these questions through adhikāra, broadly referring to normative entitlement or authority to act, and daṇḍa, punishment or coercive legal consequence. Given the text's interpretive complexity, this research examines these concepts through Sanskrit jurist Medhātithi's medieval commentary. William Blackstone's Commentaries on the Laws of England similarly systematizes English common law and examines comparable questions of rights and punishment.

This comparison is particularly significant given that modern Indian law was substantially reshaped through British colonial administration, Anglo-Indian jurisprudence, and statutory reform (Derrett 1973). Medhātithi and Blackstone therefore allow both an indigenous Indian jurisprudential tradition and the common-law tradition that later influenced Indian law to inform the framework, while testing points of compatibility and divergence between Euro-American and non-Euro-American approaches to comparable legal questions.

These questions acquire renewed significance with artificial intelligence (AI), as AI increasingly mediates legally consequential actions while complicating conventional assumptions about agency, authority, and responsibility. This research therefore uses the Medhātithi–Blackstone comparison to develop a more globally grounded framework of legal entitlement, responsibility, and legitimate coercion, before applying it to human entitlement and accountability in AI-mediated action.

Finally, the European Union's AI Act, the "world's first comprehensive AI law" (European Parliament 2023) provides a positive-law application of this framework. As a necessarily broad and sometimes criticized framework governing 27 Member States, the Act provides a useful canvas for testing these principles and developing AI policy recommendations.

Deontic & Legal Framework Overview

While this project seeks to bridge English and Sanskrit jurisprudence, understanding their distinct legal origins is key to understanding how 'entitlement' and 'accountability' operate in each context.

Within the English tradition, the development of rights-based legal thought provides an important background to Blackstone's jurisprudence. John Locke famously argued that individuals possess natural rights, particularly to life, liberty, and property, that exist prior to government. Political authority is legitimate insofar as it protects these rights and loses legitimacy when it systematically violates them, establishing an influential account of the normative entitlements held by individuals against political power (Locke 1689). Punishment operates within the same framework: Locke justifies punitive authority not as revenge, but as a means of restraining violations, deterring their repetition, and securing reparation for those harmed. Upon entering civil society, individuals transfer the exercise of punitive authority to government, connecting legitimate coercion to the protection of the rights upon which political society is founded (Locke 1689).

Conversely, the jurisprudential context in which the Mānavadharmaśāstra operates is structured around the principle of dharma, a Sanskrit concept with no single English equivalent, encompassing ideas of law, duty, justice, and a broader normative order (Flood 1996, 52; Lingat 1973, 3). Within the Dharmaśāstra tradition, an individual's normative position is not principally organized around universal natural rights, but around the rules applicable to a particular actor and circumstance, providing the broader context for Medhātithi's treatment of adhikāra as a form of action-specific normative entitlement. Daṇḍa, in turn, provides the coercive means through which violations of that normative order may be restrained and dharma maintained. Whereas the English framework approaches entitlement and punishment through the protection of individual rights, the Sanskrit framework examined here approaches comparable questions through the maintenance of dharma and the actor-specific normative relationships it establishes.

Methodology

This research employs a comparative textual methodology across Sanskrit, English common-law, and contemporary AI jurisprudence. First, I analyze Medhātithi's commentary on the Mānavadharmaśāstra, drawing principally on Books II, VII, VIII, and XII to reconstruct adhikāra, daṇḍa, and the intervening questions of agency, attribution, and responsibility, supplemented by secondary scholarship on Dharmaśāstra and Mīmāṃsā and scholarly consultations conducted at LMU Munich. Second, I undertake a functional rather than lexical comparison with William Blackstone's Commentaries on the Laws of England, examining Books I–II and IV to identify how the English common-law tradition structures comparable questions of rights, legal capacity, responsibility, and punishment without presuming conceptual equivalence between the two traditions. Third, I apply the resulting comparative framework to contemporary legal theory on artificial agents, principally Samir Chopra and Laurence F. White's A Legal Theory for Autonomous Artificial Agents, alongside consultations with researchers at TU Wien, to examine human entitlement and accountability where legally consequential action is mediated through AI. Finally, selected provisions of the European Union's AI Act are used as a limited positive-law application through which to assess how the framework may inform contemporary questions of AI delegation, oversight, responsibility, and sanction.

Analysis I–Medhātithi

A. Adhikāra–Normative Entitlement and the Conditions of Valid Action

Medhātithi treats adhikāra as the normative relationship between a particular actor and action, rather than a general capacity or entitlement (Medhātithi on Manusmṛti 2.16, 8.20–21, 8.163, 8.167). Manusmṛti 2.16, 8.20–21, 8.163, and 8.167 distinguish factual capacity from normative entitlement: CA(X) does not establish PA(X) (see Appendix A for notation). Adhikāra instead concerns whether X is normatively A's to undertake. Its scope is action-specific and may vary by function and circumstance, while remaining distinct from the eventual validity of the action (Medhātithi on Manusmṛti 2.16, 8.163, 8.167).

I. <u>Adhikāra is Action-Relative and Function-Specific</u>

In Manusmṛti 2.16, Medhātithi describes adhikāra through the cognition that "this should be done by me" and states that it "pertain[s] to a certain action" (Medhātithi on Manusmṛti 2.16). Adhikāra therefore identifies a normative relationship between actor A and action X: PA(X) concerns whether X is normatively A's to undertake (Medhātithi on Manusmṛti 2.16). This entitlement is function-specific. Medhātithi distinguishes entitlement to study scripture from entitlement to perform its prescribed actions, noting that although study is restricted, "actual performance" extends to all four castes (Medhātithi on Manusmṛti 2.16). PA(X) therefore does not establish PA(Y). Adhikāra must be determined separately for the particular action at issue (Medhātithi on Manusmṛti 2.16). The qualifications governing adhikāra may also vary by function. In 2.16, entitlement to scriptural study depends upon qualifications specific to that activity (Medhātithi on Manusmṛti 2.16). This does not make social status the universal basis of adhikāra—it shows that the actor-action relationship may be conditioned by the requirements of the particular function.

<u>II. Adhikāra Cannot Be Inferred from Capacity or Performance</u>

Medhātithi expressly separates performance from entitlement in 2.16: "the mere fact of the Śūdra performing the acts does not necessarily indicate that he is entitled" to scriptural study (Medhātithi on Manusmṛti 2.16). Performance of X therefore does not establish PA(X). Manusmṛti 8.20–21 makes the distinction sharper. Medhātithi describes a Śūdra with "cultivated intelligence" who may understand law and assess witnesses, yet cannot pronounce upon cases in the king's court (Medhātithi on Manusmṛti 8.20–21). Factual competence therefore does not establish normative entitlement: CA(X) ⇏ PA(X) (Medhātithi on Manusmṛti 8.20–21). Manusmṛti 8.163 further separates adhikāra from authorization and validity. An unauthorized actor may be capable of performing a transaction without possessing authority to produce its intended legal effect; similarly, an invalid transaction may be "as good as undone" despite having been performed (Medhātithi on Manusmṛti 8.163). Capacity, adhikāra, authorization, performance, and validity are therefore distinct (Medhātithi on Manusmṛti 8.163). Adhikāra answers only whether the particular action is normatively the actor's to undertake.

<u>III. Normative Authority is Sensitive to Function and Circumstance</u>

Manusmṛti 8.167 shows that adhikāra cannot be determined from general status alone. Although a servant ordinarily lacks independent transactional authority, Medhātithi limits this rule to cases where the master is present. When the master is absent, acts undertaken "for the maintenance of the family" may be valid (Medhātithi on Manusmṛti 8.167). The servant's status has not changed; the function and circumstances have. Authority remains limited to acts "for the sake of the family," rather than becoming a general transactional entitlement (Medhātithi on Manusmṛti 8.167). PA(X) is therefore conditional

upon the function and circumstances of X. Adhikāra must be assessed relative to the actor and action under the relevant conditions.

Core Finding

Adhikāra is an action-specific normative entitlement, distinct from factual capacity, performance, authorization, and validity (Medhātithi on Manusmṛti 2.16, 8.20–21, 8.163, 8.167). $CA(X) \nRightarrow PA(X)$; whether $P_A(X)$ holds depends on the actor's normative relationship to X under the relevant conditions. Adhikāra therefore locates authority in the actor-action relationship, not in capacity or status alone.

B. Agency, Attribution, and Responsibility: From Action to Punishability

Before daṇḍa can follow, Medhātithi distinguishes agency, attribution, responsibility, and punishability. Manusmṛti 12.3–4, 12.12–14, 8.18–19, 8.126–128, and 8.165–168 show that neither physical performance nor causal involvement alone establishes $R_A(X)$. Responsibility instead requires an actor-specific basis of attribution. Even where $R_A(X)$ is established, punishment does not automatically follow: $R_A(X) \nRightarrow D_A(X)$. The actor must separately be identified as daṇḍya before daṇḍa becomes available.

I. Action and Agency Cannot Be Reduced to Immediate Physical Performance

Medhātithi's karma extends beyond bodily movement to mental and verbal action (Medhātithi on Manusmṛti 12.3–4). In 12.4, the mind acts as the "instigator" of intentional conduct (Medhātithi on Manusmṛti 12.4), connecting outward action to the agent directing it. Intention is not exhaustive, however: mistaken or accidental conduct may still leave "responsibility for doing it" with the agent (Medhātithi on Manusmṛti 12.4). Manusmṛti 12.12–14 further separates conscious agency from material performance (Medhātithi on Manusmṛti 12.12–14). The Kṣetrajña is the conscious "impeller" and kartṛ, while the Bhūtātman materially performs the act and the Jīva operates as an intermediary (Medhātithi on Manusmṛti 12.12–14). Agency, mediation, and physical execution may therefore reside in different entities. Immediate performance does not determine $R_A(X)$, nor does mediation necessarily sever attribution to the directing actor.

II. Responsibility is Individually Attributable but Can Arise Through Different Forms of Participation

In Manusmṛti 8.18–19, Medhātithi states that "the sin committed by one man does not go to another" (Medhātithi on Manusmṛti 8.18–19). $R_A(X)$ therefore requires an independent basis for attribution; responsibility does not transfer merely because several actors are connected to the same wrong. Responsibility can nevertheless arise through different forms of participation. Judges who permit an unjust decision incur responsibility by violating duties attached to their role, not by inheriting the perpetrator's wrongdoing (Medhātithi on Manusmṛti 8.18–19). The king may similarly become responsible by knowingly failing to correct judicial misconduct (Medhātithi on Manusmṛti 8.18–19). Manusmṛti 8.165 extends this structure to participation in a common fraud, where both parties may independently incur responsibility (Medhātithi on Manusmṛti 8.165). Responsibility is therefore individualized but distributed. Multiple actors may satisfy $R_A(X)$ through distinct relationships to the same wrong, including commission, participation, or breach of role-specific duties. Causal or institutional proximity is insufficient.

III. Legal Consequence, Wrongdoing, Responsibility, and Punishability Are Distinct

Medhātithi separates an act's legal effect from responsibility for it (Medhātithi on Manusmṛti 8.165–168). In 8.165, a fraudulent transaction is both invalidated and separately punished (Medhātithi on Manusmṛti 8.165); invalidity therefore does not constitute punishment. Conversely, 8.166 permits repayment liability to extend through familial relationships without implying wrongdoing or punishability (Medhātithi on Manusmṛti 8.166). Manusmṛti 8.168 similarly invalidates transactions produced by force, while voluntariness remains separately relevant to punishment (Medhātithi on Manusmṛti 8.168). Legal consequence, responsibility, and punishability therefore require distinct determinations. $R_A(X) \nRightarrow D_A(X)$, just as bearing a legal consequence does not establish $R_A(X)$.

IV. Responsibility Does Not Automatically Determine Daṇḍa

Manusmṛti 8.126 requires punishment to be calibrated to the actor and offence rather than derived automatically from wrongdoing (Medhātithi on Manusmṛti 8.126). Anubandha includes what led to the offence, making intention and voluntariness relevant to punishment even after conduct has been attributed (Medhātithi on Manusmṛti 8.126). Manusmṛti 8.128 separately distinguishes the daṇḍya from the adaṇḍya: punishment is required for the former and prohibited for the latter (Medhātithi on Manusmṛti 8.128). Responsibility therefore does not itself establish punishability, $R_A(X) \nRightarrow D_A(X)$, nor does $D_A(X)$ determine the appropriate daṇḍa (Medhātithi on Manusmṛti 8.126, 8.128). Punishability and punitive consequence require separate judgments.

Core Finding

Medhātithi separates physical performance, agency, responsibility, and punishability. Responsibility is individualized but distributed: $R_A(X)$ depends on A's normative relationship to the wrong, not merely physical or causal involvement. Nor does responsibility establish punishability: $R_A(X) \nRightarrow D_A(X)$. Before daṇḍa follows, law must therefore identify the responsible actor, determine whether that actor is daṇḍya, and separately calibrate the coercive consequence. Medhātithi thus interposes attribution, responsibility, and punishability between conduct and daṇḍa.

C. Daṇḍa: Coercive Restraint and the Conditions of Legitimate Enforcement

Medhātithi treats daṇḍa as broader than post-wrongdoing punishment. Manusmṛti 7.14–20, 9.249, and 12.10 present it as coercive enforcement of dharma with recurring functions of restraint, prevention, and protection. Its authority is not reducible to royal will and remains constrained by its proper application. Daṇḍa must therefore be distinguished from coercion as such. Its legitimate exercise requires identification of the daṇḍya and separate determination of the appropriate coercive response.

I. Daṇda Possesses Normative Authority Independently of Royal Will

In 7.14, Medhātithi places daṇḍa "before the creation of the King himself" and identifies it with dharma in its coercive operation (Medhātithi on Manusmṛti 7.14). The king therefore administers daṇḍa but does not constitute its normative authority (Medhātithi on Manusmṛti 7.14). Manusmṛti 7.17–18 reinforces this distinction: royal commands acquire practical force through daṇḍa, and "it is not the King that administers the law … it is Punishment that does this administering" (Medhātithi on Manusmṛti 7.17–18). Yet royal coercion is not automatically legitimate. Medhātithi's recognition of adharma-daṇḍana in 8.127 shows that punishment imposed by the king may itself violate dharma (Medhātithi on Manusmṛti 8.127). Daṇḍa is therefore normatively governed coercion, not whatever coercion the ruler can impose (Medhātithi on Manusmṛti 7.14, 7.17–18, 8.127).

II. Recurring Functional Logic of Daṇḍa is Restraint, Prevention, & Protection

Medhātithi assigns daṇḍa a protective and prospective function from its introduction (Medhātithi on Manusmṛti 7.14–20). In 7.14, he calls it "the protector of all creatures" (Medhātithi on Manusmṛti 7.14), while 7.15 explains that through fear of daṇḍa, beings "do not swerve from their duty" (Medhātithi on Manusmṛti 7.15). Manusmṛti 7.17–18 institutionalizes this relationship: royal injunctions and prohibitions establish what ought and ought not to be done, while daṇḍa supplies the coercive force through which those prescriptions acquire practical efficacy (Medhātithi on Manusmṛti 7.17–18). Even when the king's officers are absent, the anticipation of punishment causes persons to desist from prohibited conduct (Medhātithi on Manusmṛti 7.17–18). Daṇḍa therefore operates not only through sanctions actually imposed, but as a standing possibility of coercive consequence capable of structuring conduct in advance. This restraint serves a concrete protective function. In 7.18, daṇḍa protects "the weak against the strong" (Medhātithi on Manusmṛti 7.18), while 7.20 describes how, in its absence, those possessing greater physical strength, weapons, energy, or numbers could exploit weaker subjects (Medhātithi on Manusmṛti 7.20). Public coercive restraint is therefore justified partly as a response to unequal private power: without daṇḍa, coercion does not disappear, but may instead be exercised by stronger private actors against weaker ones. Manusmṛti 9.249 makes the preventive logic explicit: "the teaching regarding 'punishments' is for the purpose of preventing crime" (Medhātithi on Manusmṛti 9.249). More significantly, Medhātithi states that where "the intended chastisement is secured by other means, there would be nothing wrong in this" (Medhātithi on Manusmṛti 9.249). The normative objective therefore does not necessarily require a particular form of punitive suffering where another measure adequately secures the intended restraint. This does not amount to a modern least-restrictive-means doctrine, but it does establish a means–ends constraint upon punishment: the coercive measure is evaluated in relation to the preventive or protective purpose it is meant to achieve. Finally, 12.10 confirms the broader functional range of daṇḍa by glossing it as "Control–keeping in check" in relation to mind, speech, and body (Medhātithi on Manusmṛti 12.10). Royal daṇḍa and internal tridaṇḍa are not identical institutions, so the passage cannot establish that daṇḍa simply means "restraint." It nevertheless reinforces a functional pattern visible across the preceding passages: daṇḍa extends beyond retrospective punishment and is repeatedly organized around restraint, prevention, and protection (see Appendix B).

III. Legitimate Danda Requires Attribution, Investigation, and Contextual & Purposive Calibration

The normative importance of daṇḍa does not grant the ruler unrestricted authority to punish. In 7.16, punishment must follow consideration of time, place, the offender's strength or capacity, and Vedic learning before being imposed yathārhataḥ, "according as each man may deserve" (Medhātithi on Manusmṛti 7.16). Manusmṛti 8.126 develops this inquiry by considering what led the actor to commit the offence, including intention or mistake, voluntariness or external influence, the actor's condition and capacity to suffer the penalty, and the nature of the offence (Medhātithi on Manusmṛti

8.126). Wrongdoing therefore establishes the occasion for punitive assessment without determining either punishability or sanction. The inquiry concerns what consequence, if any, is warranted for this actor, committing this wrong, under these circumstances. Legitimate daṇḍa also depends upon adequate investigation. In 7.19, punishment imposed "after due investigation" produces beneficial effects, whereas punishment without such inquiry "destroys the best interests of the people" (Medhātithi on Manusmṛti 7.19). Manusmṛti 8.127 similarly condemns punishment determined through royal whim, love, hatred, or improper application of legal rules (Medhātithi on Manusmṛti 8.127). Possession of punitive authority therefore does not legitimate its exercise in a particular case; coercion must rest upon adequate inquiry and the proper identification of the actor, wrongdoing, and circumstances to which it applies. Manusmṛti 9.249 adds a further constraint concerning the means through which daṇḍa pursues its purpose (Medhātithi on Manusmṛti 9.249). Where 7.16 and 8.126 calibrate coercion to the actor, wrong, and surrounding circumstances, 9.249 permits an alternative where "the intended chastisement is secured by other means" (Medhātithi on Manusmṛti 9.249). Legitimate daṇḍa is therefore conditioned both by who and what is properly subject to coercion and by whether the coercive means appropriately serves its preventive end. Medhātithi consequently rejects a mechanical progression from wrongdoing to predetermined sanction: even where coercive intervention is warranted, its legitimacy and form remain subject to attribution, investigation, contextual calibration, and purpose.

IV. Daṇḍa is Simultaneously Constrained and Obligatory

The constraints placed upon daṇḍa do not render punishment merely discretionary. Manusmṛti 7.20 requires the king to punish the daṇḍya "untiringly" (Medhātithi on Manusmṛti 7.20), while 8.128 prohibits punishment of the adaṇḍya and requires punishment of the daṇḍya (Medhātithi on Manusmṛti 8.128; see Appendix C). Manusmṛti 9.249 makes this symmetry explicit: the king incurs an equivalent wrong by punishing the innocent and acquitting the guilty (Medhātithi on Manusmṛti 9.249). Punitive authority is therefore normatively constrained in both directions. This also makes 7.19 and 7.20 complementary rather than contradictory: the former prevents punishment without adequate investigation, while the latter prevents the difficulty of determining responsibility from becoming a justification for non-enforcement (Medhātithi on Manusmṛti 7.19–20). The ruler must undertake the epistemic and normative inquiry necessary to distinguish the daṇḍya from the adaṇḍya; neither arbitrary punishment nor blanket non-enforcement satisfies this obligation. Manusmṛti 9.249 further grounds enforcement in the ruler's institutional role (Medhātithi on Manusmṛti 9.249). Medhātithi explains that the king receives taxes in exchange for performing governing duties and incurs wrongdoing when he fails to discharge them (Medhātithi on Manusmṛti 9.249). Even the "merit" attributed to a king who chastises justly is interpreted as commendatory language reinforcing an existing duty rather than creating an independent spiritual reward (Medhātithi on Manusmṛti 9.249). Just punishment is therefore presented primarily as the fulfilment of a role-based obligation, rather than an exercise of unconstrained royal discretion. The resulting structure rejects any presumption that either greater or lesser coercion is inherently preferable. More punishment is not inherently better governance, but neither is less punishment. Legitimate enforcement instead depends upon correctly distinguishing cases in which coercion is required from those in which it is prohibited, and administering the former according to the investigative, contextual, and purposive constraints already established.

Core Finding

Medhātithi treats daṇḍa not as whatever coercion the ruler factually imposes, but as a normatively constituted institution through which dharma acquires practical force. Its recurring logic of restraint, prevention, and protection extends beyond retrospective punishment, while remaining constrained by attribution, investigation, and calibration to the actor, offence, circumstances, and purpose of the measure. Neither the existence of wrongdoing nor the ruler's possession of coercive power therefore independently establishes the legitimacy or form of daṇḍa. Punitive authority is consequently constrained in two directions: the ruler must punish those properly identified as daṇḍya while withholding punishment from the adaṇḍya. Legitimate daṇḍa thus depends not upon maximizing or minimizing coercion, but upon correctly identifying its proper subject and calibrating coercive means to normative ends.

Analysis II–Blackstone

A. Rights, Legal Capacity, and Juridical Authority

Blackstone situates rights within a broader architecture of juridical position. What a person may legally do cannot be inferred simply from what that person can factually do. Rights establish normative positions, while legal capacity and authority determine the juridical significance an actor or action may possess within a particular legal relationship. Across Blackstone's jurisprudence, factual condition and juridical position therefore remain distinct, even where the former informs the latter.

I. Rights Establish Normative Positions Distinct from Factual Conditions

Blackstone initially presents rights and duties as different perspectives upon normative relations between legal actors (Blackstone, Book I, ch. 1). In Book I, what is "due from every citizen" appears as a duty, while what "belong[s] to him" appears as a right or jus (Blackstone, Book I, ch. 1). Allegiance, for example, is a duty of the people and a right of the magistrate, while protection operates inversely (Blackstone, Book I, ch. 1). Relative rights therefore describe normative relationships between actors rather than factual capacities possessed by their holders.

Not every right, however, depends upon a legally constituted interpersonal relationship. Blackstone treats absolute rights as belonging to persons "merely as individuals" and as antecedent to municipal law, whose role is to "explain, protect, and enforce" them (Blackstone, Book I, ch. 1). His recognition that positive law can constitute juridical positions therefore does not imply that law creates the normative basis of every right. What unites these accounts is the separation of normative entitlement from factual condition. Blackstone's treatment of property demonstrates that possession does not establish title: a finder may physically possess something that remains another person's property, just as an owner may retain title after losing possession (Blackstone, Book II, ch. 1). His account of liberty makes the same distinction with respect to action (Blackstone, Book I, ch. 1). The ability to perform an act does not establish a right to perform it, just as the state's capacity to restrain conduct does not establish its authority to do so (Blackstone, Book I, ch. 1). Factual condition may therefore inform juridical position without determining it.

II. Juridical Capacity Need Not Track Natural Capacity

Blackstone extends the distinction between factual and juridical position to legal capacity itself. His treatment of the Crown provides the clearest example. He distinguishes the king in his natural capacity from the king in his political capacity and holds that the king "as king" can never legally be a minor (Blackstone, Book I, ch. 7). Royal acts may therefore retain their legal efficacy even where the natural person occupying the Crown has not reached ordinary legal majority (Blackstone, Book I, ch. 7). The relevant inquiry is not simply what capacities the human actor naturally possesses, but in what juridical capacity that actor is acting. The distinction between the king's "body natural" and "body politic" similarly allows the juridical office to persist across successive natural holders (Blackstone, Book I, ch. 7). The unborn child demonstrates that juridical capacity may also be purpose-specific. Blackstone describes a child in ventre sa mère as "supposed in law to be born for many purposes" (Blackstone, Book I, ch. 1). The qualification matters: law does not simply treat the unborn child as born for every legal function, but recognizes particular capacities where the relevant purpose requires them (Blackstone, Book I, ch. 1). Juridical capacity may therefore exist for one function without extending across the actor's entire legal position. Blackstone consequently resists treating legal capacity as an all-or-nothing reflection of natural agency. The law may recognize a particular juridical capacity because of the function in which an actor is situated, even where the actor's natural condition would not independently supply that capacity.

III. Positive Law Can Constitute Function-Specific Juridical Personality

Blackstone's treatment of corporations takes this separation further. After considering persons in their "natural capacities," he turns to "artificial persons," constituted by law to perform functions that natural persons alone cannot continuously fulfill (Blackstone, Book I, ch. 18). Because individual members die while institutional rights and functions may require continuity, incorporation creates a juridical identity capable of "perpetual succession" (Blackstone, Book I, ch. 18). Artificial personality therefore does not depend upon an entity independently possessing the natural characteristics of a human person; law constitutes the juridical person for particular legal purposes. This juridical identity remains distinct from the natural persons through whom it operates. Blackstone treats successive members as "one person in law," while the corporation sole similarly allows successive office-holders to occupy a continuing juridical identity (Blackstone, Book I, ch. 18). The natural actors may change without disrupting the legal continuity of the entity. Incorporation thus does more than recognize capacities already possessed by its members: it constitutes a legal position that persists independently of any particular natural holder. Nor does artificial personality entail complete equivalence with natural personality. Blackstone attributes particular legal capacities to corporations while simultaneously recognizing their incapacities (Blackstone, Book I, ch. 18). Artificial personality is therefore functionally bounded rather than juridically total. In this analytical sense, it is modular: law may constitute an artificial person with the capacities necessary for its legal function without thereby attributing every capacity associated with a natural person.

IV. Juridical Capacities Can Be Withdrawn and Reconstituted

Blackstone's discussions of civil disability and pardon demonstrate that juridical capacity is not fixed once attributed. Attainder provides the inverse of incorporation: where incorporation constitutes a juridical position beyond the natural capacities of its members, attainder may withdraw capacities from a natural person whose underlying identity remains unchanged. Blackstone accordingly describes the attainted offender as "dead in law" despite remaining biologically alive

(Blackstone, Book IV, ch. 29). Natural existence therefore does not guarantee the continued possession of a particular juridical capacity.

Pardon demonstrates the converse possibility of juridical reconstitution. Blackstone describes the pardoned offender as becoming “a new man” with “new credit and capacity” (Blackstone, Book IV, ch. 31). The same natural individual may therefore occupy different juridical positions over time as legal capacities are withdrawn and restored. Yet restoration is itself bounded by legal authority. A royal pardon cannot reverse every consequence of attainder, including corruption of blood, where doing so requires parliamentary intervention (Blackstone, Book IV, ch. 31; Book II, ch. 15). Authority to alter one dimension of juridical position therefore does not entail authority to alter another.

The temporal limits of pardon reinforce this point. A son born after pardon may inherit through the pardoned father because the latter possesses “new inheritable blood,” whereas a son born before the pardon does not receive the same benefit (Blackstone, Book IV, ch. 31; Book II, ch. 15). The juridical position of the same natural person can therefore change prospectively without any corresponding transformation in that person’s natural identity.

Blackstone’s framework thus makes juridical position divisible and legally reconfigurable. Particular capacities may be constituted, withdrawn, or restored without transforming the natural person to whom they attach, while the authority to produce those changes is itself legally bounded. This does not make every right a creation of positive law, since Blackstone separately recognizes rights antecedent to it (Blackstone, Book I, ch. 1). Rather, it demonstrates that juridical personality cannot be treated as a single status that a person simply possesses or lacks; its particular dimensions may change independently through legally authorized acts.

Core Finding

Blackstone does not treat juridical position as a straightforward reflection of natural personhood or factual capacity. Rights establish normative positions, while law may constitute particular capacities that do not track the natural characteristics of their holders. Those capacities may also be altered without any corresponding change in the underlying actor. Juridical personality is therefore differentiated rather than all-or-nothing: the legal position of an actor cannot be inferred simply from what that actor naturally is or can factually do.

This constitutive dimension does not make juridical position wholly discretionary, since Blackstone separately recognizes rights antecedent to positive law. His framework instead distinguishes those normative rights from the legally constituted capacities through which actors participate in particular juridical functions. Natural agency and juridical personality consequently remain distinct, even where law takes the former into account in constructing the latter.

B. Agency, Attribution, and Responsibility: From Conduct to Juridically Established Guilt

Blackstone does not move directly from prohibited conduct or harmful result to criminal responsibility. Responsibility first requires a juridically relevant connection between the actor and the conduct, rather than causal involvement alone. Even then, responsibility must be legally established before coercive consequence may follow. Blackstone therefore separates the attribution of responsibility from its authoritative juridical determination, making both necessary stages between conduct and punishment.

I. Criminal Responsibility Requires Culpable Agency Connected to the Particular Conduct

Blackstone begins his discussion of criminal responsibility by asking which persons are “capable of committing crimes” (Blackstone, Book IV, ch. 2), immediately separating physical performance from culpability. His excuses from criminal responsibility turn upon a “want or defect of will”: performance of a prohibited bodily act does not alone constitute a complete crime (Blackstone, Book IV, ch. 2). Responsibility requires conduct to be connected to legally culpable will, making capacity to perform an act distinct from capacity to bear criminal responsibility for it.

Culpability must also attach to the particular conduct at issue. Blackstone treats discernment as necessary to meaningful choice (Blackstone, Book IV, ch. 2), but possessing that capacity generally does not establish culpability for every act. His treatment of infancy illustrates the first distinction, while chance, ignorance, and duress demonstrate the second: an actor may possess ordinary rational capacity while the requisite will is absent or compromised in relation to the particular conduct (Blackstone, Book IV, ch. 2). The inquiry is therefore not simply whether the actor was capable of culpable agency, but whether that agency was exercised in the act for which responsibility is asserted.

Blackstone further distinguishes capacity at the time of conduct from capacity at later juridical stages (Blackstone, Book IV, ch. 2). A person capable of criminal responsibility when an offence occurs may subsequently become incapable of participating in the proceedings through which that responsibility is adjudicated or punished (Blackstone, Book IV, ch. 2). Capacity is therefore itself relative to the juridical function under consideration. Criminal responsibility ultimately depends neither upon physical performance nor upon general rational capacity alone, but upon a legally cognizable connection between the actor's culpable agency and the particular conduct attributed to them.

II. Juridical Authorship Need Not Coincide with Physical Performance

Once culpable agency is distinguished from physical performance, Blackstone separately considers whose conduct the law treats as constituting an offence. His law of principals and accessories demonstrates that immediate bodily performance is not determinative (Blackstone, Book IV, ch. 3). A person may be a principal without performing the final physical act, while physical proximity alone does not establish participation (Blackstone, Book IV, ch. 3). Even "presence" may be constructive where an actor remains at a distance while participating in the offence (Blackstone, Book IV, ch. 3). Juridical authorship therefore need not coincide with immediate physical causation.

This separation becomes clearest where conduct is mediated through another actor. An absent person who intentionally arranges the means through which another unknowingly produces a fatal result may nevertheless be treated as principal (Blackstone, Book IV, ch. 3). Intermediation therefore does not necessarily sever attribution: the person who physically produces the result need not be the only actor legally connected to it.

Attribution nevertheless remains bounded. A person who commands an offence may remain responsible where the eventual method differs but the offence remains the same "in substance," without becoming responsible for independent conduct outside that design (Blackstone, Book IV, ch. 3). The intervention of another actor therefore neither automatically dissolves nor indefinitely extends responsibility. What matters is whether the particular actor retains a juridically relevant relationship to the offence despite the mediation through which it occurs.

Blackstone's account is consequently individualized without restricting responsibility to the immediate performer. Several actors may bear responsibility for the same offence, but each requires an independently established basis of attribution. Physical causation explains how a result occurred; juridical attribution determines whose conduct the law recognizes as responsibility-bearing in relation to it.

III. Responsibility Must Be Juridically Established Before Coercion

Blackstone distinguishes being responsible from being legally established as responsible. Because courts cannot directly "search the heart," the culpable will required by his substantive theory must become legally cognizable through evidence (Blackstone, Book IV, ch. 2). Proof that an offence occurred must also be distinguished from proof attributing it to a particular actor (Blackstone, Book IV, ch. 27). His preference that "ten guilty persons escape" rather than "one innocent suffer" reflects the significance of this distinction (Blackstone, Book IV, ch. 27): responsibility cannot become a basis for coercion until it has been authoritatively established.

That determination must itself occur through lawful procedure. Blackstone's protections for the accused reflect the need for attribution to be contestable (Blackstone, Book IV, ch. 27), while his distinction between jury and judicial functions demonstrates that legal authority is institutionally divided (Blackstone, Book IV, ch. 27). An authoritative determination therefore depends not simply upon whether the accused is substantively responsible, but upon whether that responsibility has been established through the legal process competent to determine it.

Even conviction does not make coercive consequence automatic (Blackstone, Book IV, chs. 27, 29). Blackstone distinguishes conviction from judgment and recognizes legal defects capable of arresting judgment after guilt has been established (Blackstone, Book IV, ch. 29). Substantive guilt therefore cannot simply cure deficiencies in the process through which legal consequence becomes authorized. Factual wrongdoing, legally established responsibility, and coercive consequence remain distinct juridical stages.

Responsibility is consequently not self-executing. It must first be attributed to the proper actor and then authoritatively established before coercion may follow. Even then, the authority to establish guilt remains distinct from the authority governing its consequences (Blackstone, Book IV, chs. 27, 29). Blackstone's movement from conduct to punishment therefore depends not only upon substantive attribution, but upon the institutional competence necessary to transform responsibility into a legally authoritative determination.

Core Finding

For Blackstone, responsibility cannot be inferred from physical conduct or causal involvement alone. It requires a juridically relevant connection between the actor and the particular offence, allowing responsibility to extend beyond the immediate performer without becoming indiscriminately transferable among those involved. Responsibility is therefore actor-specific even where participation in wrongdoing is distributed.

Responsibility, moreover, does not authorize its own coercive consequence. It must first become an authoritative juridical determination through lawful process, after which the imposition of punishment remains a further legal question. Blackstone thus preserves a distinction between attributing responsibility, legally establishing it, and authorizing the coercive consequence that follows.

C. Punishment: Preventive Purpose and the Conditions of Legitimate Coercion

Blackstone treats punishment as neither the automatic consequence of wrongdoing nor a category encompassing every coercive measure adopted by law. Juridically established guilt provides the predicate for punishment, but does not itself determine the legitimacy or form of the coercion that follows. Punishment therefore requires justification beyond the establishment of responsibility. For Blackstone, legitimate punitive consequence remains separately governed by its preventive purpose and by the legal authority through which that purpose may be pursued.

I. Punishment Is a Juridically Authorized Public Consequence of Established Wrongdoing

Blackstone distinguishes punishment from private redress (Blackstone, Book IV, ch. 1). The same wrongful act may generate a private claim aimed at repairing individual injury while also constituting a public wrong for which punishment may follow (Blackstone, Book IV, ch. 1). Punishment concerns the latter: the "evils or inconveniences consequent upon crimes and misdemeanors" that human law imposes in response to established wrongdoing (Blackstone, Book IV, ch. 1). Compensation and punishment may therefore arise from the same conduct without constituting the same juridical consequence.

The ability to impose an adverse consequence does not itself establish authority to punish. Blackstone locates punitive authority in legally constituted public institutions rather than private retaliation (Blackstone, Book IV, ch. 1), while refusing to make that authority unlimited. Punishment must follow the juridical establishment of wrongdoing: his condemnation of fines and forfeitures imposed before conviction prevents punitive deprivation from preceding the legal determination upon which it depends (Blackstone, Book IV, ch. 29).

Even after judgment, however, punishment is not self-executing. Blackstone describes execution as the "completion of human punishment" (Blackstone, Book IV, ch. 32), but assigns it to an officer legally authorized to carry the judgment into effect (Blackstone, Book IV, ch. 32). That officer may execute the prescribed consequence but cannot substitute a different punishment according to personal judgment (Blackstone, Book IV, ch. 32). Authority over one stage of the punitive process therefore does not automatically confer authority over another.

Punishment consequently emerges as a public consequence whose legitimacy depends upon more than established wrongdoing. Guilt supplies its necessary predicate, but coercion must still proceed through the legal authority constituted to impose and carry it into effect. For Blackstone, the power to punish is therefore juridically bounded even after the basis for punishment has been established.

II. Punishment Is Preventive in Purpose, but Prevention Is Not Reducible to Punishment

Blackstone gives punishment an explicitly prospective purpose (Blackstone, Book IV, ch. 1). He rejects atonement or expiation as the proper end of human punishment, instead describing it as a "precaution against future offences of the same kind" (Blackstone, Book IV, ch. 1). This prevention operates through three principal mechanisms: reformation, deterrence, and incapacitation, which share the "same one end" of preventing future crime (Blackstone, Book IV, ch. 1). Punishment is therefore justified by its prospective function rather than by the retrospective expiation of wrongdoing.

Yet prevention is not synonymous with punishment. Blackstone separately recognizes preventive security imposed "without any crime actually committed by the party" (Blackstone, Book IV, ch. 18). Such intervention may respond to prospective risk without establishing guilt, whereas punishment depends upon responsibility for a completed offence

(Blackstone, Book IV, chs. 1, 18). The same preventive objective may therefore support different forms of coercion without collapsing their distinct juridical predicates.

This distinction also permits preventive intervention to operate upon a different evidentiary basis. Blackstone allows security upon “just cause” for fear (Blackstone, Book IV, ch. 18) while rejecting punitive forfeiture based upon suspicion “without the proof of any actual crime” (Blackstone, Book IV, ch. 18). Prevention cannot therefore serve as a means of circumventing the requirements governing punishment merely because both forms of intervention restrict the individual.

Blackstone consequently preserves a fundamental distinction between risk and guilt. Prospective risk may justify precautionary coercion before wrongdoing has been established, but punishment requires established responsibility. The preventive purpose of punishment therefore does not make every preventive intervention punitive.

III. Legitimate Punishment Is Purposively and Contextually Proportionate

Blackstone’s preventive theory does not authorize whatever coercive measure most effectively suppresses future crime (Blackstone, Book IV, ch. 1). He rejects the proposition that lawmakers may deter “at any rate and by any means” (Blackstone, Book IV, ch. 1). His loaded-wagon example illustrates the limit: even where lesser sanctions repeatedly fail to prevent harm, execution does not thereby become permissible (Blackstone, Book IV, ch. 1). The “evil to be prevented” must be adequate to the severity of the measure employed (Blackstone, Book IV, ch. 1). Preventive effectiveness therefore does not itself establish the legitimacy of coercion; punishment must remain proportionate to the end it is intended to serve.

Proportionality also requires attention to the wrongdoing for which responsibility has been established. Blackstone rejects a universal lex talionis precisely because identical retaliation cannot provide an invariant measure across offences (Blackstone, Book IV, ch. 1). The circumstances that shape the gravity of wrongdoing may remain relevant when determining punishment (Blackstone, Book IV, ch. 1), without collapsing responsibility into consequence. What an actor is responsible for and what that responsibility justifies remain distinct questions.

The burden of punishment must likewise be assessed in relation to the offender upon whom it falls. Blackstone permits the degree of an authorized sanction to vary with the “quality and condition” of the parties (Blackstone, Book IV, ch. 29), and his treatment of fines makes the reason clear: the same nominal penalty may be trivial for one person and ruinous for another (Blackstone, Book IV, ch. 29). Punitive severity therefore cannot be determined solely from the formal classification of a sanction; it also depends upon the substantive burden the measure imposes.

Blackstone’s proportionality is consequently both purposive and contextual. Established responsibility makes punishment available, but does not determine its permissible severity. The coercive consequence must remain defensibly related to its preventive purpose while accounting for the circumstances that determine what the punishment actually means for the particular offender.

IV. Punitive Authority Is Divisible in Its Object and Exercise

Blackstone’s treatment of punishment demonstrates that punitive consequence need not operate upon the legal person as an indivisible whole. A sanction may alter a particular dimension of an offender’s juridical position without extinguishing the others (Blackstone, Book IV, ch. 29). This extends the divisibility established in Blackstone’s account of legal personality: the juridical capacities that law separately constitutes may also become separately subject to punitive deprivation. Punishment can therefore transform a legal position without amounting to the wholesale deprivation of juridical personality.

The authority to produce such consequences is itself divided. Blackstone assigns different stages of punishment to legally constituted institutions whose competences are not interchangeable (Blackstone, Book IV, chs. 29, 32). A court authorized to pronounce sentence cannot invent an unavailable sanction (Blackstone, Book IV, ch. 29), just as an officer authorized to execute that sentence cannot alter its prescribed form (Blackstone, Book IV, ch. 32). Authority over one part of the punitive process therefore does not entail authority over the whole.

Pardon confirms that this divisibility persists even after punishment has become legally available. An independently authorized intervention may modify its consequences without undoing the prior juridical establishment of guilt (Blackstone, Book IV, ch. 31). Punitive status therefore remains legally configurable after responsibility has been established, while the power to alter it remains bounded by the authority assigned to the relevant institution.

Core Finding

Blackstone treats punishment as a publicly authorized consequence of established wrongdoing, but established responsibility does not itself determine the legitimacy of the coercion that follows. Human punishment is prospective rather than expiatory, pursuing prevention through reformation, deterrence, and incapacitation. Yet prevention does not necessarily entail punishment: prospective risk may justify precautionary intervention without establishing guilt. Blackstone therefore preserves a fundamental distinction between risk-based intervention and responsibility-based punishment.

Where punishment does follow, preventive effectiveness cannot justify unlimited coercion. The consequence must remain proportionate to its purpose and responsive to the substantive burden imposed upon the particular offender. Its exercise must also remain within the authority legally assigned to those responsible for administering it. Established responsibility is therefore necessary but not sufficient for legitimate punishment: the coercive consequence requires an independent legal justification.

Analysis III–Comparative

The comparison between Medhātithi and Blackstone reveals a structural convergence beneath their distinct juridical vocabularies. Neither permits legal judgment to move directly from factual capacity or physical conduct to normative entitlement, nor from wrongdoing to legitimate coercion. Both instead interpose questions of attribution and responsibility before coercive consequence becomes justified. The convergence is therefore structural rather than conceptual: adhikāra is not equivalent to rights, nor daṇḍa to punishment.

The difference lies in how each tradition organizes this structure. Medhātithi begins from the action-relative character of adhikāra and culminates in daṇḍa as a normatively constituted practice of coercive restraint whose proper exercise may itself be obligatory. Blackstone begins from a more person-centered architecture of rights and juridical capacity, culminating in punishment as a legally delimited form of public coercion. The comparison therefore reveals distinct juridical architectures confronting a common problem: how law connects an actor to an action before assigning responsibility or legitimating coercion.

A. Adhikāra and Rights Locate Normative Position Differently

The clearest convergence between adhikāra and Blackstone's rights jurisprudence is that neither permits normative authority to be inferred from factual ability. Medhātithi may recognize an actor as fully capable of performing an action while denying that the action is normatively theirs to undertake. Blackstone reaches an analogous distinction through liberty and property, where ability does not establish permission and possession does not establish title. In both traditions, factual capacity remains distinct from normative entitlement.

Neither jurisprudence treats that entitlement as extending uniformly across legal activity. Medhātithi indexes adhikāra to particular actions, while Blackstone recognizes juridical capacities that operate only within particular legal functions. Both therefore resist the inference that possessing normative authority in one domain establishes equivalent authority elsewhere. Their divergence lies in how that normative position is organized. Adhikāra foregrounds the relationship between actor and action, asking whether this particular action is normatively this actor's to undertake. Blackstone more readily begins from the juridical position of the legal person and asks what legal capacities attach to that position. The difference should not be reduced to an opposition between Sanskrit duties and Western rights, since both traditions contain relational and function-specific forms of normative authority. It is instead a difference in juridical orientation.

The comparative significance of adhikāra is therefore not that it supplies a Sanskrit equivalent of a right. It introduces a distinct question alongside Blackstone's person-centered inquiry—not only what juridical position this actor possesses, but whether this particular action is normatively theirs to undertake. The two questions may converge in practice, but they are not interchangeable.

B. Both Traditions Separate Physical Performance from Responsibility

The strongest convergence appears in the movement from action to responsibility. Neither Medhātithi nor Blackstone treats immediate physical performance as sufficient to identify the responsibility-bearing actor. Medhātithi distinguishes conscious agency from the material means through which action occurs, while Blackstone permits juridical authorship to extend beyond the immediate performer where conduct is mediated through another actor. In both traditions, responsibility therefore depends upon the actor's relationship to the conduct rather than physical performance alone.

Mediated action does not, however, diffuse responsibility indiscriminately. Medhātithi insists that one person's wrongdoing does not simply transfer to another, even where several actors become independently responsible in relation to the same wrong. Blackstone similarly permits responsibility to extend beyond the immediate perpetrator while requiring a distinct basis for attributing the offence to each participant. Both therefore allow responsibility to be distributed across several actors while remaining individually grounded.

Blackstone's treatment of direction generates a further comparative inference. A directing actor does not necessarily escape responsibility because another actor independently determines how the contemplated offence is carried out, yet responsibility does not extend to conduct outside the substance of that design. Autonomy over means therefore need not entail autonomy over ends. Greater independence in immediate performance does not by itself dissolve an upstream actor's responsibility where the relationship connecting that actor to the resulting wrong remains normatively significant. This is an analytical inference from the comparison rather than a proposition stated in these terms by either author.

The traditions nevertheless differ in how culpable mentality bears upon responsibility. Blackstone makes culpable will central to criminal responsibility, requiring it to accompany the particular conduct. Medhātithi treats intention and voluntariness as significant without making intention an exhaustive threshold for attribution, allowing responsibility to persist in some cases of mistake or accident. Their convergence is therefore not a shared theory of mens rea, but a rejection of physical result alone as sufficient to establish responsibility.

The comparison consequently yields a model of individualized but distributed responsibility. Where action is mediated across several participants, responsibility need not terminate with the immediate performer or expand to everyone causally involved. It instead depends upon establishing an actor-specific normative relationship to the relevant conduct. This allows responsibility to remain individualized even where the production of an outcome is distributed across multiple actors.

C. Both Traditions Constrain Coercion, but Daṇḍa Is Broader Than Punishment

The same resistance to automatic inference appears in the movement from responsibility to coercion. Medhātithi requires the proper subject of daṇḍa to be identified before its application can be determined, while Blackstone requires responsibility to be juridically established before punishment becomes available. In both traditions, responsibility supplies the predicate for further normative judgment rather than mechanically determining coercive consequence.

Their accounts also converge in giving coercion a prospective purpose without allowing prevention to justify unlimited force. Blackstone understands punishment as directed toward preventing future wrongdoing, while Medhātithi likewise connects punishment to prevention and situates daṇḍa more broadly within a logic of restraint and protection. Both therefore require coercive means to remain justified in relation to the ends they serve. Preventive effectiveness alone does not legitimate whatever intervention might achieve it.

The convergence nevertheless reveals a significant categorical difference. Blackstone expressly distinguishes punishment from preventive security. Punishment requires established wrongdoing, whereas preventive intervention may respond to prospective risk without attributing guilt. Daṇḍa does not map neatly onto either category. Although it encompasses punishment directed at the daṇḍya, its operation extends beyond post-wrongdoing sanction: it gives practical force to dharma and restrains conduct prospectively through the possibility of coercion. What Blackstone more explicitly separates into punitive and precautionary forms of coercion therefore appears within the broader jurisprudential operation of daṇḍa.

This difference changes the terms of the comparison itself. Asking how daṇḍa differs from Blackstonian punishment cannot presuppose that they are equivalent juridical categories governed by different substantive rules. They instead organize legitimate coercion differently. Blackstone first differentiates punishment from coercion justified on prospective grounds, whereas Medhātithi places punitive and prospective restraint within the broader operation of daṇḍa. The difference therefore lies not only in how coercion is justified, but in how the juridical category of coercion is itself constructed.

D. The Traditions Diverge Most in Their Conception of Legitimate Coercion

Both traditions deny that possession of coercive power establishes legitimate authority to exercise it. Medhātithi presents daṇḍa as normatively independent of royal will, while Blackstone locates punishment within legally constituted public authority. In both frameworks, the ability to impose coercion is therefore distinct from the authority to do so.

The structure of that authority nevertheless differs. Blackstone places particular emphasis on the lawful distribution of punitive power. Responsibility must be authoritatively established, and the resulting punishment must proceed through institutions empowered to determine and execute it. Authority over one part of this process does not confer authority over another. Medhātithi instead makes especially explicit the ruler's two-sided obligation concerning daṇḍa: once the daṇḍya has been distinguished from the adaṇḍya, coercion must be imposed upon the former and withheld from the latter. Legitimate authority therefore concerns not merely when coercion may be exercised, but when its exercise or withholding is itself required.

This difference is one of emphasis rather than absolute opposition. Medhātithi also constrains coercion through the conditions governing its legitimate exercise, while Blackstone imposes duties upon public officials. The narrower divergence concerns how those constraints are organized: Blackstone foregrounds the lawful authority through which punishment becomes legitimate, whereas Medhātithi makes the correct exercise of daṇḍa itself an obligation of royal office.

Blackstone's treatment of attainder nevertheless exposes a tension within his otherwise individualized account of responsibility. Some consequences may burden descendants who bear no responsibility for the original offence, partly because that burden is expected to affect the offender. The descendant does not thereby become responsible for the wrong, yet coercive legal consequence extends beyond the person to whom responsibility is attributed.

Medhātithi provides a revealing contrast. His insistence that wrongdoing does not simply pass from one person to another, combined with the distinction between daṇḍya and adaṇḍya, places greater pressure upon imposing coercive consequences upon one actor for their anticipated effect upon another. Preventive usefulness cannot itself supply the responsibility that would make an actor a proper subject of punitive consequence. On the materials examined here, Medhātithi therefore provides a stronger basis for preserving individualized responsibility at this point, while Blackstone's attainder doctrine demonstrates how preventive justification can place that principle under pressure.

Core Finding

Medhātithi and Blackstone share a jurisprudential resistance to moving directly from factual conduct to responsibility or from responsibility to coercion. Both require law to determine the normative relationship connecting a particular actor to the relevant conduct before responsibility can attach, while treating the coercive consequence as a further question requiring independent justification. Responsibility is therefore relational rather than merely causal.

The traditions nevertheless organize this structure differently. Adhikāra foregrounds whether a particular action is normatively an actor's to undertake, whereas Blackstone more readily begins from the juridical position of the legal person. Daṇḍa similarly encompasses a broader practice of coercive restraint than Blackstonian punishment, while making the correct exercise and withholding of coercion an obligation of royal authority. These differences prevent the structural convergence from becoming conceptual equivalence.

The comparison therefore yields the central proposition carried into the analysis of AI: legal responsibility depends upon the normative relationship connecting a particular actor to a particular action, while legitimate coercion requires a further determination of what consequence that relationship justifies. This principle neither equates adhikāra with rights nor daṇḍa with punishment; it derives its significance from the different routes through which both traditions resist reducing legal responsibility to causal proximity.

Analysis IV–Application to AI

A. Human Entitlement in AI-Mediated Action

The distinction between factual capacity and normative authority becomes especially consequential in AI-mediated action, where the entity performing an action may differ from the human or institution determining the ends for which it is deployed. Adhikāra directs attention to whether the relevant action is normatively an actor's to undertake, while Blackstone demonstrates that juridical capacity need not correspond directly to factual ability. An AI system's capacity to perform an action therefore cannot itself establish the legal authority for that action to be undertaken.

Chopra and White provide a mechanism for applying this distinction to artificial agency. An AI system may pursue objectives and exercise substantial discretion without continuous human direction, yet such autonomy remains distinct from legal agency. Legal agency instead depends upon a juridically recognized relationship through which an agent may act on behalf of a principal and affect that principal's legal position. Technological autonomy may therefore change how an action is performed without determining who possesses normative authority over that action.

I. AI Capacity Must Be Distinguished from Human Entitlement and Artificial Empowerment

AI autonomy may redistribute factual decision-making without independently redistributing normative authority. Chopra and White contemplate artificial agents operating toward human-established objectives while exercising substantial discretion over how those objectives are achieved (Chopra and White 2011, 5–28). As an analytical inference from their account, autonomy over means need not entail autonomy over ends. An AI system may therefore exercise increasing independence in performance without acquiring corresponding authority over the purpose for which it was deployed.

Chopra and White capture this distinction by separating an artificial agent's capacity from its legal empowerment (Chopra and White 2011, 29–70). Technical ability does not itself establish authority to act within a particular legal relationship (Chopra and White 2011, 29–70). An AI system may therefore possess substantial operational autonomy while remaining juridically bounded by the authority conferred upon it.

The comparative framework introduces a prior question. Chopra and White ask whether an artificial agent has been empowered to act for a principal (Chopra and White 2011, 29–70); adhikāra asks whether the relevant action was normatively the human's to undertake or delegate in the first place (Medhātithi on Manusmṛti 2.16, 8.167). Entitlement to perform an action cannot simply be assumed to include entitlement to transfer its exercise to an artificial decision-maker. AI may therefore be capable of performing a function, and law may provide mechanisms for empowering it to do so, while the delegation itself remains normatively impermissible.

Blackstone then helps explain how legally permissible authority may be constituted once that prior question has been answered (Blackstone, Book I, chs. 7, 18). Read together, the frameworks therefore prevent technological capability from settling the normative structure of AI-mediated action. Before asking what authority an AI system possesses, law must ask whether the human possessed the authority to place that particular action within the system's decisional domain.

II. Delegated AI Authority Should Be Action-, Relationship-, and Scope-Specific

Where delegation is permissible, Chopra and White's agency analysis allows artificial authority to be structured without collapsing principal and agent into a single actor (Chopra and White 2011, 40–42). An autonomous system may independently determine how an authorized objective is pursued without each resulting decision corresponding to a separately formed human intention. The juridical connection instead lies in authority: the relevant question is whether the artificial conduct occurred within the authority under which the system acted for the principal (Chopra and White 2011, 40–42).

Authority also bounds that relationship. Deployment may become legally significant where a human or institution places an AI system in a position from which others reasonably encounter it as an authorized representative (Chopra and White 2011, 40–42, 52–53). Yet neither deployment nor autonomy creates unlimited authority. A principal may remain juridically connected to decisions independently selected by the system while retaining a boundary between conduct falling within and outside the authority conferred (Chopra and White 2011, 48–50). Artificial autonomy therefore neither converts every AI act into the human's own act nor necessarily severs the legal relationship between them.

This structure also prevents "the human using AI" from being treated as a single juridical actor. The person operating a system need not be the principal whose legal position the system affects (Chopra and White 2011, 47–50), while those who shape the system technologically may occupy neither position. Technical control and juridical authority may therefore diverge even within the same AI-mediated action.

Appendix D illustrates why authority cannot be assigned to an undifferentiated "human side." Different humans may occupy different normative relationships to the same artificial conduct, and those relationships cannot be inferred merely from technological proximity to the system. The relevant inquiry is instead which actor occupied the relevant normative position in relation to the particular action at issue.

This structure operationalizes the comparative framework. Adhikāra directs attention to the actor's entitlement concerning the particular action (Medhātithi on Manusmṛti 2.16, 8.167), while Blackstone demonstrates that juridical capacity may be functionally bounded (Blackstone, Book I, chs. 7, 18). Chopra and White supply the agency structure through which these distinctions can operate in AI-mediated relationships (Chopra and White 2011, 40–53). Artificial authority should consequently be constituted within the particular relationship and for the particular action at issue, rather than inferred wholesale from deployment or autonomy. Even then, establishing that the AI remained within the authority conferred upon it does not answer the prior question of whether the human was normatively entitled to confer that authority at all.

III. AI Juridical Capacity Should Be Constituted Function-by-Function Rather Than Inferred from Personhood

Once artificial authority is understood as function-specific, full legal personhood becomes unnecessary as the starting point for AI-mediated action. Chopra and White distinguish an artificial system's capacity to act for another from its capacity to bear legal rights or liabilities independently (Chopra and White 2011, 40–53, 153–170). An AI system may therefore possess a limited representative capacity without occupying the complete juridical position of an independent legal person. The relevant inquiry is not whether AI possesses legal agency in an all-or-nothing sense, but what juridical capacity is required for the particular function it is expected to perform. Their treatment of legal personality extends this logic (Chopra and White 2011, 153–192). Personhood is not a technological fact that automatically follows from sufficient intelligence or autonomy, but a juridical construction whose consequences depend upon legal purpose (Chopra and White 2011, 153–170). AI law therefore need not determine whether a system is a "person" and derive its capacities from that classification. It may instead determine what juridical capacity a particular function requires and ask only subsequently whether legal personality is necessary to support it. Personhood becomes a possible juridical consequence rather than the premise of artificial legal capacity.

Blackstone provides a jurisprudential foundation for this approach through artificial persons whose capacities are legally constituted for particular purposes (Blackstone, Book I, ch. 18). Chopra and White extend that structure to artificial agents (Chopra and White 2011, 153–170), while Medhātithi introduces a prior constraint: juridical status cannot itself establish that a particular action is normatively the actor's to undertake (Medhātithi on Manusmṛti 2.16, 8.167). The law may therefore constitute an artificial capacity without allowing that capacity to determine the legitimacy of its own exercise. What AI may legally be constituted to do remains distinct from whether the particular action should normatively be placed within its authority.

Nor does factual dependence upon humans necessarily preclude limited artificial legal status. Chopra and White recognize that juridical personality may operate through institutional administration, just as other artificial legal persons exercise their capacities through human actors (Chopra and White 2011, 153–162). Dependence therefore no more settles the question against artificial juridical capacity than technological autonomy settles it in favour. Neither should serve as a shortcut to generalized artificial authority.

This architecture answers the entitlement dimension of the second research question without requiring a choice between treating AI as a mere tool and recognizing it as a full legal person. Personhood comes last rather than first (see Appendix E). AI-mediated authority should instead be constituted according to the particular function and relationship at issue, while the human entitlement to place that action within an AI system's authority remains independently justified. Medhātithi thus supplies a prior inquiry that neither artificial capacity nor juridical status can answer: was this particular action normatively the human's to delegate?

The same architecture provides the transition from entitlement to accountability. Delegation creates a juridical relationship through which subsequent artificial conduct may become attributable to human actors (Chopra and White 2011, 40–53), but valid delegation does not itself establish responsibility for everything the system subsequently does. The question therefore shifts from whether AI-mediated authority may legitimately be created to when conduct performed through that authority may properly be attributed to those connected to it.

B. Human Accountability for AI-Mediated Action

The entitlement analysis established that delegation creates a juridical relationship through which an artificial agent may exercise bounded authority on behalf of another actor. Accountability examines the reverse side of that relationship. Once AI acts, the question becomes how its conduct may properly be attributed to the humans or institutions connected to it, rather than merely whether authority was validly conferred. Chopra and White demonstrate why artificial autonomy does not eliminate this inquiry. Neither deployment alone nor the AI's immediate performance determines whose responsibility is engaged. As execution becomes increasingly autonomous, accountability instead depends upon identifying the particular juridical relationship connecting each actor to the relevant AI-mediated conduct.

I. Artificial Autonomy Changes the Structure of Attribution Without Eliminating Human Juridical Relationships

Chopra and White avoid two opposing accounts of autonomous artificial conduct. Treating AI as a mere tool risks attributing every artificial act directly to the human who deployed it, while treating autonomous choice as sufficient to sever human juridical relationships risks the opposite error. Agency provides a middle position. An artificial agent may independently determine how an authorized objective is pursued without requiring law to attribute the same decision or mental state to its principal (Chopra and White 2011, 5–28, 29–70). Where the resulting conduct nevertheless falls within a legally recognized agency relationship, it may still affect the principal's legal position (Chopra and White 2011, 29–70). Artificial autonomy therefore changes the basis of attribution without necessarily eliminating attribution itself.

That attribution remains bounded by the juridical relationship through which it arises. Conduct within the relevant authority may be connected to a principal, whereas deployment alone cannot make every subsequent artificial act attributable to that actor (Chopra and White 2011, 29–70). Nor does attribution itself establish responsibility. Deployment may help create the relationship through which artificial conduct becomes legally attributable (Chopra and White 2011, 29–70), but whether that attribution grounds responsibility remains a further question.

The comparative framework explains why this distinction matters. Both Medhātithi and Blackstone separate immediate performance from the normative relationship through which responsibility is assigned (Medhātithi on Manusmṛti 12.12–14, 8.18–19; Blackstone, Book IV, ch. 3), while Chopra and White provide a mechanism for applying that distinction to artificial agency (Chopra and White 2011, 5–28, 29–70). AI-mediated accountability therefore need not depend upon pretending that a human physically or psychologically performed the artificial act. It should instead ask what juridically relevant relationship connects each actor to the particular conduct for which responsibility is asserted.

II. Human Responsibility Should Be Distributed Actor-by-Actor

AI-mediated conduct makes the idea of a single "human behind the AI" legally inadequate. Chopra and White distinguish actors who may occupy different juridical positions in relation to the same artificial conduct (Chopra and White 2011, 47–50, 127–145). The person on whose behalf a system acts need not be the person who operates or shapes it, and several such positions may coincide without their coincidence being presumed (Chopra and White 2011, 47–50, 135–145). Technological involvement therefore does not establish a uniform relationship to the resulting conduct.

Responsibility should instead track each actor's relationship to the particular wrong. The person initiating an artificial process need not be the only relevant human, just as an actor positioned further upstream need not be legally remote from its consequences (Chopra and White 2011, 127–145). What matters is whether that actor's particular relationship to the conduct supplies an independent basis for responsibility.

Appendix F therefore does not assign responsibility automatically to any participant. It illustrates why several actors may become responsible for the same AI-mediated event without becoming responsible on the same basis. This is the distinction between distributed and diffused responsibility: distributed responsibility preserves an independently justified basis for each actor's responsibility, whereas diffused responsibility allows the complexity of mediated action itself to obscure who is accountable. This extends the comparative framework directly. Medhātithi and Blackstone both permit responsibility to extend across multiple participants while requiring an individualized basis for its attribution (Medhātithi on Manusmṛti 8.18–19, 8.165; Blackstone, Book IV, ch. 3). AI intensifies the need for that distinction because the relevant juridical relationships may be divided across several human actors surrounding the same system. Human responsibility should therefore be established actor-by-actor rather than assigned wholesale to an undifferentiated "human behind the AI."

III. AI Autonomy Shifts Human Responsibility Toward Knowledge and Governance

Distributed responsibility becomes more precise once knowledge enters the analysis. Chopra and White reject the assumption that legally relevant organizational knowledge must always pass through an individual human mind (Chopra and White 2011, 71–118). An organization may acquire and act upon information through automated systems without any employee consciously receiving it (Chopra and White 2011, 71–118). Requiring contemporaneous human awareness could therefore allow organizations to reduce legally cognizable knowledge merely by increasing automation. Under appropriate conditions, information acquired through an artificial agent may instead become attributable to its principal (Chopra and

White 2011, 71–118). Artificial knowledge, however, is not automatically principal knowledge. Attribution depends upon the relationship between the information and the function the artificial agent performs, as well as whether that information is reasonably available to the organization (Chopra and White 2011, 71–118). This avoids two opposing errors. AI should not become an epistemic shield, allowing organizations to benefit from automated information processing while disclaiming inconvenient knowledge because no human encountered it. Nor should it become an epistemic dragnet, through which everything computationally available somewhere within an organization automatically becomes legally attributable knowledge. Even attributed knowledge does not establish responsibility by itself. The fact that an AI possessed information cannot support a direct inference that a particular human knew it or is consequently responsible. Knowledge attribution instead changes the circumstances within which responsibility is assessed.

An initially unforeseeable malfunction differs from harmful behaviour that becomes observable over time, particularly where an actor remains capable of responding to it (Chopra and White 2011, 119–152). As knowledge of a risk develops, continued deployment may therefore change the actor's normative relationship to subsequent harm (Chopra and White 2011, 119–152). Artificial autonomy can consequently alter the juridically relevant form of human control rather than simply eliminating it. An actor may cease determining individual outputs while retaining authority over the conditions under which autonomous action continues. Responsibility may therefore migrate from control over immediate execution toward governance of autonomous execution. This extends the earlier proposition that autonomy over means need not entail autonomy over ends: reduced control over individual artificial decisions does not eliminate responsibility grounded in the surrounding governance relationship.

Appendix G illustrates why responsibility may change over time even where the underlying system does not. As relevant information becomes reasonably available and meaningful intervention becomes possible, an actor's relationship to the risk may change with it (Chopra and White 2011, 71–152). The architecture through which an organization encounters information therefore matters to responsibility, but informational capacity cannot itself become culpability. The comparative framework provides the final safeguard. Neither Medhātithi nor Blackstone permits a single feature of an actor's relationship to wrongdoing to determine responsibility or punishment automatically (Medhātithi on Manusmṛti 8.18–19, 8.126–128; Blackstone, Book IV, chs. 2–3, 29). AI-mediated knowledge may therefore be legally attributable beyond individual human consciousness without becoming automatic human culpability. Law must be capable of recognizing knowledge mediated through AI while separately determining what responsibility, if any, that knowledge supports.

IV. Artificial and Human Responsibility Are Distinct but Compatible

Chopra and White's tort analysis extends the relational framework to AI-mediated harm (Chopra and White 2011, 119–152). Artificial autonomy may introduce an additional causal actor without automatically severing the relationships connecting humans to the resulting harm (Chopra and White 2011, 119–152). Factual contribution, however, does not itself establish legal responsibility; causation must acquire juridical significance before liability follows (Chopra and White 2011, 119–152). Autonomous artificial action therefore neither automatically severs upstream responsibility nor independently establishes it. This becomes especially important if responsibility can attach directly to an artificial agent. Chopra and White contemplate cases in which an AI produces harmful conduct even though surrounding humans have acted reasonably (Chopra and White 2011, 119–152). Artificial responsibility can therefore be recognized without inventing human fault merely to preserve a human-only model of liability. Conversely, recognizing artificial responsibility does not extinguish human responsibility where an independent basis for it remains. Artificial and human responsibility are non-zero-sum.

Artificial legal personality could alter these relationships without resolving them wholesale (Chopra and White 2011, 153–192). Greater juridical independence may change how artificial conduct is attributed, but the responsibility of one legal actor does not necessarily release another whose own relationship to the harm independently grounds responsibility. Personhood may therefore reconfigure the allocation of responsibility without determining it in advance. Responsibility must also remain distinct from the consequence that follows from it. Legal responsibility does not necessarily establish moral or criminal culpability, and even culpable responsibility does not determine whether punitive coercion is warranted. The comparative analysis reinforces this separation: both Medhātithi and Blackstone require further normative judgment between responsibility and legitimate punishment (Medhātithi on Manusmṛti 8.126–128; Blackstone, Book IV, chs. 1, 29). Recognizing responsibility–whether human or artificial–therefore cannot itself determine the coercive consequence that may legitimately follow.

The resulting architecture treats responsibility for AI-mediated conduct as relational, actor-specific, and non-zero-sum (see Appendix H). Neither proximity to an artificial output nor distance from its immediate execution determines responsibility. Each actor must instead be assessed according to the normative relationship connecting that actor to the relevant conduct, and responsibility attributed to one actor neither establishes nor negates another actor's responsibility without an independent basis. Taken together, the entitlement and accountability analyses answer the second research question through the same relational framework. Technological capacity cannot establish a human entitlement to delegate; the relevant action must first fall within the human's normative authority before artificial authority can legitimately be constituted. Once AI acts, autonomy likewise neither automatically transfers responsibility to the deploying human nor removes responsibility from humans connected to the conduct. AI therefore changes the relationships through which legal action and responsibility are mediated without eliminating the need for individualized normative judgment.

Commentary on EU AI Act: Policy Recommendations

The EU AI Act provides a contemporary legal context in which to test the practical implications of this comparative framework. The following analysis applies its principles of normative entitlement, delegated authority, actor-specific responsibility, and legitimate coercion to selected provisions of the Act, identifying where they may clarify or extend its existing regulatory approach.

Article 5

Article 5 prohibits specified AI practices where their use is considered incompatible with the Act's substantive limits, including certain forms of manipulation, social scoring, biometric categorisation, and real-time remote biometric identification (European Parliament and Council 2024, art. 5(1)(a), (c), (g)–(h)). Its structure already reflects a principle central to the comparative framework: technological capacity does not itself establish normative authority to deploy that capacity. The framework developed here suggests that this principle should be generalized beyond Article 5's enumerated prohibitions through a prior inquiry into normative delegability. Before asking whether an AI-mediated function can be made sufficiently safe, regulators should ask whether the relevant human or institution is entitled to delegate that particular function to AI at all. General authority over an objective should not create a presumption that every means of pursuing it may be transferred to an artificial system. Some functions may therefore remain reserved to human decision-makers, while others may permit artificial participation only within bounded authority. AI governance should consequently treat delegability as a distinct threshold question: technical capability creates no presumption that an action is normatively the human actor's to delegate.

Article 6 + Annex III

Article 6 and Annex III classify certain AI uses as high-risk, with classification depending partly upon the function a system performs and its influence within consequential decision-making (European Parliament and Council 2024, art. 6(2)–(3), annex III). This functional approach recognizes that AI may assist or shape a decision without possessing authority over the process as a whole (European Parliament and Council 2024, art. 6(3), annex III). The comparative framework suggests extending this logic from risk classification to delegated authority. Once AI use is permissible in principle, regulators should determine which parts of the underlying human function may legitimately be delegated rather than treating "AI decision-making" as a unitary activity. A system may substantially influence an outcome without possessing authority to determine it, just as retaining a human final decision-maker does not make every preceding artificial function normatively insignificant. AI governance should therefore regulate delegation function-by-function, distinguishing artificial influence from juridical authority and using risk classification to govern permissible delegation rather than to establish its legitimacy.

Article 14

Article 14 requires high-risk AI systems to permit effective human oversight, with measures responsive to the system's autonomy and risk (European Parliament and Council 2024, art. 14(1)–(3)). Its requirements go beyond formal human presence by requiring those responsible for oversight to be capable of understanding the system and meaningfully intervening in its operation (European Parliament and Council 2024, art. 14(4)). The comparative framework suggests that oversight should therefore be understood through substantive human authority rather than the mere presence of a "human in the loop." A person cannot meaningfully oversee an AI system simply because they appear within its decision-making process; they must possess both the practical capacity and the juridical authority necessary to intervene (European Parliament and Council 2024, arts. 14(4), 26(2)). At the same time, designation as an overseer should not automatically establish responsibility where meaningful intervention was unavailable. AI governance should therefore align oversight responsibility with the authority and realistic capacity each actor possesses to affect the AI-mediated conduct, preserving actor-specific accountability rather than treating human presence as either automatic liability or a safeguard in itself.

Article 26

Article 26 imposes continuing obligations upon deployers of high-risk AI systems, including effective oversight and monitoring, while making some obligations expressly dependent upon matters within the deployer's control (European Parliament and Council 2024, art. 26(1)–(2), (5)–(6)). Deployment is therefore treated not simply as a one-time act, but as an ongoing relationship in which an actor's obligations may develop as the system continues to operate. The comparative framework suggests generalizing this into a relational and control-sensitive model of accountability. Formal designation as a deployer—or any other position within the AI lifecycle–should neither establish responsibility automatically nor exhaust the inquiry into who may be responsible. As an AI system operates and relevant risks become apparent, responsibility may shift away from control over individual outputs toward the actor's continued governance of the conditions under which autonomous action occurs. AI governance should therefore assess responsibility actor-by-actor according to the relationship each bears to the relevant conduct at the time it occurs, allowing responsibility to evolve as that relationship changes rather than assigning it categorically according to formal role.

Article 99

Article 99 requires penalties for AI Act infringements to be effective, proportionate, and dissuasive, while allowing their severity to vary according to the circumstances of the infringement and the responsibility of the actor concerned (European Parliament and Council 2024, art. 99(1), (7)(a), (g)). An infringement therefore makes sanction possible without mechanically determining the coercive consequence that should follow. The comparative framework suggests preserving a sharper distinction between preventive intervention and punitive consequence. Prospective AI risk may justify immediate protective measures before responsibility for wrongdoing has been established, whereas punishment should require an independently attributable infringement and a further determination of the consequence justified for that actor. The same AI incident may therefore justify immediate system restriction before it justifies punishment of any particular human actor. AI sanctioning regimes should preserve this distinction by requiring responsibility to be established actor-by-actor before punitive consequence is imposed, and by calibrating that consequence to the particular infringement rather than the harm or risk generated by the AI system.

Limitations & Future Considerations

Several limitations should be considered. The Manusmṛti and Medhātithi's commentary contain internal tensions, and the comparison is historically asymmetrical: Blackstone belongs to a common-law tradition with substantial institutional continuity, including through colonial rule in India, whereas Medhātithi does not occupy an equivalent position in contemporary law. This makes recovering Sanskrit jurisprudential perspectives valuable while requiring caution against treating them as direct statements of modern law. Interpretations of both traditions also change over time, while rapid developments in AI may require revision of the framework proposed here. Finally, this research focuses on human interaction with AI and does not address future artificial consciousness.

Conclusion

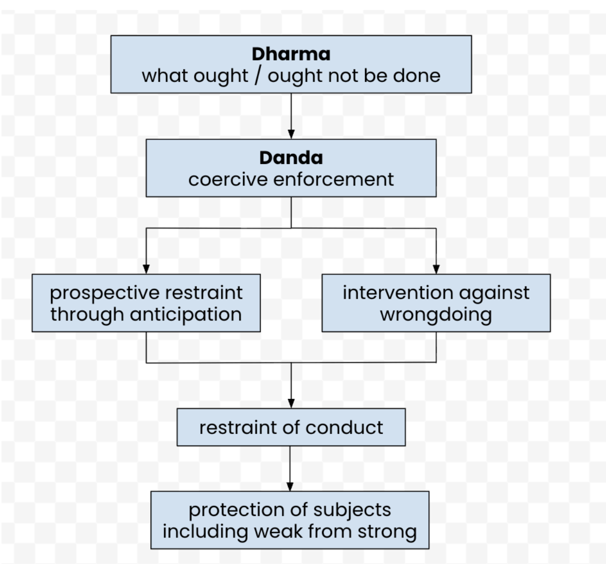
This research has shown that Medhātithi and Blackstone, despite their distinct juridical vocabularies and traditions, share a structural resistance to allowing factual capacity, physical performance, or causal involvement to determine normative entitlement, responsibility, or coercive consequence on their own. Their comparison instead reveals a relational account of legal authority in which particular actions must be connected to particular actors through an independently justified normative relationship, while punishment or coercion requires a further determination beyond responsibility itself. Applied to AI, this framework suggests that technological capacity cannot establish a human entitlement to delegate, artificial autonomy cannot by itself determine whose responsibility is engaged, and legal personhood need not precede the assignment of function-specific juridical capacities. AI governance should therefore assess authority and responsibility actor-by-actor and function-by-function, while preserving the distinction between responsibility and the coercive consequence that may legitimately follow.

Appendices

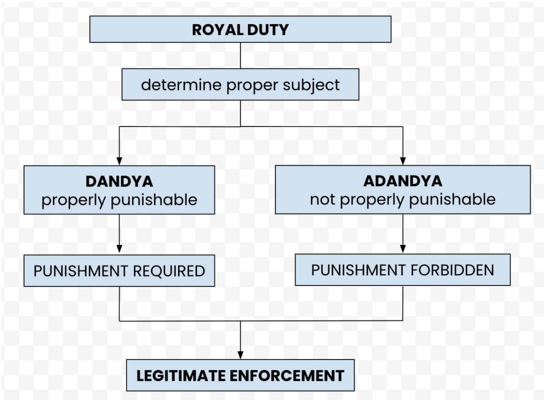
Appendix A:

Notation	Interpretation	Analytical Question
$C_A(X)$	A has the factual capacity to perform X	Can A do X?
$P_A(X)$	A is permitted/entitled to perform X	May A do X?
$O_A(X)$	A is obligated to perform X	Must A do X?
$F_A(X)$	A is forbidden from performing X	Must A not do X?
$R_A(X)$	Responsibility for X is attributable to A	Is A responsible for X?
$D_A(X)$	A is properly *daṇḍya* in relation to X	Is A properly subject to punishment for X?
$K_A(X)$	A has knowledge of X	Does A know of X?
$\nRightarrow$	Does not establish / does not entail	Does the first proposition establish the second?

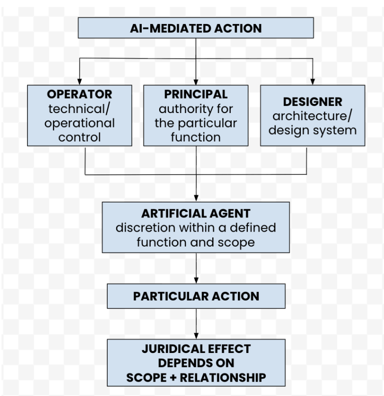
Appendix B:



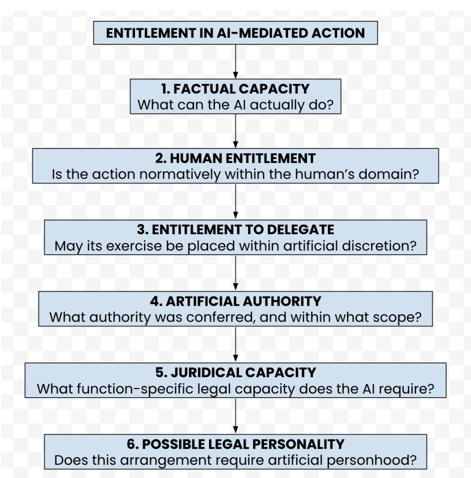
Appendix C:



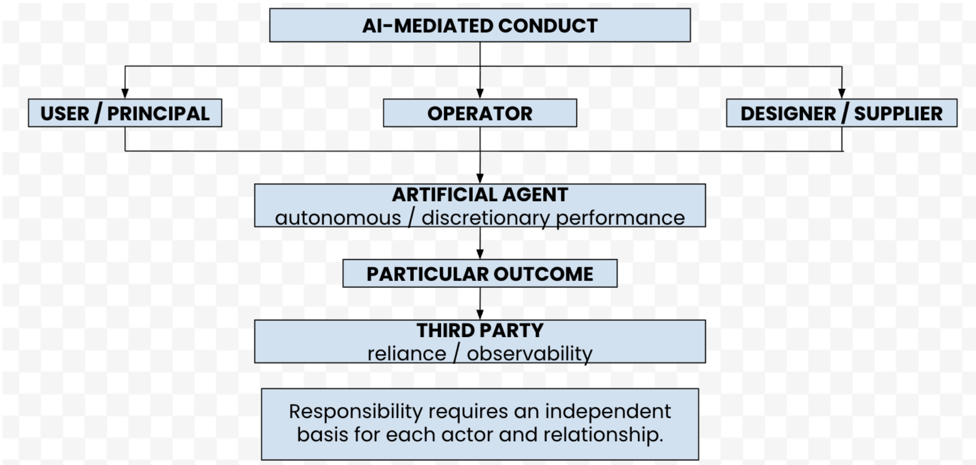
Appendix D:



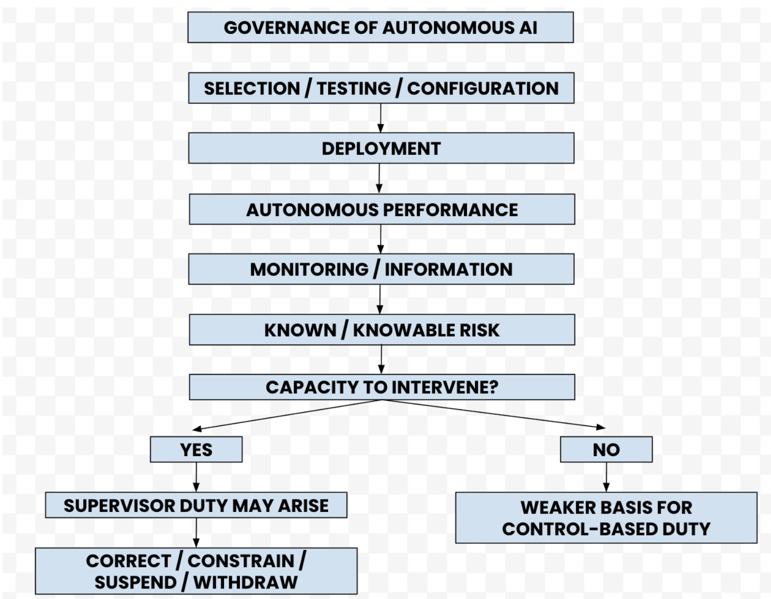
Appendix E:



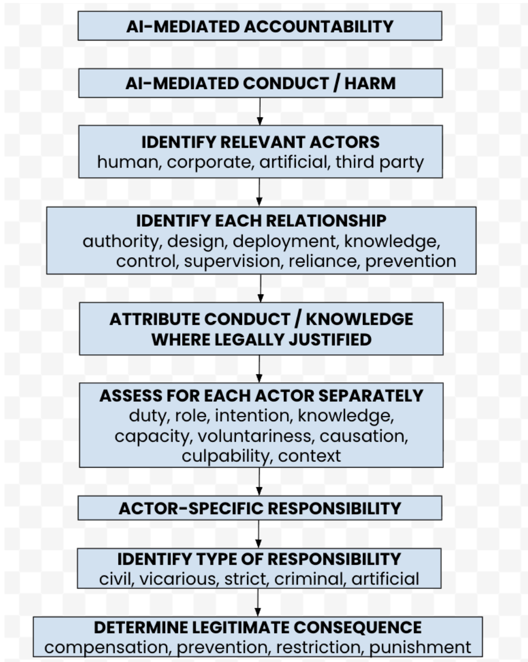
Appendix F:



Appendix G:



Appendix H:


AI-MEDIATED ACCOUNTABILITY
AI-MEDIATED CONDUCT / HARM
IDENTIFY RELEVANT ACTORS
human, corporate, artificial, third party
IDENTIFY EACH RELATIONSHIP
authority, design, deployment, knowledge, control, supervision, reliance, prevention
ATTRIBUTE CONDUCT / KNOWLEDGE WHERE LEGALLY JUSTIFIED
ASSESS FOR EACH ACTOR SEPARATELY
duty, role, intention, knowledge, capacity, voluntariness, causation, culpability, context
ACTOR-SPECIFIC RESPONSIBILITY
IDENTIFY TYPE OF RESPONSIBILITY
civil, vicarious, strict, criminal, artificial
DETERMINE LEGITIMATE CONSEQUENCE
compensation, prevention, restriction, punishment

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