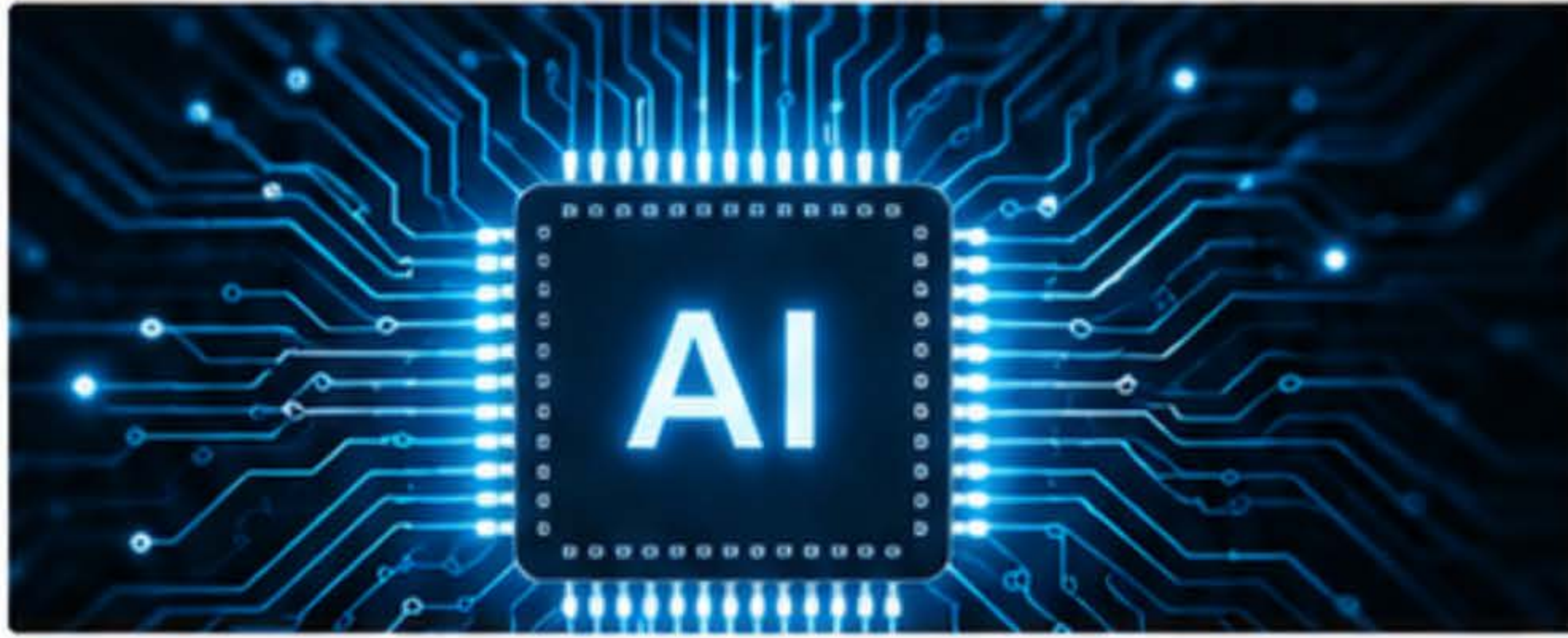


DEONTIC & LEGAL CONCEPTS IN SANSKRIT PHILOSOPHY

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01. Research Questions

How do different legal traditions conceptualize normative entitlement and legitimate coercion, and what can their comparison contribute to contemporary questions of accountability in AI-mediated action?

Research Questions:

- How does the concept of *adhikāra* in Sanskrit jurisprudence structure *daṇḍa* differently from punishment in rights-based Euro-American legal theory?
- What does this comparison tell us about human entitlement and accountability in the use of AI?

02. Framework & Method

Comparative textual analysis of Sanskrit and English jurisprudence, applied to contemporary AI legal theory and the EU AI Act.

Primary Texts:

- Medhātithi's commentary on the *Mānāvadharmasāstra*
- William Blackstone's *Commentaries on the Laws of England*

Key Concepts:

- Adhikāra** – normative entitlement or authority to act
- Agency** – attribution of action and responsibility
- Daṇḍa** – coercive restraint, prevention, protection, punishment

Contemporary Framework:

- EU AI Act (Arts. 5, 6, 14, 26, 99)



03. Comparative Analysis

Medhātithi (Sanskrit Jurisprudence)	Blackstone (English Common Law)
Adhikāra Entitlement is actor-, action-, function-, and circumstance-specific.	Rights & Legal Capacity Juridical position determines what an actor may legally do.
Capacity ≠ Entitlement Ability or performance does not establish normative authority.	Possession/Capacity ≠ Right Factual ability or possession does not itself establish legal title.
Agency & Attribution Physical performance alone does not determine responsibility.	Agency & Attribution Juridical authorship need not coincide with physical performance.
Daṇḍa Restraint, prevention, protection, and punishment.	Punishment Coercion requires independently established responsibility and proportionality.

Shared Structural Insight:

Normative position → mediated action → attribution → individualized responsibility → legitimate consequence.

04. AI Application & Findings

- Capacity ≠ Entitlement**
AI capacity does not establish human entitlement to delegate an action.
- Performance ≠ Responsibility**
Physical execution does not independently determine juridical attribution.
- Distributed ≠ Diffused Responsibility**
AI-mediated responsibility must be assessed actor-by-actor, based on role, knowledge, control, and capacity to intervene.
- Responsibility ≠ Punishment**
A legitimate coercive consequence requires a further determination beyond attribution.

EU AI Act: Arts. 5–6, 14, 26 and 99 illustrate how authority, oversight, responsibility, and sanction can be assessed separately.

05. Conclusion

Comparing Medhātithi and Blackstone reveals that normative entitlement, agency, responsibility, and legitimate coercion must be analyzed separately, in relation to function, circumstance, and actor. This framework, applied to AI and the EU AI Act, supports a relational, actor-specific, and non-zero-sum approach to accountability, informed by multiple legal traditions.

Different legal traditions.
A more inclusive future.

