

Deontic Concepts and Their Clash in Mīmāṃsā: Towards an Interpretation

by

ELISA FRESCHI 

University of Toronto, Canada; and
Austrian Academy of Sciences, Austria

and

MATTEO PASCUCCI 

Slovak Academy of Sciences, Slovakia

Abstract: The article offers an overview of the deontic theory developed by the philosophical school of Mīmāṃsā, which is, and has been since the last centuries BCE, the main source of normative concepts in Sanskrit thought. Thus, the Mīmāṃsā deontics is interesting for any historian of philosophy and constitutes a thought-provoking occasion to rethink deontic concepts, taking advantage of centuries of systematic reflections on these topics. Some comparison with notions currently used in Euro-American normative theories and metaethical principles is offered in order to show possible points of contact and deep divergences. In more detail, after an introduction explaining the methodology and aims of our work, we discuss how Mīmāṃsā authors distinguished and defined some fundamental deontic concepts, such as different types of prescriptions and prohibitions. We then discuss how Mīmāṃsā authors approached the problem of conflicts among commands without jeopardising the validity of the normative text issuing them. In the second part of the article we introduce our formal apparatus, which is construed around the main taxonomic and conceptual distinctions used in the first part. Our formal rendering captures the most important features of the Mīmāṃsā theory and can thus serve as a concise and rigorous presentation of it for scholars working in deontic logic.

Keywords: deontic logic, Sanskrit philosophy, deontic conflicts, Mīmāṃsā, formalisation

1. Methodology and Aims of this Article

THE present article aims at systematically discussing the core of the deontic theory developed by Mīmāṃsā authors and showing how such a theory could be represented within a formal language. The Mīmāṃsā theory can be regarded as a rigorous system of inference rules that allows for the derivation of practical norms — originally focusing on norms concerning the performance of sacrifices. Such rules were subsequently applied also to other contexts (more on this below). The two overarching (and interlocking) goals of our project are:

[Corrections added on April 12, 2021 after first online publication: Text revisions and mathematical expressions have been updated in this current version.]

1. A better understanding of Mīmāṃsā as a system of interpretation that deals principally with deontic concepts.

2. A better understanding of the logical principles underlying Mīmāṃsā's reasoning about deontic concepts, with a view to how these might be generalised.

The first goal is possibly self-explanatory because it consists in throwing light on one of the fundamental schools of Sanskrit philosophy, which had a major impact on Sanskrit philosophy and beyond (e.g., on theology, jurisprudence, and poetics). The second purpose mentioned above may, by contrast, need some further reflection. Is not a formalisation an alien superimposition on the informal theory developed by Mīmāṃsā authors? How can one historically and conceptually justify it? We will address such questions in sections 1.1 and 1.2, respectively.

Before entering into the details, let us illustrate the general methodology and goals of our formal rendering of the Mīmāṃsā theory. This attempt, like any interdisciplinary attempt, involves some risks. First of all, one needs to find “the right level of granularity” (Dutilh Novaes, 2018, p. 83) because a formalism which is too fine-grained would just reproduce exactly what is found in the texts we are working on, without being informative, whereas one which is too coarse-grained would risk ignoring important features. In other words, while formalising a theory discussed in a text we are creating a map and, in order to be useful, a map cannot be identical with the territory it represents; rather, it emphasises certain aspects of the territory, serving as a guide for exploration. However, the map needs to be as accurate as possible with regard to every salient element of the territory.

In our project, we aim at developing a formal framework that enjoys three fundamental properties:

- (1) Faithfulness of the conceptual toolkit,
- (2) Adequacy of the level of granularity,
- (3) Robustness of the deductive power.

The first property means that we want to propose a symbolic language built over *specific concepts* used in the Mīmāṃsā analysis of commands. For instance, our representation will rely on notions such as “performing a sacrifice exactly as prescribed in the Veda,” “being eligible for the performance of a sacrifice,” and so forth. In addition, our formal representation of sentences having a deontic force will be based on their content, rather than on their linguistic form; hence, we will always talk about “propositions” — rather than about “sentences” — in the Mīmāṃsā theory.¹ We will discuss in detail in section 3 the elements Mīmāṃsā

¹ A proposition will be here said to be the content of a sentence, in the sense of being equated with the thought expressed by a sentence.

authors used in order to assess the content of a sentence with deontic force, for example, identifying it as a prohibition or a negative obligation.

The second property means that we want to identify *minimal syntactic structures* that are *sufficient* to reproduce the arguments presented by Mīmāṃsā authors. In the light of this, we will opt for a language whose level of granularity allows one to analyse some *internal components of propositions*. Basically, it will allow us to represent predicates, subjects of predicates and predicate modifiers that play an *active role* in inferences within the Mīmāṃsā theory. In fact, in our opinion, this is the most appropriate level of granularity to find a balance between expressiveness and accuracy of the formal language. On the one hand, treating whole propositions as atomic components of a formal language — hence, being more coarse-grained — as in most systems of deontic logic (see, e.g., Åqvist, 2002), would not make room for a proper understanding of how commands work; on the other hand, there is no need to analyse further components of a proposition — hence, of being more fine-grained — because no other component would play an active role in the analysis of inferences that can be drawn from commands. For instance, quantification is never explicitly involved, which means that we do not need the whole expressive power of first-order logic.

The third property means that we want a framework that allows one to derive, with a sufficient degree of accuracy, the *same conclusions* that Mīmāṃsā authors were able to get when reasoning on a normative problem. Therefore, we will illustrate how to build logical systems in which certain postulates can be used to obtain the desired inferences. All these aspects will be formally explained in section 7.

1.1 Why formalising?

Formalisation is used in this article in order to provide a concise and rigorous presentation of the Mīmāṃsā theory for scholars working in the area of deontic logic, who might be interested in finding out how deontic concepts are explained and related among them in a particular context of normative reasoning.

As an example of the relevance of formalisation, it is worth highlighting that prescriptions and prohibitions are not primarily distinguished by Mīmāṃsā authors on the basis of their linguistic form; thus, utterances in which a negative adverb occurs can be understood as prescriptions and vice versa. However, the role played by prohibitions and negative obligations within the Mīmāṃsā theory is radically different, as will be explained in section 3. Thus, once the ambiguity is solved in a plausible way with the aid of certain taxonomic distinctions (e.g., whether, in case of a violation, there is reference to a sanction or not), formalising exhortative expressions can *bring clarity* and help *distinguish* between real prohibitions and exhortative expressions including a negative adverb, but still needing to be interpreted as prescriptions. The same applies to the distinction between different prescriptions, all sharing the same linguistic form. Summing up, formalisation helps because it focuses on the content of

commands as analysed by Mīmāṃsā authors rather than on their linguistic form. In our opinion, the opposition between form-based and content-based formal representations of norms applies also outside the specific context of Mīmāṃsā philosophy. A formal deontic theory may benefit from being based on a conceptual analysis of the meaning of natural language sentences, rather than on a direct transposition of their superficial structure, in order to avoid producing some odd outcomes.²

1.2 Can Mīmāṃsā deontics be formalised?

So far, we discussed the importance of formalisation for the sake of a better understanding of Mīmāṃsā texts. However, one might ask a more radical question, namely whether it is at all justified to formalise theories which were not expressed in a formal language.

This question hardly has a definite answer. However, in our opinion, scholars working on formalising theories need to clarify as much as possible which aspects of a theory lend themselves to a formal analysis as well as what differences can be appreciated among the original informal presentation of the theory and the formal presentation that they propose. The hardest issue is establishing a satisfactory boundary between *transposition* and *preservation* of the original framework: both aspects are inevitably present in this kind of enterprise, and their balance is crucial. For instance, Dutilh Novaes, while discussing the case of formalising Latin Medieval philosophical theories, reflects on the issue of whether the formalisation is meant to impose something alien (namely axioms, etc.) on a text written in informal language or whether its purpose is understood as unveiling an underlying logical structure, which was present in the theory but not expressed in a symbolic language just for historical reasons (Dutilh Novaes, 2007, part 4). On the one hand, as Dutilh Novaes puts it (Dutilh Novaes, 2007, p. 218), “any modeling, any formalization, is already a theoretical construction, an interpretation.” On the other hand, an informal theory may constitute a solid ground on which one can build a formal theory that preserves and clarifies the essential ingredients of the original one and at the same time allows for a broader range of applications. Therefore, we support the idea that, depending on the aims of the formalisation, there are various possibilities between the two extremes of an alien superposition and a simple unveiling. We will argue that the case of Mīmāṃsā normative reasoning is paradigmatic with respect to this.

While analysing Mīmāṃsā texts, we could see the systematic building of Mīmāṃsā deontic rules come to light. We noticed the structural distinction between types of commands and how this distinction is utilised to solve different controversies about

2 For instance, consider the sentence “you may pay either by bank transfer or by credit card” displayed at the end of an online transaction procedure. Although the superficial structure of this sentence resembles a permission, the thought actually expressed is an obligation to choose among two options.

deontic conflicts in a rigorous manner. These features of the theory paved the way to the use of symbolic tools for its formal representation. Without formalisation, we would have probably failed to get a concise picture of the complexity of such building, which has in fact so far escaped the attention of scholars, notwithstanding the increasing interest for Mīmāṃsā. The reason for such failure is that Mīmāṃsā texts in general do not have a methodological foreword in which they discuss the rules they apply, not to speak of formulating axioms. One needs, therefore, to extract the principles they use while looking at their discussions of controversies and how they are solved. The same rules are evoked again and again, and their interaction and possible conflicts are discussed with the unspoken background assumption that the building they make up together needs to be reliable; thus, it is evident that Mīmāṃsā authors look for rules having general and not case-by-case value. Nonetheless, identifying them requires time and care, and the present study is only a step in this direction. The *in fieri* character of this attempt makes the use of formalisation even more relevant in order to check the soundness of our reconstruction.³

More in detail, the following elements are intrinsic to Mīmāṃsā texts and constitute the reasons that justify a formalisation of the theories exposed in them:

- The aim to build a system of rules independent of their interpreter (see section 2).
- A vocabulary for deontic concepts, covering different types of commands and their conflicts (see sections 3–6).
- A set of standardised devices for identifying each command as one in the above classification (which is therefore not arbitrary or case-by-case) (see sections 3.2–3.3).
- A set of standardised devices for dealing with conflicts among commands ordered hierarchically (one can use the second device only if the first one is not applicable, etc.) (see section 6).
- A set of rules applicable in a general way and organised hierarchically, so that one can know automatically which ones are valid and which ones should be suspended (see Freschi, 2018).
- A background logic including the principle of noncontradiction and procedures such as *reductio ad absurdum* (see Ciabattoni et al., 2015, section 2).

1.3 State of the art

Our project⁴ is the first one that is based on an actual analysis of Mīmāṃsā deontic texts and that attempts to formalise Mīmāṃsā's patterns of deontic reasoning

3 We are grateful to an anonymous reviewer for directing our attention to Dutilh Novaes (2007).

4 Including this and some previous articles, such as Freschi et al. (2019) and Ciabattoni et al. (2018).

and study the principles of the deontic logic it presupposes. Previous attempts to formalise other Sanskrit philosophies have never taken deontic reasoning into account.⁵ This means that there is an enormous amount of ground to cover. And this in turn means that we will proceed on a problem-by-problem basis. For one particularly important concept, distinction, or controversy in Mīmāṃsā, we will attempt a formalisation that satisfies our criteria of faithfulness, granularity, and robustness, and we will see what we can learn — about Mīmāṃsā and about deontic logic — from this formalisation. We plan to perform this experiment on a number of different problems in Mīmāṃsā, and we expect that our formalisation will evolve in the process. Indeed, this article already further develops the deontic system reconstructed and examined in Freschi et al. (2019) by adding to it the analysis of prohibitions and the discussion of clashes among commands.

Last, our purpose in writing this article is to convince scholars working in the philosophy of deontic concepts in general, and in deontic logic in particular, to check beyond their usual sources and look at Mīmāṃsā while at the same time showing to scholars of Sanskrit philosophy the underlying structure of deontic reasoning in Mīmāṃsā.

2. Common Mīmāṃsā Background

The Mīmāṃsā school is an influential and understudied school of Sanskrit philosophy, mainly focusing on the exegesis of the prescriptive portions of the Vedic sacred texts. Mīmāṃsā authors are convinced that the Veda is beginningless and that the deontic authority of the Veda is independent of any author. Hence, they analysed its prescriptive portions without referring to any human or superhuman authority or mediation. Rather, they devised a system of rules (*nyāya*) meant to be applicable to a deontic text independently of the intention of its author and of its reader or listener.⁶ They did this through a complex approach, which we will analyse in the present article.

5 However, as noted in Kataoka (2011), studies in Mīmāṃsā have clearly increased in quantity and quality in the last decades. Beside the unparalleled contribution of scholars like Gaṅganātha Jhā, noteworthy in this development was also Frits Staal's emphasis on the logic of rituals, which led to the inclusion of Mīmāṃsā in works such as Horn (1989). More recently, scholars like John Taber, Kei Kataoka, and Francis X. Clooney have philosophically engaged with Mīmāṃsā works, whereas Larry McCrea has particularly highlighted the *philosophical* relevance of the Mīmāṃsā hermeneutic enterprise.

6 In this sense, Mīmāṃsā authors differed from other thinkers offering systematic interpretations of sacred texts, like the authors of the Talmud, because the latter aim at "not a logical solution but a practical one" (Abraham et al., 2010, p. 178). Consequently, Talmudic deontic reasoning depends on the mediation of the rabbi who applies it, Mīmāṃsā deontic reasoning does not. The *nyāyas* are discovered by Mīmāṃsā authors through a case-based inquiry of complicated cases, but are then evoked and applied also to other contexts. For more on *nyāyas*, see Freschi (2018).

In the first section, we will analyse the common background of all Mīmāṃsā authors, basing ourselves mainly on Jaimini's *Mīmāṃsā Sūtra* (or *Pūrva Mīmāṃsā Sūtra*, henceforth PMS) and Śabara's *Bhāṣya* "commentary" thereon (henceforth ŚBh).⁷ We will refer to this phase in the history of Mīmāṃsā as "common Mīmāṃsā" because the authority of these texts was accepted by all later Mīmāṃsā authors.

2.1 Short historical outline

Jaimini (2 c. BCE) was the author or compiler of the PMS. The PMS is divided in twelve books, each of which is divided into four or eight chapters, in turn divided into sections, each of which contains one or more *sūtras* (aphorisms). The PMS incorporates various views and arrives at its conclusions in a dialectical manner, moving from a *prima facie* view through its refutation and until the concluding view (see section 2.2). Śabara (5 CE?) is the author of the commentary on the PMS, the ŚBh. We will therefore refer to, for example, ŚBh on PMS 1.1.2.

The works by Jaimini and Śabara are accepted by all subsequent Mīmāṃsā authors. By contrast, the following authors originated two different subschools: Kumārila (7 CE?) authored three subcommentaries on successive portions of the ŚBh called *Ślokavārttika* (henceforth ŚV), *Tantravārttika* (henceforth TV), and *Tupṭikā*, and was recognised as the founder of the Bhāṭṭa subschool (hence the adjective Bhāṭṭa for a thinker belonging to this subschool). Prabhākara (7 CE? a younger contemporary of Kumārila) authored a subcommentary on the ŚBh called *Brhatī* (henceforth Bṛ) and was recognised as the founder of the Prābhākara subschool (hence the adjective Prābhākara for a thinker belonging to this subschool). Maṇḍana (8 CE) authored independent treatises on various issues (especially on the nature of prescriptions) and innovated on the Bhāṭṭa school.

2.2 The Mīmāṃsā methodology

The Mīmāṃsā approach to any philosophical problem is an extension of the following scheme:

- (1) Enunciation of the topic
- (2) Doubt about it (in the form "Is it *p* or not *p*?")
- (3) *Prima facie* view
- (4) Counter position
- (5) Objections to the counter position.

⁷ In the following, all quotes from the PMS and ŚBh refer to the text as published in Subbāśāstrī (1929).

- (6) ... (repeat 3, 4 and 5 n-times until each argument is defeated)
 (7) Conclusion

The arguments supporting the conclusive view of a debate can be of various kinds, going from a reference to the hierarchy among the normative sources to an evaluation of the structure of a normative sentence according to some basic rules (see section 4) or of the context in which it is used.

Due to this approach, Mīmāṃsā texts embed various different opinions and show how to come to a conclusion by discussing them.

The Mīmāṃsā school set the ground for philosophical discussions, and later schools of Sanskrit philosophy adopted or adapted the scheme above just as they adopted or adaptively reused the Mīmāṃsā hermeneutics and deontics. The adoption of deontic rules from Mīmāṃsā is particularly evident in the case of Sanskrit jurisprudence (e.g. van Berkel et al., 2019). The historical circumstance that Mīmāṃsā deontic ideas have been applied beyond Mīmāṃsā indirectly legitimates our present effort of extracting a general deontic theory, which could then be applied also to other fields.

3. The Veda as a Normative Text

Mīmāṃsā authors look at the Veda as a text having only deontic, that is, normative authority. Indeed, the Veda communicates *commands* of various kind, such as prescriptions concerning the performance of sacrifices, prohibitions applying either to the context of a sacrifice or to the entire life of a person, and permissions working as exceptions to prohibitions. In this section, we will provide a taxonomy of the most important types of commands and illustrate how they are related with normative concepts commonly employed in Euro-American normative theories.⁸

The Veda is taken to be the only source for commands. Sense perception and the other instruments of knowledge available to human beings have no deontic authority at all in the sense that they cannot lead to any discovery relevant from a normative point of view. This entails that all valid deontic commands must either come from the Veda or derive from Vedic ones. The so-called *smṛtis* constitute a class of texts dealing with everyday life duties (whereas the Veda deals primarily with ritual duties). Everyday life duties, *qua duties*, are also not knowable through human reasoning. Consequently, Mīmāṃsā authors consider the *smṛtis* to be derived from the Veda. Unlike the Veda, the *smṛtis* have human authors, but these authors could not have any independent access to the domain of norms

⁸ Throughout this article we use this term to indicate traditions of thought originated in Europe or North America. The term thus includes also philosophers active in, for example, New Zealand or educated in English universities in Singapore.

apart from the Veda itself, exactly because the domain of the ought is not attainable in any other way. Hence, they must have derived the norms they prescribe from the Veda.⁹

3.1 Normative relevance as a context-dependent notion

Many actions people perform on a daily basis are normatively indifferent, in the sense of having no relevance at all from a normative point of view; however, some of these actions may turn out to be prohibited under specific circumstances in which certain norms apply. For instance, taking a stroll, preparing a drink with ice, and reading a novel are, in general, normatively indifferent actions, but they may be prohibited during a person's working hours. Such a principle of context-dependence for judgements of normative relevance is fundamental in the Mīmāṃsā interpretation of the Veda.

Mīmāṃsā authors hold that morally indifferent actions are undertaken due to one's desire or natural appetite for their outputs; more precisely, they say that such actions are "obtained out of desire" (*rāgaprāpta*). This previous obtainment due to desire is essential because it proves that both prescriptions and prohibitions do not operate in a vacuum. Prescriptions presuppose one's desire for the output of the prescribed action (and in some cases, see next section, also an occasion). Prohibitions presuppose that the prohibited action is already "acquired" within one's horizon, either because it is something that one would do out of their natural appetites or because it is something that one would do in the light of a previous prescription.

The ŚBh on PMS 10.8.1 starts with a statement which can be simplified as follows: "Prohibitions are directly mentioned in sacred texts in relation to a duty which is enjoined by a prescription extending a duty to an ectypal sacrifice or to something enjoined outside of the context of any given sacrifice."¹⁰ In other words, prohibitions in general work as delimiting something which is already present to the hearer; they presuppose that something is already there to be blocked, and this thing can be either a natural appetite or the effect of a prescription. Accordingly, there cannot be prohibitions such as "one should not eat disgusting food," because there is no background appetite which could be blocked through it — unless there had been a previous prescription enjoining to eat whatever kind of food, even if disgusting. What would happen if a Mīmāṃsā author encountered a statement like "one should not eat disgusting food"? Most likely,

9 The presence in the *smṛtis* of norms which have no analogue in the Veda was explained in various ways, for example, through the fact that their Vedic original had been lost.

10 *pratiṣedhaḥ śrīyate codakena pradiṣṭe dharme, kvacid anārabhyavādena prāpte*. For more on the technical use of *śru-*, *codaka*, *prāp-*, and of similar terms, see Freschi (2012). See also the end of section 3.3 below.

Mīmāṃsā authors would interpret it as only seeming to be a prohibition but being instead something else. For a similar case, see below section 4.1.

This also means that the existence of prohibitions is parasitical on the existence of gratuitous actions, that is, actions which are not prescribed (but could be prohibited under certain circumstances). The reason why prohibitions need to concern something which is obtained out of a previous prescription or out of desire is that there would be no point in prohibiting something one would not be motivated to do in the first place.

Is this principle universally constitutive of the concept of prohibition? A seeming exception is the prohibition (widespread in several legal codes) to commit suicide or other self-harming acts; however, taking one's life or harming oneself might also be obtained out of desire in specific cases.

3.2 Prescriptions concerning sacrifices

The Mīmāṃsā school operates presupposing that Vedic prescriptions are mostly concerned with the performance of ritual sacrifices and that, in particular, they may enjoin:

- *nitya-karman* “fixed sacrifices,” to be performed throughout one's life, such as the sacrifice called Agnihotra, which one needs to perform every single day;
- *naimittika-karman* “occasional sacrifices,” to be performed only on given occasions, for example, the sacrifice one must perform on the birth of a son¹¹;
- *kāmya-karman* “elective sacrifices,” to be performed if one wishes to obtain their result, for example, the Caitrā sacrifice if one desires cattle.

3.2.1 Desires and occasions

The logical relations among deontic concepts involved in the above taxonomy are not fully explicit, and the classification itself is more presupposed than discussed in the early sources. Thus, in the following we will try to make the structure beyond the classification explicit.

First of all, it seems that one of the main criteria to distinguish types of sacrifices is their *triggering condition*, hereafter simply called *trigger*. As illustrated in Figure 1, the trigger of occasional sacrifices is a particular occasion, whereas the trigger of elective sacrifices is a particular desire. Can one properly speak of a trigger also in the case of fixed sacrifices? This problem was possibly not raised in the pre-Mīmāṃsā reflection about rituals, where the main point to be

11 Śābara describes as follows the link between an occasion (*nimitta*) and an occasioned action: “For, once there is the occasion, there can be the occasioned [course of action], but not if there is no occasion. And what is yet to be is not there (thus, a future occasion is not enough to prompt one to perform a ritual)” (*śati hi nimitte naimittikaṃ bhavitum arhati, nāsati, yac ca bhaviṣyat tan na sat*, ŚBh ad 2.3.1).

type of sacrifice	trigger
naimittika	occasion
kāmya	desire

Figure 1. Triggers for sacrifices

type of sacrifice	trigger
<i>nitya</i>	being alive
<i>naimittika</i>	occasion

Figure 2. Triggers for *nitya* and *naimittika* sacrifices according to Śabara

emphasised about fixed sacrifices was exactly their fixedness, that is, the fact that they had to be performed daily — no matter what it takes. Mīmāṃsā authors were instead more systematic and tried to complete the grid discussed in Figure 1. Within common Mīmāṃsā, Jaimini’s PMS and Śabara’s ŚBh discuss two aspects connected with the status of fixed sacrifices, namely the presence of a result for each action and the nature of the fixedness of some sacrifices.

Śabara, for instance, argues that one can take the fact that the sacrificer is alive as a default trigger to perform a fixed sacrifice; this is discussed in the first section of PMS 2.4, where the conclusion is that even fixed sacrifices depend on an occasion, namely the fact of being alive, which repeats itself every day and thus leads to the fact that they need to be repeated daily. This view is represented in Figure 2. In this sense, fixed sacrifices are nothing but occasional sacrifices whose occasion turns out to occur every day (or every half-month and the like).¹²

Elective sacrifices where no result is mentioned could also be interpreted as implying something to be obtained, namely *happiness*, “because everyone desires happiness” (ŚBh on PMS 4.3.15); therefore, happiness can always be construed as a desired result even when no other specific result is mentioned (this principle is called *viśvajinnyāya*, see PMS 4.3.15 and ŚBh thereon). Thus, it seems generally plausible to distinguish ritual prescriptions according to their triggering conditions, and we will hereafter refer to the classification in Figure 2 as *Śabara’s model*. If we integrate also desires in the picture, we come to a scheme like the one in Figure 3.

¹² Different Mīmāṃsā authors interpreted triggers in a different way. The differences become more evident in the case of desire, which is described by Prābhākara authors as merely needed in order to identify the addressees of the prescription, independent of whether they will really get what they covet.

type of sacrifice	triggers
elective	specific desire
occasional	specific occasion, generic desire
fixed	generic occasion (being alive), generic desire

Figure 3. Desire and occasion for sacrifices

3.2.2 Different sacrificial prescriptions and varying deontic strength

Duties connected to ritual sacrifices may have a *varying strength*; this can be further clarified by saying that if one omits the performance of fixed and occasional sacrifices one risks a *sanction*, whereas the performance of elective sacrifices can be omitted without any adverse consequence, apart from not getting the intended result (as will be discussed further in section 44). We interpret this difference as conveying that the performance of fixed and occasional sacrifices is mandatory, whereas the performance of elective sacrifices is only recommended. What is exactly meant by “recommended” in this context? As far as the strength of a duty is concerned, the opposition between fixed and occasional sacrifices on one side and elective sacrifices on the other side might remind one of the opposition between obligations and *supererogatory acts* in some Euro-American moral philosophers. However, the comparison does not really hold because the notion of supererogation presupposes an independent system of moral values, which is not the case for the Veda because the latter is regarded as the only source of norms. Consequently, whereas in most Euro-American systems¹³ the performance of supererogatory acts leads to *praise* motivated by certain moral values, the performance of acts recommended by the Veda, such as an elective sacrifice, does not lead to any praise, at least in Śabara’s model, because it simply reflects one’s desire to achieve a certain result.

The classification of duties has a further consequence: on the one hand, elective sacrifices need to be performed exactly in the way that is prescribed by the Veda (*yathāvidhi*), that is, by taking care of the details of all subsidiary rites; on the other hand, fixed and occasional sacrifices have to be performed only according to one’s capacities (*yathāśakti*), that is, by doing as much as possible with the sacrificial tools available. For instance, due to difficult circumstances one might omit a part of the ritual because one does not have time to perform it in full or use only a limited set of ingredients. In other words, an eligible person who is about to undertake an elective sacrifice needs to be sure to have all

13 See, for example, the beginning of Heyd’s definition of supererogation: “Supererogation is the technical term for the class of actions that go “beyond the call of duty.” Roughly speaking, supererogatory acts are morally good although not (strictly) required” (Heyd, 2019).

	s	a_1, \dots, a_n
fixed	obligatory	as much as possible
occasional	obligatory	as much as possible
elective	recommended	exactly as prescribed

Figure 4. The “deontic inversion”

ingredients and so forth; by contrast, an eligible person who is about to perform a fixed sacrifice only needs to use what is available at the time of the performance and is allowed to skip the rest. With reference to this aspect, the parallel between elective sacrifices and supererogatory acts becomes even more misleading in the sense that usually one would not expect a supererogatory act to be regulated by a specific procedure; rather, one would expect a supererogatory act to be performed (if at all) according to a person’s capacities.¹⁴

In any case, the recommendation to perform elective sacrifices represents a loose form of prescription; an elective sacrifice is a sort of recipe which, if followed, guarantees that the desired result will be achieved, with no moral value attached to it.

The analysis developed so far entails that there is a sort of *deontic inversion* when one moves from the main action to its subsidiaries. If a main ritual is strictly obligatory (i.e., omitted at one’s peril), its subsidiaries are prescribed in a less stringent way, whereas if the main ritual is prescribed only as a recommendation in order to achieve a given result, its subsidiaries need to be performed exactly as prescribed. Summing up, if s represents a given sacrifice and a_1, \dots, a_n the subsidiary actions performed within s , we have the taxonomy illustrated in Figure 4.

3.3 Prohibitions

Mīmāṃsā authors distinguish between prohibitions “regarding the person” (*pur-uṣārtha*), that is, applying to the person throughout their life, and those “regarding the sacrifice” (*kratvartha*), that is, applying only to the specific situation of the sacrifice. An easy parallel would be represented by the rules “don’t kill”

¹⁴ We are grateful to an anonymous peer-reviewer for pointing out that also supererogatory acts may be linked to a specific procedure, for instance, a doctor may act in a supererogatory manner by seeing more patients in a day than they have to, and they could still be regulated by professional expectations about what it is to attend to patients (see Eriksen, 2015). Still, we are inclined to think that the doctor who accepts a further patient after the end of their official opening hours will be excused for, for example, drinking a tea while talking to the patient or not wearing a tie. In other words, their core duty (healing their patient) remains the same, but beyond it, the expectations relax.

(which applies to one's entire life) and "wear a tie" (which applies only to certain ceremonies).

Śabara (in ŚBh on PMS 3.4, sections 4, 6, and 7) discusses at length whether the prohibitions "one should not tell falsehoods" (*nānṛtaṃ vadet*); "one should not threaten a Brahmin or strike him"; and "one should not converse with a woman in her courses, nor should one eat her food" should be interpreted as regarding the person or regarding the sacrifice within which they are found, that is, the full- and new-moon sacrifice.¹⁵ Determining whether a prohibition is in effect throughout one's life or only within a specific ritual context is not a straightforward issue and usually requires one to settle some debate among opposite views. In the case of the three prohibitions listed above, the conclusive view of the debates presented is that the first prohibition regards the sacrifice, whereas the second and the third prohibitions regard the person.

As for the prohibition to tell lies, the matter is further complicated by the fact that a prohibition to tell lies is found also in the *smṛti* texts, where it surely regards the person (because *smṛti* texts are generally not about rituals). Within this discussion, the opponent in PMS 3.4.12 suggests that the prohibition "one should not tell falsehoods" applies to a person throughout their life adducing the following reasons:

- (1) The verbal form (*vadet* "one should not tell") directly addresses a person and not a sacrifice so that one's default understanding should be that the prohibition it expresses regards the person;
- (2) This is a Vedic prohibition and in this sense stronger than the other prohibitions to tell lies found in the *smṛtis* so that the latter would not make the former redundant.

The upholder of the final view (in PMS 3.4.13), however, refutes the opponent's argument and states that the prohibition to tell lies must regard the sacrifice. In fact, if the Vedic prohibition to tell lies regarded the person, it would make the *smṛti* ones, which cannot but regard the person, redundant. By contrast, if the Vedic prohibition to tell lies is interpreted as regarding the ritual, the Vedic and the *smṛti* prohibitions to tell lies are two independent commands and not one the repetition of the other. This argument has also some practical consequences: transgressing the prohibition to tell lies within the sacrifice entails a transgression

15 This translation of *darśapūrṇamāsa* is justified because of the following reasons: "The translation "s.[=sacrifice] of new and full m.[=moon]" is incorrect because these rites begin with full moon (Bpit. [=Baudhāyana-Pitṛmedhasūtra] 1,1; KhG.[=Khādira = Gṛhyasūtra] 2,1,4ff.) and the shorter member of a copulative compound precedes according to Pāṇini 2, 2, 34 (comm. on VaiG.[=Vaikhānasa Gṛhyasūtra] 1,1); Caland, in AO 9, 59." (Gonda, 1980, p. 421, fn. 26).

of a Vedic rule and therefore requires a certain kind of expiation (prescribed in the Vedas), whereas telling falsehoods in normal life entails only the transgression of a *smṛti*-rule and therefore a different expiation (prescribed in the *smṛti*).

As for the second debate, the one about the scope of the prohibition to kill Brahmins, the upholder of the conclusive view in ŚBh on PMS 3.4.17 explains that the prohibition to threaten Brahmins regards Brahmins in all conditions and not just the ones engaged in the performance of the full- and new-moon sacrifice.¹⁶ The reason for this conclusion is based on the application of a *hermeneutic principle* regarding the hierarchy among the hermeneutical clues and listing, in a sequence of decreasing importance, direct mention (*śruti*), indirect indication (*liṅga*), sentence context (*vākya*), textual context (*prakaraṇa*), position in a sequence (*sthāna*), and denomination (*samākhyā*). In the case at stake, the point is that what is conveyed in the context of a sentence is a stronger evidence than what one derives out of the textual context. The interpretation of the prohibition as being limited to a given ritual is not said in the sentence, which speaks of Brahmins in general, but can only be derived from the context. Because the textual context is a weaker hermeneutical principle, it is overruled by what the sentence says.

In the third discussion, the solution is easy because menstruating women do not play any role in the full- and new-moon sacrifice and therefore the prohibition can only refer to people in general because a prohibition referring to the sacrificial context would have no field of application (menstruating women are a priori excluded from sacrifices). This leads to the conclusion, in PMS 3.4.20, that whatever does not regard the context of a sacrifice should be understood as referring to the person in general.

In all discussions, Śābara uses common Mīmāṃsā principles of interpretation, with “direct mention,” that is, the explicit mention of something in a Vedic text being the strongest one. Other principles, starting with the implicit sense of a passage (*liṅga*) and including the syntactical structure of a sentence (*vākya*) and the textual context (*prakaraṇa*), are weaker because they let one infer some missing content in the explicit Vedic text and are in this sense parasitic on the postulation of an explicit mention.¹⁷

But what about prohibitions which do not mention a specific person, such as the prohibition to perform the Pravargya ritual (discussed in PMS 3.2.32–33)? Because they cannot refer to the person, they need to refer to the sacrifice. One will then have to ascertain whether such prohibitions refer to a specific part of a

¹⁶ sarvāvasthasya brāhmaṇasyāyaṃ pratiṣedha uktaḥ (ŚBh ad PMS 3.4.17).

¹⁷ For a list of these principles, see ŚBh on PMS 5.1. A fuller discussion within a mature Mīmāṃsā text can be found in Āpadeva’s *Mīmāṃsānyāyaparakāśa*, see Edgerton (1929), sections 67–181.

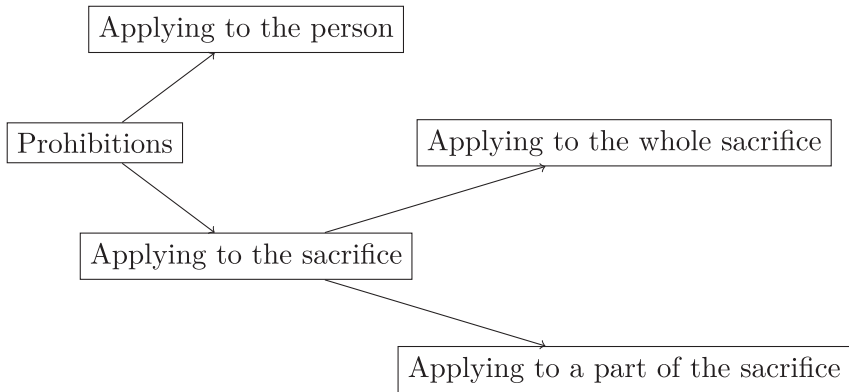


Figure 5. A taxonomy of prohibitions

type of sacrificial duty	trigger
<i>nitya</i> prescription	being alive
<i>naimittika</i> prescription	occasion
<i>kāmya</i> prescription	desire
<i>prāyaścitta</i> ctd-prescription	prior violation
<i>puruṣārtha</i> prohibition	being alive
<i>kratvartha</i> prohibition	sacrificial context

Figure 6. Triggers for commands

sacrifice or to a sacrifice as a whole. Out of these discussions, we can construe the graph in Figure 5.

3.4 *Contrary-to-duty prescriptions*

An interesting class of prescriptions are those regarding expiations (*prāyaścitta*). Such prescriptions have as their addressee someone who did something wrong during the performance of a sacrifice; therefore, they can be taken to be *contrary-to-duty* (ctd) prescriptions. Examples of expiation's prescriptions are the following: “Having broken [the pan], one offers [the expiatory oblation]”; “Having dropped [the barley], one offers [the expiatory oblation]” (ŚBh on PMS 6.5.45). Here the triggering condition is an event occurred during the performance of a sacrifice: the sacrificer broke a pan, mispronounced a verse, and so forth. Thus, we have an extended list of triggering conditions for prescriptions, as illustrated in Figure 6.

	if not observed	after expiation
<i>kāmya</i> prescriptions	no result	result
<i>nitya/naimittika</i> prescriptions	negative output	result
<i>kratvartha</i> prohibitions	no result	back to normal
<i>puruṣārtha</i> prohibitions	negative output	back to normal

Figure 7. Consequences of the performance of commands and expiations

Does this mean that nothing desirable is achieved through the fulfilment of these contrary-to-duty-prescriptions? In other words, is the occasion or the violation an alternative way to pick up the addressee of the prescription so that desire is no longer needed? A late Mīmāṃsā author, Rāmānujācārya is explicit in claiming that desire is needed anyway (expiations are performed, he writes in his *Tantrarahasya*, chapter IV, to achieve something desired).¹⁸

But what is the desired thing obtained through the performance of an expiation? The expiation, once fulfilled, restores the previous situation. In the case of a violation performed during a fixed sacrifice, the violation is just cancelled. Does this mean that the expiation cancels the violation or just its consequences? In other words: because a wrongly performed sacrifice leads to bad karman, if one performs the expiation, does one get rid of the bad karman only or can one even restore the previous condition so that the sacrifice reaches its result?¹⁹ An answer can be found in ŚBh on PMS 6.3.7²⁰ which implies that upon doing an expiation one restores the full possibility of getting the result.

Expiations can be used also to eliminate the negative consequences of a transgressed prohibition. That is, after having performed the corresponding expiation, a transgressed *kratvartha* prohibition does no longer lead to a negative output on the sacrifice, and a transgressed *puruṣārtha* prohibition does no longer lead to a sanction. In Dharmaśāstra (jurisprudence) texts, for instance, authors discuss expiations to be performed after having transgressed the duty to live in the Indian subcontinent. The table in Figure 7 illustrates all effects of the various performances discussed so far.

¹⁸ For a translation of the relevant chapter see Freschi (2012).

¹⁹ Compare the case discussed in Abraham et al. (2010), where marrying the girl one has raped does not cancel the rape, but only its negative consequences in heaven (p. 175).

²⁰ *prāyaścittavidhānāc ca || 6.3.7 || vidhyaparādhe ca prāyaścittāni vidhīyante, nimite karmaṅgabhūtāni, yathā bhinne juhottī. viguṇe niṣphale sati kasyāṅgabhūtaṅ prayojanam syāt. tasmāt viguṇānām api prayogaḥ kartavya iti.*

3.5 Permissions

The PMS and the ŚBh do not have a single word for “permission,” which does not seem to be a separate concept, unlike prescription (*vidhi*) and prohibition (*niṣedha*). Nonetheless, at times there are discussions which include what we could categorise as “permission.” In these cases, Śābara uses words like *nyāyā* “regular” (ŚBh on PMS 5.3.2) or just states that a given thing occurs (ŚBh on PMS 7.2.13). In other cases, perhaps more significant for us, he uses the optative suffix, which could be used (like the subjunctive in Latin and the optative in ancient Greek) to denote both permissions and prescriptions.

For instance, ŚBh on PMS 6.8.18 discusses the case of whether it is legitimate to take a second wife. Śābara refers to the prohibition to take a second wife if one’s wife is virtuous and fertile and concludes that if she is not one of the two, then one could take a second one. Similarly, the prohibition to take a second wife if one is drinking soma should mean that in any other circumstance one could take one. If *X* is prohibited under conditions *Y*, then *X* in general is permitted.²¹

Note that the linguistic form of the exhortative statement “One *could* take a second wife if the first one is not virtuous or infertile” is indistinguishable from the prescription to take a second wife (“One *should* take ...”). However, the latter interpretation is blocked by the fact that prescriptions need to convey new information (see section 4.1), whereas the desire to marry a new wife, given the above conditions, would be spontaneously present.

To sum up, permissions can only occur as *exceptions* to a previously stated prohibition. In the example discussed above, it is generally prohibited to remarry, but one can remarry if his first wife is not virtuous or if she is infertile. This idea of interpreting permissions as exceptions reflects a quite common practice in normative texts, such as legal codes used in European jurisprudence, where permissions are normally stated only if there is an expectation of the contrary, due to some general prohibition. Norms stating permissions usually derogate from what is stated in other norms (see, e.g., the entry for “permission” in Bouvier (1856)). On the other hand, it must be noted that actions that are not explicitly mentioned in the Vedas are also permitted (in the weak sense of not being prohibited) because they are taken to be normatively indifferent (see section 3.1).

21 dharmaprajāsampanne dāre nānyāṃ kurvīte ca. evam idam api smaryata eva, anyatarāpāye 'nyāṃ kurvīte. tasmād yasya na dharmasampannā, na prajāsampannā vā patnī, so 'nyāṃ kurvīte. somapānād itī cārthavādāṃ vyapadīśati sma. somapo na dvitīyāṃ jāyāṃ abhyasūyata itī dvitīyāṃ api jāyāṃ darśayati (ŚBh ad PMS 6.8.18).

4. Key Features of Vedic Commands

Because the same requirements apply to prohibitions and prescriptions, in the next sections we will treat both at the same time under the name of *commands*.

4.1 Novelty

Prescriptions or prohibitions need to *convey something new* (*apūrva*).²² There cannot be a prescription asking a person to do something the person is already inclined to do. Consequently, if a prescription seemed to enjoin to a hungry girl that she should eat, this could not be interpreted as a prescription to eat (because it does not convey anything new and the urge to eat was already present).²³ Therefore, Mīmāṃsā interprets sentences which have the form of prescriptions but which at first seem to lack this element of novelty as conveying instead something else which is indeed new. For instance, in the above example: “you should eat” told to a hungry girl could be interpreted as enjoining that she should eat *now*.

The same requirement of novelty is found also in the Mīmāṃsā epistemological theory, according to which sense perception and the other instruments of knowledge ultimately elaborating on sense perceptual data, such as inference and analogy, can only have access to states of affairs (i.e., to what *is* the case) and have no way of grasping what *should* be done. To elaborate, no matter how long observant people look at a sunny Sunday, they will not be able to understand that they ought to go to church on that day. In this way, the novelty requirement provides a foundation for a principle which is extensively discussed in modern moral philosophy, the so-called *Is-Ought Thesis* formulated by David Hume.²⁴ According to this principle, normative statements cannot be inferred from descriptive ones.

For duties, the only possible source are authorities, such as the Veda. Mīmāṃsā authors add that the only source is indeed the Veda, arguing that the other alleged authorities (e.g., the Buddhist canon) are not soundly based (because, according to them, the Buddha is a fraud because he claims to be an omniscient human being, which is impossible by definition, etc.).²⁵

22 See Bhoja's *Śṛṅgāraprakāśa*, 10.10 for a concise description thereof: *apṛāptau prāpaṇavacanam vidhiḥ* “a prescription expresses the obtainment of something which was not obtained before.” And: *prāptau nivāraṇam niśedhaḥ* “a prohibition expresses the cessation of something which was already obtained.”

23 See above, section 3.1 for a corresponding example concerning prohibitions.

24 For a critical discussion of the Is-Ought Thesis, see Stove (1978).

25 As is to be expected, Buddhist epistemologists replied by claiming that the Veda's authority is unsound, see Taber et al. (2012).

4.2 Singleness

Commands should convey only one thing (see PMS 2.1, section 14). Mīmāṃsā authors do not accept composite exhortative expressions such as “You ought to do *X* and *Y*” or “You ought to do *X* or *Y*” as conveying a valid prescription. If a prescription appears to convey two duties these are regularly construed as hierarchically connected to each other, for example, “You ought to do *X* qualified by *Y*.” Only in order to avoid ending up with a meaningless Vedic text, Mīmāṃsā authors resort, as a last resort to a principle, called *vākyabheda*. Through the application of *vākyabheda*, an exhortative expression such as “It is obligatory to do *X* and *Y*” is reinterpreted as conveying two separate prescriptions, namely “It is obligatory to do *X*” and “It is obligatory to do *Y*.”²⁶

4.3 Addressee

Prescriptions always apply to a given set of people, namely the ones who have the relevant eligibility (*adhikāra*). Having the relevant *adhikāra* means being entitled to — and, at the same time, compelled to — perform a given sacrifice. The general *adhikāra* for sacrifices entails the fact of being able to perform them (i.e., blind and lame people do not have the *adhikāra*) and the fact of having enough wealth to finance them. That is, the *adhikāra* discussion (as found in ŚBh on PMS 6.1) “Ought” implies “Can,” whose first explicit formulation in European philosophy is attributed to Immanuel Kant. A command applies only if there is a concrete possibility that it will be observed. More precisely, Śābara relies on this principle in its contrapositive form, claiming that the inability to perform a given duty blocks the applicability of a given prescription, so “Cannot” implies “Not ought.”²⁷

26 For more details on *vākyabheda*, see Wicher (1999).

27 For a discussion of the “Ought” implies “Can” principle, also with reference to its attribution to Kant, see Stern (2004). The contrapositive version of the “Ought” implies “Can” principle is often discussed in analytic philosophy, (see, e.g., Howard-Snyder, 2006). Sometimes in the literature it is also formulated as “Cannot” implies “Ought not.” For instance, Stoddard equates the latter with “the impossibility of doing a thing implies the absence of any moral obligation to do it” (Stoddard, 1982, p. 219). However, as pointed out by one of the reviewers and by Seamus Bradley in a private communication, the latter formulation might be interpreted as entailing a negative obligation, which is not what Mīmāṃsā authors suggest. In other words, it is not the case that the impossibility to do *X* implies a command to refrain from doing it. A short excursus in the Mīmāṃsā treatment of blind and other disabled people: Blind people and other people who cannot perform sacrifices can nonetheless achieve heaven with alternative ways, that is, by remaining chaste students of the Veda instead of being householders and perform sacrifices, as explained by Kumāṛila in his *Tantravārttika* on PMS 1.3.4. Later Mīmāṃsā authors also express the principle in its positive form, see, for example, Veṅkaṭanātha’s *Śatadūṣaṇī*, section on *aikāśāstrya*: “Even the Veda does not prescribe an impossible act” (*na hy aśaṅkanīyam arthaṃ vedo ’pi vidadhātī*).

Another way to look at this issue consists in claiming that the applicability of a prescription depends on whether eligibility is met. Thus, a prescription of the form “You should do *X* “has to be rephrased as “If you have the relevant *adhikāra*, then you should do *X*.” In this way, prescriptions become conditional statements in which the antecedent makes reference to eligibility and demarcates the scope of application.

As for prohibitions, *kratvartha* prohibitions clearly regard only people engaging in a given sacrifice and thus specified by the conditions applying to the relevant prescription. On the other hand, *puruṣārtha* prohibitions appear to regard all people who could perform the forbidden action, given that no result is mentioned.

Does the ability requirement apply also to prohibitions, so that impossible actions cannot be prohibited? This should be the case because commands need to convey something new and prohibitions such as “You ought not fly” do not convey something new because what would be prohibited already obtains (*prāpta*) through one’s physical inability to fly. Consequently, if one were to find a Vedic statement which seemingly prohibited to fly, one could not interpret it as a prohibition.²⁸

4.4 Results and sanctions

Prohibitions and prescriptions do not cover all possible actions. Many actions are naturally performed due to one’s condition as a living being (e.g., eating, drinking) and do not need to be enjoined. Others, such as playing chess, are just not separately prescribed or prohibited.

As already hinted at (see section 3.2), some prescriptions seem not to have any result, but they might all be construed as having a general result, namely *happiness* because the desire for happiness can be attributed to all living beings without differentiation. If one performs the Citrā sacrifice, one will obtain (further) cattle. If one doesn’t perform the Citrā sacrifice, one will not obtain (further) cattle, but nothing wrong will accrue. What if one does not perform the fixed sacrifices? As will be examined below, different authors have different opinions. Some say that one just has to perform fixed sacrifices because it is one’s duty, full stop (so in the Prābhākara *Tantrarahasya*, chapter IV). Others say that failing to perform fixed sacrifices will lead to the accumulation of *pāpa* “evil” (akin to “sin” or “negative karman”). This would make fixed sacrifices work more like prohibitions insofar as they would lead to *negative consequences*.

²⁸ The dubitative form in the previous statement is only due to the fact that we could not find an explicit discussion of it in Mīmāṃsā texts.

As for prohibitions, the negative consequences resulting from their violation are not all of the same kind. Prohibitions can be *puruṣārtha* or *kratvartha* (see above, section 3.3) according to whether they apply throughout one's life or only within a given sacrifice. If a *kratvartha* prohibition is disregarded and no expiation (see section 3.4) is performed, then the sacrifice will lose its efficacy in bringing a desired result into being. What about the failure to observe a *puruṣārtha* prohibition? One will end up accumulating negative karman.²⁹

In this sense, both *kratvartha* and *puruṣārtha* prohibitions achieve nothing if observed and a negative consequence if transgressed. The difference lies in the target of the negative consequence, which is the ritual itself in the case of *kratvartha* prohibitions and the sacrificer in the case of *puruṣārtha* prohibitions. The table in Figure 8 summarises the various consequences of commands described so far.

This means that one cannot take the expressions “It is forbidden to do *X*” and “It is obligatory not to do *X*” as having the same meaning because obligations are connected to a result, whereas prohibitions do not and because all prohibitions, if transgressed, lead to a sanction, whereas the failure to comply to a negative obligation in most cases does not entail any sanction. In other words, results and sanctions are two primary fundamental elements. Moreover, they are not comparable in the sense that they are not collocated on the same continuum line of malus and bonus effects. Based on this lack of comparability, transgressing a prohibition leads to a sanction which cannot be compensated by the positive result one might achieve through the performance of a given elective ritual.³⁰

This rigid distinction based on the opposition between results and sanctions could be perhaps bypassed if what is stated as the desired result is understood not as the prescription's output but as a device to identify the addressee of the prescription. In fact, the thinkers of the Prābhākara school claim that desired outputs like a son or cattle are nothing but a byproduct of the sacrifice, and that their mention in the prescription is not meant to state that they are the sacrifice's result. Rather, they are mentioned in order to identify the addressee of a given command, so that “The one who desires rain should sacrifice with the Kārīri” actually means “The obligation to perform the Kārīri applies to all who desire rain” and not “Through the Kārīri, one obtains rain.” However, even the Prābhākara school does not endorse the identification of prohibitions and negative obligations.

29 Cf the following discussion of a *puruṣārtha* prohibition: [śūdrasya] *adhīyānasyāpy adhyayanam saphalam na bhavati, doṣaś ca jāyate* “If a member of the *śūdra* class (for which the recitation of the Veda is prohibited) were to recite the Veda, their recitation [of the Veda] would not lead to any result, but a flaw will ensue [if they were to recite it]” (ŚBh on PMS 6.1.37).

30 We are indebted to Nilanjan Das and Parimal Patil for a very interesting discussion on the defence of the noncomparability of harms and benefits in other philosophical discussions, e.g., in Shiffrian (1999).

	if observed	if not observed
elective prescriptions	result	nothing
fixed/occasional prescriptions	result	negative consequences for the person
<i>kratvartha</i> prohibitions	nothing	negative consequences for the sacrifice
<i>puruṣārtha</i> prohibitions	nothing	negative consequences for the person

Figure 8. Consequences of commands

The role played by the various features of commands discussed so far is crucial because it is on the basis of these features that statements which look like prescriptions (e.g., the *parisaṅkhyā* prescription “you should eat the five five-nailed animals”) have been interpreted as prohibitions (because they do not enjoy anything new, but they prohibit something new) and, conversely, statements which look like prohibitions could be interpreted as prescriptions (because they entail a result).³¹

5. Dynamic Properties of Elective Sacrifices

There is no obligation to perform an elective sacrifice. Not performing it just means that one will not obtain its result. However, once one has undertaken an elective sacrifice, one will have to carry it out until the end, even if one no longer desires its outcome, (see ŚBh on PMS 6.2.13).³² This means that, once an elective sacrifice has been undertaken, the prescription regarding it is to be considered binding and that the prescriptions concerning all its subsidiaries are to be considered as enjoining actions in a fixed way (nothing additional is obtained by fulfilling them, but negative consequences will accrue if one fails to comply).

The upholder of the *prima facie* view in this connection urges that undertaken sacrifices do not need to be completed because unfinished sacrifices are like sacrifices not undertaken. But the conclusive view denies that. He explains that the commencement behaves like the occasion (*nimitta*), causing one to be under the obligation to complete the sacrifice. Thus, although elective sacrifices are in general just recommended to get the associated result, once they are undertaken their completion becomes obligatory. In other words, as discussed by Śābara, once a prescribed action has been undertaken one should go until the end even if the occasion prompting the action in the first place has meanwhile disappeared.³³ However, there is still a significant difference in the way in

31 See the discussion in ŚBh on PMS 6.2.19 on seeming prohibitions like “One should not eat *kalañja*.”

32 *tenopakrānte karmaṇi yadi vīyāt phalecchā, avāpnoti vā phalam, tasyām apy avasthāyām, kartavyam evopakrāntasya parisamāpanam.*

33 “It remains the case that something, which is described as having to be done when a condition is present, has to be done even when its condition has disappeared” (*nimitte cotpanne yat kartavyam ity ucyate, tad vinaṣṭe ’pi nimitte kartavyam eva, ŚBh on PMS 6.2.13*). See also PMS 6.2.13–15 and ŚBh thereon.

which fixed and occasional sacrifices and elective sacrifices have to be carried out until their completion. In fact, whereas the auxiliaries of fixed and occasional sacrifices have to be performed according to one's capacity, the auxiliaries of elective sacrifices have to be performed precisely as prescribed in the Veda (as discussed above, section 3.2.2). In other words, the same mechanism implies that in the case of complex sacrifices, the prescription regarding the undertaking of the sacrifice is elective; but once one has undertaken it, all the prescriptions regarding its auxiliaries become binding.

6. The Interaction between Prescriptions and Prohibitions

The issue of the conflict among commands is more complex than it might look at first sight. In fact, blocking a previously established command might entail that this is not or no longer valid. Should not this jeopardise the validity of the text issuing this command? Mīmāṃsā authors try to avoid the risk of claiming that Vedic commands can invalidate other Vedic commands and rather first try to interpret cases of seeming conflicts as consequences of some misunderstanding. In other words, they try to first see whether the seeming conflict between two commands could be due only to a wrong interpretation of one of the two commands and to eliminate it by correcting the interpretation. For this reason, Mīmāṃsā authors devised a complex system of ways to deal with clashing commands, with varying degrees of acceptability. The general aim is to avoid an invalidation of the Vedic text issuing the command and to permit, by contrast, a temporary suspension of its validity, or a revision of one's belief about the seeming clash — which one later realises not to have been one. Thus, Vedic commands might de facto have a limited validity and in this sense resemble defeasible norms in legal codes; indeed, in a legal code a norm making reference to specific conditions is usually entitled to block the validity of a general norm (*lex specialis derogat generali*). However, Mīmāṃsā authors are quite cautious in officially recognising cases of derogation because they feel that blocking a part of the Veda might undermine the deontic validity of the whole Veda. Instead, they prefer to use mechanisms such as the one of *paryudāsa* (see below, section 6.2.1) showing that it is not the second command which introduces a new exception to the first but rather the first one which included an exception since the beginning yet had only been misinterpreted at first.

More in detail, a conflict can occur among:

- (1) Two prescriptions
- (2) A prescription conflicting with a prohibition and threatening to override it
- (3) A prohibition conflicting with a prescription and threatening to override it
- (4) Two prohibitions

Moreover, it can involve:

- (a) Two commands of which one is more specific than the other
- (b) Two commands which are on the same level of specificity

The picture is, however, further complicated by the fact that there are different types of prescriptions (fixed, occasional, and elective) and of prohibitions (regarding the person and regarding the ritual) which could all conflict among each other.

Moreover, the elective prescriptions, it will be remembered, work differently if considered before the undertaking of the ritual (when they can be undertaken and lead to a result or be ignored at no risk) or once the ritual has been undertaken (when this needs any way to be completed). Nor can one just say that the elective prescriptions become *sic et simpliciter* occasional ones, once the sacrifice has been undertaken, because the difference between the *yathāśakti* and *yathānyāya* provisions remains in place (see above, section 3.2.2 and Freschi et al., 2019).

A further complication is that what has been called “prescription” or “prohibition” above and in the following sections should in fact be understood as “seeming prescription” and “seeming prohibition” because in several cases the Mīmāṃsā solution will involve a revision of one’s beliefs concerning commands.

Last, we will discuss about conflicts as if there were no distinction in their source, whereas at least until Śābara it makes a difference whether a command is found in the Veda or in a recollected text (*smṛti*), and we will not distinguish between the way one has come to know a command.³⁴

6.1 Conflicts among prescriptions

Let us start with the case (1) of two clashing prescriptions. First (1a), the two prescriptions might have a different level of generality, for example, “One should give coagulated milk to all Brahmins” and “One should give buttermilk to Kauṇḍinya Brahmins.” When such prescriptions clash, Mīmāṃsā authors deal with their conflict through the device of *bādha* “suspension.” This involves that the more general prescription is temporarily suspended by the more specific one but will come back to validity in all cases not ruled by the more specific one.³⁵

In the case of two prescriptions which are on the same level of specificity (1b), Mīmāṃsā authors discuss two devices, namely *vikalpa* (option) or *samuccaya*

34 That is, through *śruti*, *liṅga*, and the other instruments of knowledge listed in PMS 3.3.14.

35 It is noteworthy that *bādha* in an epistemological context rather means “invalidation,” whereas in this case it indicates a “temporary suspension.” EF has a forthcoming article on these two meanings of *bādha* and how to reconcile them (basically, via the epistemological theory of intrinsic validity, which means that no invalidation is final).

(accumulation). The latter is the fulfilment of both prescriptions and is preferable because it does not invalidate any prescription. *Vikalpa* is, by contrast, the arbitrary picking one instead of the other. It is used when only one of the two prescriptions can be fulfilled, for example, when one needs to bake one cake and there are two conflicting prescriptions: one prescribing to use rice and another prescribing to use barley for it.³⁶ *Vikalpa* is used only if there are no other ways out because it necessarily involves disregarding at least one command. This means, de facto, that *vikalpa* is adopted only in a limited number of cases and only when there are no further elements available to orient one's decision. Thus, it is typically applied at the end of a series of commands, when only the last procedural details are being prescribed and nothing is hierarchically linked to them.

6.2 Conflicts involving prohibitions

Let us now move to conflicts involving prohibitions (items 2–4 in the list of section 6). Generally speaking, prescriptions presuppose one's desire for the output of an action, whereas prohibitions presuppose one's natural appetites or a prescription that has to be blocked. The case of a natural appetite being restrained is quite straightforward, whereas the case of a previous prescription to be blocked requires a more careful analysis. What exactly occurs when a prohibition blocks a previously established prescription?

6.2.1 A general prescription clashing with a specific prohibition

In the case (2a) of a general prescription being blocked by a successive prohibition, Mīmāṃsā authors suggest to rephrase the first prescription as a prescription-with-embedded-exception (*pariyudastavidhi*), that is, as applying to all cases but the one the seeming prohibition is about. In this way, both prescription and prohibition are interpreted together as prescribing a single command, namely to do *X* in all cases which are not the one the seeming prohibition is about. For instance, the seeming prescription to recite the *ye yajāmahe* mantra and the seeming

36 One cannot mix rice and barley, because by so doing one would be violating both prescriptions, respectively enjoining one to bake a rice cake and to bake a barley cake. One would, moreover, do something altogether new and not prescribed, namely baking a rice-and-barley cake. For a parallel in Euro-American philosophy, see Ullmann-Margalit & Morgenbesser (1977) on the concept of picking: "When preferences are completely symmetrical, where one is strictly indifferent with regard to the alternatives, we shall refer to the act of taking (doing) one of them as an act of *picking*. [...] More precisely, a simple picking situation will be a selection situation with the alternatives A and B such that: (i) the agent cannot select both A and B ("cannot" being construed as deontic prohibition, practical impossibility, or whatever); (ii) the agent is indifferent between A and B; (iii) the agent prefers the selection of either A or B, whichever it may be, to the selection of neither: one — or the other — is better for him than none" (Ullmann-Margalit and Morgenbesser, 1977, pp. 757–758]). We are grateful to Seamus Bradley for pointing out this study.

prohibition to recite it during fore-sacrifices³⁷ are together reinterpreted as prescribing the recitation of the mantra in all cases but the fore-sacrifices.

In other words, Mīmāṃsā authors argue that one wrongly considered the initial prescription as having *general validity*, whereas it actually has a *limited validity* given that the successive prohibition represents an *exception* to it. Thus, they argue that the second command only spells out the limits of the application of the first command rather than invalidating it.³⁸ Interestingly enough, this reinterpretation means that the seeming prohibition is no longer to be considered such and that there is therefore no sanction in case one erroneously pronounces the mantra at stake during the fore-sacrifices. Consequently, no expiation ritual is even needed.³⁹

6.2.2 *A general prohibition clashing with a specific prescription*

Next comes the case of a prescription seemingly clashing with a previous prohibition having a different level of specificity (3a), for example, the prescription to eat after a certain moment of the sacrifice given the prohibition to eat during the same sacrifice. The former is construed as a permission, and the previous command, as in the case 2a, is construed as embedding an exception (the term used is *pariyudastānujñā*). Why would one construe the latter seeming prescription as a permission and therefore create a neutral deontic domain instead of reading it as prescription? It is because each prescription needs to enjoin something new (see above, section 4.1) and eating is something naturally desired, so a prescription prescribing eating would be meaningless, which is impossible.

Interestingly, the *pariyudastānujñā* is construed according to Kumāṛila Bhaṭṭa not as an exception to a previous prohibition but as an exception to a previous negative obligation (the obligation not to eat in the case discussed above). Why so? Possibly because failing to observe the above-mentioned prohibition to eat would need to entail a sanction. By contrast, if this is reinterpreted as a negative obligation, by not observing it one at most does not get a positive result, but they do not risk any sanction.

³⁷ Fore-sacrifices are the initial rites of a given ritual.

³⁸ On the mechanism of the *pariyudastavidhi*, see Saxena (2019). We could discuss with Shishir Saxena, Kees van Berkel, Agata Ciabattini and Björn Lellmann several of the topics discussed in this section.

³⁹ The *pariyudāsa*-mechanism enables Mīmāṃsā authors to avoid any threat to the authority of the Veda. One might therefore wonder why is not the same mechanism used also in the case of conflicts among prescriptions, so as not to have to temporarily suspend one of the two. The *pariyudāsa* mechanism, however, adds no alternative content, so that by applying it one would be able to know that one needs not give coagulated milk to the Kauṇḍīnya Brahmins, but one would not have any alternative command at disposal.

6.2.3 *A prescription clashing with a prohibition at the same level of specificity*

What happens in the case of a prohibition and a prescription at the same level of specificity (3b)? They lead to a *vikalpa*, as in the case of drawing or not drawing a *ṣoḍaśin* within the Atirātra sacrifice⁴⁰ This means that one can either decide to use a *ṣoḍaśin* or not to use it, and in both cases no sanction will follow. Pragmatically, this makes it more likely for one not to perform the action and to avoid the additional effort.⁴¹

6.2.4 *Conflicts among prohibitions*

The last case is that of a clash among prohibitions (4) If the above statement about the fact that prohibitions cannot be suspended is accurate, then the clash of two prohibitions necessarily involves a sanction. Even in the case of two prohibitions having the same level of specificity, there should be *vikalpa*, but this would not lead one to completely avoid any sanction (only to avoid one of the two). In order to altogether avoid the sanction, one needs to reinterpret the clash as involving a specific prohibition and a more general negative obligation. Why is it the case that it is not possible to suspend the validity of a prohibition, just like, through *bādha*, one suspends the validity of a prescription? In other words, why do Mīmāṃsā authors tend to assume that prohibitions are not liable to be invalidated nor even suspended?⁴² We are not aware of an explicit answer to this question, but one might suggest that this has to do with the nature of prohibitions. In fact, prohibitions are identified by their entailing a sanction if not observed. Prescriptions, if not observed, do not lead to their result, and this holds true also for suspended prescriptions. A suspended prescription no longer has any grasp on one, but neither does it lead to a result. Symmetrically, a prohibition, if not observed, necessarily leads to a sanction. Concrete cases of clashing prohibitions can be found within discussions of duress conditions, where it is stated that the performance of a prohibited act will nonetheless lead to a sanction, although to a diminished one and although this can be then later allayed with an expiation ritual.

A summary of the present discussion is provided in the table of Figure 9. However, the picture could be further complicated because the table does not distinguish between fixed and occasional prescriptions and elective ones, nor between

40 On the meaning of *ṣoḍaśin*, see the *Mīmāṃsānyāyasaṅgraha*, section 10.5.13 (Benson, 2010, footnote 444).

41 On *vikalpa* among prescriptions and prohibitions at the maximum level of specificity, see (Saxena, 2019). Later Mīmāṃsā authors claim that there is an added benefit in performing the most elaborate version of a ritual, for example, by using the *ṣoḍaśin*, because otherwise the text prescribing the more elaborate version would be useless, however we could not locate such claims in Śabara or Kumāṛila. We are grateful to Sudipta Muni for having discussed this issue with us and with his teacher, Maṇi Draviḍa Śāstrījī.

42 This claim is explicitly made by an opponent in ŚBh on PMS 10.8.2. The opponent does not have the last word, but the general claim is not challenged.

kratvartha and *puruṣārtha* prohibitions. The case of clashes between fixed and occasional prescriptions or *puruṣārtha* prohibitions on the one hand and elective prescriptions on the other is straightforward: Because the latter are only recommended, they can be ignored without any problem, whereas transgressing a fixed or occasional prescription or a *puruṣārtha* prohibition involves a sanction. Hence, one surely needs to observe them and ignore the elective prescription.

What about the conflict between elective prescriptions and *kratvartha* prohibitions? Once a sacrifice has been undertaken, the distinction between a recommendation and an obligation no longer holds, so that it would not make sense to discuss as a separate case the conflict between an elective prescription (which is such only until the beginning of the corresponding ritual) and a *kratvartha* prohibition (which becomes active only within a given ritual). We finally want to remark that there were different opinions within Mīmāṃsā on the topic of conflicts between commands and, in fact, various discussants within the ŚBh and other texts mention, for example, the possibility of using *vikalpa* instead of the device of *paryudastavidhi*.

7. Some Ideas to Represent the Mīmāṃsā Theory in a Logical Framework

7.1 Building a logical system

We will now represent the fundamental aspects of the Mīmāṃsā theory in terms of a formal language. Our overall objectives are reflecting on the current state of research in this area and preparing the ground for a future systematic logical analysis of the theory at issue. We will rely on the framework provided in Freschi et al. (2019). We will extend and modify such framework in order to take into account the additional aspects of the Mīmāṃsā theory discussed in the present article. Our presentation will be mainly narrative and will focus on the meaning of some logical principles and metarules that can be used to formally codify the Mīmāṃsā theory.

We stress since the beginning that, in order to ensure that the formal theory relies on the specific concepts employed by Mīmāṃsā authors when reasoning about commands (i.e., to meet the criterion of faithfulness mentioned in section 1), we have to go beyond the symbolic toolkit offered by traditional deontic systems of *propositional logic*. For instance, we need to replace the propositional variables used in the language of these systems (see, e.g., Åqvist, 2002) with syntactic constructions that allow for representing propositions of *relevant categories* rather than arbitrary ones. In some cases, this can be achieved by simply exploiting a *propositional constant* (such as the constant ϵ , denoting the proposition that eligibility conditions to perform a sacrifice are met). In other cases, a more

clashing commands	one more specific	same specificity, different purposes	same specificity, same purpose
prescription vs. prescription	<i>bādha</i>	<i>samuccaya</i>	<i>vikalpa</i>
prescription vs. prohibition	<i>paryudastavidhi</i>	no clash	<i>vikalpa</i>
(seeming) prohibition vs. prescription	<i>paryudastānujñā</i>	no clash	<i>vikalpa</i>
prohibition vs. prohibition	sanction to be allayed	no clash?	<i>vikalpa?</i>

Figure 9. Types of normative conflict and solutions (simplified scheme)

refined approach is called for: we must formally reproduce the *internal structure of propositions* because the deductive inferences that we want to capture depend on this structure. Thus, we will exploit *individual constants* and *functions* to denote certain categories of entities (e.g., sacrifices, ritual actions, events triggering a sacrifice, outcomes of a sacrifice) and *predicates* describing certain properties or relations among these entities (e.g., subsidiarity, occurrence). In other words, we will make use of symbols representing all those components of a proposition that are necessary to draw relevant inferences in the Mīmāṃsā theory.

Consider the following example: in a deductive argument we want to conclude that the performance of a ritual action subsidiary to a sacrifice has to be carried out exactly as prescribed in the texts; in order to do this, the argument must include — according to the Mīmāṃsā theory — the assumption that the sacrifice at issue is an elective one. Thus, the argument relies on properties ascribed to (and relations among) the ritual action and the sacrifice, and this means that such components need to be traced in the formal language (via individual constants, predicates, etc.). By contrast, other internal components of propositions used in the argument might not play any role in triggering the desired conclusion; therefore, there is no need to represent these within the formal language.

All in all, we have to depart from standard languages of propositional logic, but we do not need the full expressive power of the *predicate calculus*. Indeed, no essential use of quantification is involved in the Mīmāṃsā analysis of commands (whence, we will not introduce individual variables and quantifiers).⁴³ The proposed level of analysis of propositions, which is halfway treating them as

43 Sometimes, quantification will be simulated via schemata of formulas intended to hold for all symbols belonging to some primitive sets (see, e.g., def 1–3 below).

atoms of the formal language (as in propositional logic) and listing all their internal components needed for predication (as in the predicate calculus), in our opinion is adequate to represent the Mīmāṃsā theory in a formal setting (see the granularity criterion in section 1).

As far as the deontic features of the formal framework are concerned, we remark that an important notion employed in the Mīmāṃsā theory is that of a *recommendation* (or weak duty), which is not captured in mainstream languages of deontic logic. Thus, the joint treatment of obligations and recommendations in the present framework opens the way to a broader understanding of their relations in systems of deontic logic.

We start the construction of our logical framework by presenting the formal language, called \mathcal{L}_d , and already employed in Freschi et al. (2019). This consists of⁴⁴:

- A set of individual constants for sacrifices (denoted by s_1, s_2, s_3, \dots);
- A set of individual constants for ritual actions performed within a sacrifice (a_1, a_2, a_3, \dots);
- A set of individual constants for events which could work as the occasion triggering a given sacrificial duty, such as the birth of a son (e_1, e_2, e_3, \dots);
- A set of individual constants for sacrificial outcomes, such as cattle (o_1, o_2, o_3, \dots), together with a special individual constant representing the outcome “happiness” (o^*);
- A propositional constant representing the fact that eligibility conditions are met (ϵ);
- The Boolean connectives \rightarrow (to be read “if ... then ...,” or “whenever ..., ...”), \equiv (“... if and only if ...”), \wedge (“... and ...” or “... but ...”), \vee (“... or ...”) and \neg (“it is not the case that ...”);
- Two dyadic modal operators for obligation and recommendation, representing the deontic notions used in the distinction between fixed and occasional, and elective sacrifices (\mathcal{O} and \mathcal{R})⁴⁵;
- A unary predicate applied to sacrifices; (Und, for “... is undertaken”), in order to account for the different deontic situation which occurs once a sacrifice has been undertaken;

⁴⁴ We adopt a slightly different notation here. For instance, in order to distinguish predicate symbols from the function symbols that we are going to propose, the former start with a capital letter and are written in a different font. All sets of primitive symbols can be actually taken to be *finite*, because they are associated with concepts explicitly mentioned in the Mīmāṃsā theory. In the reading of primitive symbols dots are used as placeholders for the arguments these symbols apply to.

⁴⁵ We exploit here only the dyadic version of the deontic operators, though Freschi et al. (2019) discuss also a monadic version.

- Two unary predicates applied to ritual actions (Eap, for “... is performed exactly as prescribed” and Amp for “... is performed as much as possible”) (see above, section 3.2.2);
- A unary predicate applied to events (Tpl, for “... takes place”);
- A unary predicate applied to outcomes (Des, for “... is desired”);
- A binary predicate applied to an ordered pair consisting of a ritual action and a sacrifice (Sub, for “... is a subsidiary of ...”).

Individual constants will be also said to be *names* of the corresponding entities. A formula whose main operator is \mathcal{O} or \mathcal{R} is respectively represented as $\mathcal{O}_{[\phi]}\psi$ or $\mathcal{R}_{[\phi]}\psi$, where ϕ is said to be the *antecedent* of the deontic operator and ψ is said to be the *consequent* of the deontic operator. As far as the interpretation of deontic operators is concerned, the expression $\mathcal{O}_{[\theta]}\phi$ means “according to the Veda, ϕ is obligatory under condition θ ” and $\mathcal{R}_{[\theta]}\phi$ means “according to the Veda, ϕ is recommended under condition θ .”

Within this basic language, fixed, occasional (given that an event e_k takes place) and elective (given that an outcome o_h is desired) sacrifices are defined via the following schemata, where the symbols s_i , e_k and o_h can be uniformly substituted by any symbol belonging to the same set (hence, the definitions hold for all names of sacrifices, events, and outcomes):

Def 1 Fixed(s_i) = $_{def} \mathcal{O}_{[e \wedge \text{Des}(o^*)]} \text{Und}(s_i)$;

Def 2 Occasional(s_i)/ e_k = $_{def} \mathcal{O}_{[e \wedge \text{Tpl}(e_k) \wedge \text{Des}(o^*)]} \text{Und}(s_i)$;

Def 3 Elective(s_i)/ o_h = $_{def} \mathcal{R}_{[e \wedge \text{Des}(o_h)]} \text{Und}(s_i)$.

Relying on these definitions, (Freschi et al., 2019) showed how one can capture fundamental features of the relation between the main sacrifice and the subsidiary ritual actions in some logical systems. For the sake of example, we can consider the system there called S_{od} , whose axiomatic basis is specified below:

A0 any substitution instance of a tautology of the Propositional Calculus;

A1 Eap(a_i) \rightarrow Amp(a_i);

A2 (Fixed(s_i) \wedge Sub(a_j, s_i)) $\rightarrow \mathcal{O}_{[e \wedge \text{Des}(o^*)]} (\text{Und}(s_i) \rightarrow \text{Amp}(a_j))$;

A3 (Occasional(s_i)/ e_n \wedge Sub(a_j, s_i)) $\rightarrow \mathcal{O}_{[e \wedge \text{Tpl}(e_n) \wedge \text{Des}(o^*)]} (\text{Und}(s_i) \rightarrow \text{Amp}(a_j))$;

A4 (Elective(s_i)/ o_n \wedge Sub(a_j, s_i)) $\rightarrow \mathcal{O}_{[e \wedge \text{Des}(o_n)]} (\text{Und}(s_i) \rightarrow \text{Eap}(a_j))$;

A5 $\mathcal{O}_{[\theta]}(\phi \wedge \psi) \rightarrow (\mathcal{O}_{[\theta]}\phi \wedge \mathcal{O}_{[\theta]}\psi)$;

A6 $\neg(\mathcal{O}_{[\theta]}\phi \wedge \mathcal{O}_{[\theta]}\neg\phi)$;

A7 $\mathcal{R}_{[\theta]}(\phi \wedge \psi) \rightarrow (\mathcal{R}_{[\theta]}\phi \wedge \mathcal{R}_{[\theta]}\psi)$;

A8 $\neg\mathcal{R}_{[\theta]}(\phi \wedge \neg\phi)$;

$$\begin{aligned}
\text{R0} & \frac{\phi \quad \phi \rightarrow \psi}{\psi}; \\
\text{R1} & \frac{\phi \equiv \psi}{\mathcal{O}_{[\theta]} \phi \equiv \mathcal{O}_{[\theta]} \psi}; \\
\text{R2} & \frac{\theta \equiv \xi}{\mathcal{O}_{[\theta]} \phi \equiv \mathcal{O}_{[\xi]} \phi}; \\
\text{R3} & \frac{\phi \equiv \psi}{\mathcal{R}_{[\theta]} \phi \equiv \mathcal{R}_{[\theta]} \psi}; \\
\text{R4} & \frac{\theta \equiv \xi}{\mathcal{R}_{[\theta]} \phi \equiv \mathcal{R}_{[\xi]} \phi}.
\end{aligned}$$

For instance, we read A1 as “if ritual action a_i is performed exactly as prescribed, then it is performed as much as possible.” Furthermore, we read A2 as: “if s_i is a fixed sacrifice and a_j is one of its subsidiary actions, then it is obligatory that, whenever eligibility is met and happiness is desired, if one undertakes s_i , one performs a_j as much as possible.” Rules R0 to R4 have to be read along these lines: if what is above the horizontal line is derivable in S_0d , then what is below the horizontal line is derivable in S_0d as well.

What follows is a list of ideas to modify and extend the system S_0d in order to capture the additional aspects of the Mīmāṃsā theory discussed in this article. First of all, we propose to replace individual constants for outcomes and events with two functions, *out* and *evt*, associating outcomes and events to sacrifices. In this way, we can say, for instance, that $out(s_i)$ is the expected outcome of sacrifice s_i and that $evt(s_i)$ is the event (occasion) for sacrifice s_i . This choice turns out to be useful in cases in which one wants to make reference to the outcome of a sacrifice that has been already mentioned in a formula.⁴⁶

Second, we want to notice that in a more elaborated logical representation of the Mīmāṃsā theory it is convenient to take predicates for fixed, occasional, and elective sacrifices as primitive symbols and to transform the definitions Def 1–Def 3 provided above into a list of logical principles. For instance, consider the following (taking for granted the usual claim about uniform substitution):

$$\begin{aligned}
\text{P1} & \text{Fixed}(s_i) \rightarrow \mathcal{O}_{[e \wedge \text{Des}(out(s_i))]} \text{Und}(s_i); \\
\text{P2} & \text{Occasional}(s_i) \rightarrow \mathcal{O}_{[e \wedge \text{Tpl}(evt(s_i)) \wedge \text{Des}(out(s_i))]} \text{Und}(s_i); \\
\text{P3} & \text{Elective}(s_i) \rightarrow \mathcal{R}_{[e \wedge \text{Des}(out(s_i))]} \text{Und}(s_i).
\end{aligned}$$

46 In case of multiple events serving as an occasion for a sacrifice and of multiple outcomes of a sacrifice, we can use numerals to distinguish among them, as in $out_1(s_i)$, $out_2(s_i)$, etc. Accordingly, the schemata of formulas presented so far (and those presented in the rest of the section) can be modified by replacing expressions of kind $evt(s_i)$ and $out(s_i)$ with expressions of kind $evt_k(s_i)$ and $out_k(s_i)$, where k is a numeral (and, as usual, it is intended that k can be uniformly substituted by a different numeral).

The choice of having primitive predicate symbols for fixed, occasional, and elective sacrifice can be accompanied by additional postulates to clarify that these predicates are mutually exclusive.

P4 $\text{Fixed}(s_i) \rightarrow \neg \text{Occasional}(s_i)$;

P5 $\text{Fixed}(s_i) \rightarrow \neg \text{Elective}(s_i)$;

P6 $\text{Occasional}(s_i) \rightarrow \neg \text{Elective}(s_i)$.

In this way, one is able to rule out some problematic consequences of definitions Def 1–3. For instance, consider a scenario in which both $\mathcal{O}_{[\epsilon \wedge \text{Des}(o^*)]}\text{Und}(s_i)$ and $\mathcal{R}_{[\epsilon \wedge \text{Des}(o_i)]}\text{Und}(s_i)$ hold for a certain sacrifice s_i ; this is certainly possible because the two formulas at issue are jointly consistent with the set of theorems of S_0d . If we were to use the definitions above, then s_i would be classified both as a fixed and as an elective sacrifice in this scenario. This consequence cannot be drawn, by contrast, when using principles like P1–P6.

Principles P4–P6 adhere to the perspective of common Mīmāṃsā as described in Freschi et al. (2019), where fixed, occasional, and elective sacrifices are taken to represent distinct categories of ritual actions. However, already according to Śābara's interpretation (*yāvajjīva-adhikaraṇa*, ŚBh on PMS 10.7.3), fixed sacrifices are just occasional sacrifices whose occasion takes place everyday, so P4 would not be accepted as a valid logical principle by most Mīmāṃsā authors.

In order to keep track of the consequences of prescriptions and prohibitions, one can add to the formal language a unary predicate *Obt*, which takes an outcome as an input, so that the expression $\text{Obt}(\text{out}(s_i))$ for a given sacrifice s_i means that the outcome of s_i is obtained. We recall from the theoretical discussion in the previous sections that the expected outcome of a sacrifice is not obtained when the sacrifice is not performed and there is no expiation rite. Hence, expiation rites play an important role with respect to outcomes. This suggests that it would be good to introduce a function *exp* which takes a sacrifice as an argument so that $\text{exp}(s_i)$ denotes the expiation rite for s_i . After revising the axiomatic basis of S_0d with the new linguistic choices illustrated so far (which affect only the linguistic presentation of A3–A4), we can now add P1–P6 and the following principles:

P7 $\text{Fixed}(s_i) \rightarrow ((\epsilon \wedge \neg \text{Und}(s_i) \wedge \neg \text{Und}(\text{exp}(s_i))) \rightarrow \neg \text{Obt}(\text{out}(s_i)))$;

P8 $\text{Occasional}(s_i) \rightarrow ((\epsilon \wedge \text{Tpl}(\text{evt}(s_i)) \wedge \neg \text{Und}(s_i) \wedge \neg \text{Und}(\text{exp}(s_i))) \rightarrow \neg \text{Obt}(\text{out}(s_i)))$

As an example of reading, P7 says: “whenever s_i is a fixed sacrifice, if eligibility is met, but the performance of s_i is not undertaken and the corresponding expiation rite is not performed, the outcome of s_i is not obtained.”

In order to represent explicit permissions and prohibitions, we add to the set of deontic operators also \mathcal{P} and \mathcal{F} . Here we do not address the issue of establishing an axiomatic basis for the two new operators, but we limit ourselves to pointing out that the two new operators should not be interdefinable with \mathcal{O} , as a consequence of the analysis in section 4.4. In particular, we do *not* want to have the following principles (where the expressions on the right side of \equiv can be taken to represent *implicit* permissions and prohibitions, respectively):

- $\mathcal{P}_{[\theta]}\phi \equiv \neg\mathcal{O}_{[\theta]}\neg\phi$;
- $\mathcal{F}_{[\theta]}\phi \equiv \mathcal{O}_{[\theta]}\neg\phi$.

This means that \mathcal{P} and \mathcal{F} have to be taken as additional primitive operators of the formal language because they are not interdefinable with \mathcal{O} , unlike what is the case in the language of many systems of deontic logic (see, also on this point, Åqvist, 2002).

According to the Mīmāṃsā theory, the violation of a prohibition determines negative consequences which affect either the transgressor (in the case of *puruṣārtha* prohibitions) or the output of a sacrifice (in the case of *kratvartha* prohibitions). In the first case, we can formalise the negative consequences in terms of a *propositional function* s such that $s(\phi)$ means that the sanction associated to ϕ is applied⁴⁷; in the second case, we need to claim that the outcome of a sacrifice is not obtained. Furthermore, *puruṣārtha* prohibitions have no specific triggering condition, so we can put a tautology (represented by the symbol \top , which is a shorthand for $\phi \vee \neg\phi$) in the antecedent, meaning that the prohibition applies in general. The triggering condition of a *kratvartha* prohibition, instead, is the fact that a certain sacrifice has been undertaken. We therefore propose to add the following two logical principles:

P9 $\mathcal{F}_{[\top]}\phi \rightarrow (\phi \rightarrow s(\phi))$;

P10 $\mathcal{F}_{[\text{Und}(s_i)]}\phi \rightarrow ((\text{Und}(s_i) \wedge \phi) \rightarrow \neg\text{Obt}(\text{out}(s_i)))$.

For instance, the reading of P9 is: “if ϕ is prohibited in general, then whenever ϕ is the case, the associated sanction applies.” Concerning explicit permissions, a minimal logical characterisation of them requires to have a principle stating that a

⁴⁷ For the use of propositional constants and functions in deontic logic see, for instance, Åqvist (2002).

permission can only be an exception of a previously stated prohibition (see section 3.5). Thus, we propose the following:

P11 $\neg\mathcal{P}_{[\top]}\phi$;

P12 $\mathcal{P}_{[\theta]}\phi \rightarrow \mathcal{F}_{[\top]}\phi$.

P11 and P12 say that ϕ can be permitted only in some specific condition (i.e., in some condition θ different from \top); if this is the case, then ϕ is prohibited in general (under condition \top).

Hereafter, we will adopt the label $\mathcal{L}d^+$ for the revised language described in this section (including the modal operators \mathcal{P} and \mathcal{F} ; the function symbols *out*, *evt* and *exp*; the predicates *Obt*, *Fixed*, *Occasional*, and *Elective*; and the propositional function \mathfrak{s}). We will refer to the logical system obtained from the original axiomatic basis of S_0d in Freschi et al. (2019) via the proposed linguistic changes and the addition of P1–P12 as S_0d^+ .

7.2 Formalising principles to solve normative conflicts

In order to deal with conflict resolution procedures, we need to introduce a second level of norms, which is represented by operators of kind \mathcal{O}^{atc} , \mathcal{R}^{atc} , \mathcal{F}^{atc} , etc.: all-things-considered obligations, all-things-considered recommendations, all-things-considered prohibitions, etc. These are the normative concepts that result from the resolution of conflicts involving the first level of norms. The Mīmāṃsā analysis of normative conflicts tries to avoid all situations in which first level norms are invalidated by second level norms because this would have the epistemic consequences discussed above in section 6. Norms to be superseded are rather *suspended*.⁴⁸

We will now provide a formalisation of the principles used by Mīmāṃsā authors to handle cases of conflicts among commands. These principles are *met-arules* which can be applied to a logical theory construed by possibly adding further principles to the axiomatic basis of system S_0d^+ . In order to avoid confusion

48 For a presentation of mechanisms to solve conflicts within a Mīmāṃsā inspired logical framework but less precision as for what Mīmāṃsā authors claimed about their system, see Ciabattoni et al. (2018). There the authors start with a set of normative statements explicitly found in the Vedic sources and construe a set of derived normative statements out of the initial set. Then, they show how conflicts can be solved at the level of derived normative statements via a mechanism based on specificity. Here, by contrast, we start by analysing the fundamental properties of basic deontic *concepts* (such as obligation, prohibition and permission), as defined within Mīmāṃsā; then, we show how norms involving these first-level concepts have to be *reinterpreted* in terms of second-level deontic concepts (all-things-considered ones) in case of a conflict. Therefore, our work is aimed at addressing questions of the following kind: what are the general features of the notion of obligation in the Mīmāṃsā theory? How should one reinterpret a norm involving an obligation in case of conflict with another norm?

with the internal rules of S_0d^+ (that is, R0–R4), they are graphically represented with a double inference line and identified with the label “MR.” We proceed by analysing all cases of normative conflicts, adhering to the taxonomy of section 6.⁴⁹ Some preliminary technical definitions are needed.

We start by specifying a set of formulas of the language whose Boolean combinations (of a certain kind) can be used as deductive principles in logical theories extending S_0d^+ . Let $\text{BASE}_{\mathcal{L}d^+} = \Sigma_1 \cup \Sigma_2$, where:

- Σ_1 is the set of all expressions in the language having the form $Pred(arg)$, where $Pred \in \{Und, Eap, Tpl, Des, Obt\}$ and arg is a suitable argument for $Pred$ (e.g., $Obt(out(s_i))$ is in Σ_1);
- Σ_2 is the set of all expressions in the language having the form $\text{Sub}(arg_1, arg_2)$, where arg_1 is an individual constant for a ritual action and arg_2 is an individual constant for a sacrifice (e.g., $\text{Sub}(a_1, s_1)$ is in Σ_2).

Furthermore, let, for $i \in \{1, 2\}$, $\neg\Sigma_i = \{\neg\phi : \phi \in \Sigma_i\} \cup \Sigma_i$. We define the *negation-closure* of $\text{BASE}_{\mathcal{L}d^+}$ as the set $\neg\text{BASE}_{\mathcal{L}d^+} = \neg\Sigma_1 \cup \neg\Sigma_2$.

In order to construe a *logical theory* over the system S_0d^+ , consider a set $\Gamma \subset \mathcal{L}d^+$ such that, for all $\phi \in \Gamma$, either (I) $\phi = \psi \rightarrow \chi$, where $\psi, \chi \in \neg\Sigma_1$, or (II) $\phi \in \neg\Sigma_2$. The set Γ specifies some factual relations among elements of $\neg\text{BASE}_{\mathcal{L}d^+}$. For instance, if $\text{Eap}(a_i)$ stands for “a cake is baked exactly as prescribed” and $\text{Eap}(a_j)$ for “a rice-cake is baked exactly as prescribed,” $\text{Des}(out(s_k))$ for “sun is desired” (where sun is the outcome of sacrifice s_k) and $\text{Des}(out(s_l))$ for “rain is desired” (where rain is the outcome of sacrifice s_l), we then can have $\text{Eap}(a_j) \rightarrow \text{Eap}(a_i)$, $\text{Des}(out(s_k)) \rightarrow \neg\text{Des}(out(s_l)) \in \Gamma$. Let us denote by $\phi \in \text{Th}(S_0d^+)$ the fact that a formula $\phi \in \mathcal{L}d^+$ is a theorem of S_0d^+ . The logical theory corresponding to the union of $\text{Th}(S_0d^+)$ and Γ will be denoted by LT1 .⁵⁰ We can say that a formula ϕ is a *syntactic consequence* of LT1 , representing this fact as $\text{LT1} \vdash \phi$, if and only if (iff) there are $\psi_1, \dots, \psi_n \in \text{LT1}$ such that $(\psi_1 \wedge \dots \wedge \psi_n) \rightarrow \phi \in \text{Th}(S_0d^+)$. If ϕ is *not* a syntactic consequence of LT1 , we write $\text{LT1} \not\vdash \phi$. The theory LT1 is *consistent* if and only if $\text{LT1} \not\vdash \phi \wedge \neg\phi$.

Let us say that two formulas ϕ and ψ are *comparable* (in LT1) iff either $\text{LT1} \vdash \phi \rightarrow \psi$ or $\text{LT1} \vdash \psi \rightarrow \phi$. Furthermore, we can say that if θ and ξ are the antecedents of two deontic operators, then θ is *more specific* than ξ (in LT1) iff

⁴⁹ For an overview of logical procedures to detect and (possibly) solve normative conflicts, the reader is referred to Goble (2013).

⁵⁰ We would like to remark that LT1 is *not* closed under uniform substitution (due to the definition of Γ). Furthermore, for any choice of Γ the resulting theory LT1 is different; thus, in a more structured framework it is convenient to keep track of Γ in the notation and write LT1_Γ . For instance, in this way one can say that $\text{LT1}_\Gamma \subset \text{LT1}_{\Gamma'}$, for some sets Γ and Γ' such that $\Gamma \subset \Gamma'$. Nevertheless, for the aims of the present article we can keep using the simplified notation without reference to Γ .

LT1 $\vdash \theta \rightarrow \xi$. In this case, we also say that θ *overrides* ξ (in LT1). The six metarules MR1–MR6 specified below can be used to construe a second logical theory, LT2, out of LT1. In particular, LT2 will include precisely the all-things-considered norms that can be obtained from LT1 via MR1–MR6.

What follows is the list of possible conflicts and of metarules that can be used to handle them. The reading of a metarule is: if the facts above the double horizontal line hold, then the fact below the double horizontal line holds as well. We remark that metarules involve *two* logical theories: LT1 and LT2.

7.2.1 Prescription versus prescription

In case of a conflict between two prescriptions whose antecedents are not comparable and in cases in which there is no other element to orient one's choice, one has to follow either the first or the second prescription (*vikalpa*):

MR1

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]} \phi \wedge \mathcal{O}_{[\xi]} \psi \wedge (\phi \rightarrow \neg \psi), \quad \text{LT1} \not\vdash \theta \rightarrow \xi, \quad \text{LT1} \not\vdash \xi \rightarrow \theta}{\mathcal{O}_{[\theta \wedge \xi]}^{atc} (\phi \vee \psi) \in \text{LT2}}$$

In case of a conflict between two prescriptions whose antecedents are comparable and, in particular, one of the antecedents overrides the other, a person has to follow the prescription having a more specific antecedent (*bādha*):

MR2

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]} \phi \wedge \mathcal{O}_{[\xi]} \psi \wedge (\phi \rightarrow \neg \psi) \wedge (\theta \rightarrow \xi), \quad \text{LT1} \not\vdash \xi \rightarrow \theta}{\mathcal{O}_{[\theta \wedge \xi]}^{atc} \phi \in \text{LT2}}$$

7.2.2 Prescription versus prohibition

In case of a conflict between a prescription and a prohibition whose antecedents are not comparable, one has to follow either the first or the second command (*vikalpa*). As already discussed, the *vikalpa* device is the one one adopts when there is no other key available to choose in case of conflict. It is generally avoided because it necessarily involves the violation of at least one Vedic command. Nonetheless, given that there would be no other way out, the violation of the Vedic command is considered to be harmless (because of the general principle that no one is asked to do impossible things, and it would be in this case impossible not to violate any command. Accordingly, the initial prohibition becomes a negative obligation within the resulting *vikalpa* (i.e., a negative disjunct in the consequent of the operator \mathcal{O}^{atc}):

MR3

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]} \phi \wedge \mathcal{F}_{[\xi]} \psi \wedge (\phi \rightarrow \psi), \quad \text{LT1} \not\vdash \theta \rightarrow \xi, \quad \text{LT1} \not\vdash \xi \rightarrow \theta}{\mathcal{O}_{[\theta \wedge \xi]}^{\text{atc}} (\phi \vee \neg \psi) \in \text{LT2}}$$

In case of a conflict between a prescription and a prohibition in which the latter has a more specific antecedent than the former, one has to follow the prescription in all cases except for those represented by the antecedent of the prohibition. Therefore, the prescription is reinterpreted as having limited validity, and the seeming prohibition specifies a relevant exception to such validity (*par-yudastavidhi*), in the form of a negative obligation:

MR4

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]} \phi \wedge \mathcal{F}_{[\xi]} \psi \wedge (\phi \rightarrow \psi) \wedge (\xi \rightarrow \theta), \quad \text{LT1} \not\vdash \theta \rightarrow \xi}{\mathcal{O}_{[\theta \wedge \neg \xi]}^{\text{atc}} \phi \wedge \mathcal{O}_{[\xi]}^{\text{atc}} \neg \psi \in \text{LT2}}$$

In case of a conflict between a prescription and a prohibition where the former has a more specific antecedent than the latter, one has to follow the prohibition in all cases except for those represented by the antecedent of the prescription. Hence, the prohibition is reinterpreted as being in fact a negative obligation and having limited validity, whereas the prescription is interpreted as specifying a relevant exception to such validity. In such cases one also has to reinterpret the prescription as a permission; as a consequence of this, if one brings about what was initially prescribed, one will neither obtain an outcome nor a sanction (*paryudastānujñā*):

MR5

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]} \phi \wedge \mathcal{F}_{[\xi]} \psi \wedge (\phi \rightarrow \psi) \wedge (\theta \rightarrow \xi), \quad \text{LT1} \not\vdash \xi \rightarrow \theta}{\mathcal{O}_{[\xi \wedge \neg \theta]}^{\text{atc}} \neg \psi \wedge \mathcal{P}_{[\theta]}^{\text{atc}} \phi \in \text{LT2}}$$

7.2.3 Prohibition versus prohibition

In case of a conflict between two prohibitions, there are two possible scenarios:

- I If their antecedents are not comparable, use *vikalpa* along the lines of MR6 below;
- II If their antecedents are comparable, reinterpret one of the two norms as a negative obligation and follow the procedures to solve conflicts among prohibitions and prescriptions provided by MR4 and MR5 (depending on the relation between the antecedents of the two norms).

MR6

$$\frac{\text{LT1} \vdash \mathcal{F}_{[\theta]} \phi \wedge \mathcal{F}_{[\xi]} \psi \wedge (\neg \phi \rightarrow \psi), \quad \text{LT1} \not\vdash \theta \rightarrow \xi, \quad \text{LT1} \not\vdash \xi \rightarrow \theta}{\mathcal{F}_{[\theta \wedge \xi]}^{\text{atc}}(\phi \wedge \psi) \in \text{LT2}}$$

Finally, any formula $\phi \in \mathcal{L}d^+$ having either the form $\mathcal{O}_{[\theta]}\psi$ or $\mathcal{P}_{[\theta]}\psi$ or $\mathcal{R}_{[\theta]}\psi$, such that $\text{LT1} \vdash \phi$ and ϕ cannot be involved in any application of MR1–MR6, should be transformed into a formula ϕ^{atc} having respectively the form $\mathcal{O}_{[\theta]}^{\text{atc}}\psi$ or $\mathcal{P}_{[\theta]}^{\text{atc}}\psi$ or $\mathcal{F}_{[\theta]}^{\text{atc}}\psi$ or $\mathcal{R}_{[\theta]}^{\text{atc}}\psi$ and such that $\phi^{\text{atc}} \in \text{LT2}$. Now, checking whether all normative conflicts have been solved at the end of this procedure is a matter of inspecting which formulas are in the logical theory LT2.

Some problem would arise if two conflicting norms having *the same* antecedent could be derived from LT1. Indeed, in these cases the metarules MR1–MR6 could not prevent the normative conflicts at issue from striking back in LT2. For instance, if it were the case that $\text{LT1} \vdash \mathcal{O}_{[\theta]}\phi \wedge \mathcal{O}_{[\theta]}\psi \wedge (\phi \rightarrow \neg \psi)$, for some $\phi, \psi, \theta \in \mathcal{L}d^+$, then neither MR1 nor MR2 (the only two metarules concerning conflicts among prescriptions) could be applied and one would get $\mathcal{O}_{[\theta]}^{\text{atc}}\phi \wedge \mathcal{O}_{[\theta]}^{\text{atc}}\psi \in \text{LT2}$. However, Mīmāṃsā authors work under the assumption that similar conflicts cannot be found in the Veda. From a technical point of view, a way of avoiding similar problems consists in adding the following metarules, which are the analogues of MR1, MR3, and MR6 for conflicting norms having the same antecedent:

MR1'

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]}\phi \wedge \mathcal{O}_{[\xi]}\psi \wedge (\phi \rightarrow \neg \psi) \wedge (\theta \equiv \xi)}{\mathcal{O}_{[\theta \wedge \xi]}^{\text{atc}}(\phi \vee \psi) \in \text{LT2}}$$

MR3'

$$\frac{\text{LT1} \vdash \mathcal{O}_{[\theta]}\phi \wedge \mathcal{F}_{[\xi]}\psi \wedge (\phi \rightarrow \psi) \wedge (\theta \equiv \xi)}{\mathcal{O}_{[\theta \wedge \xi]}^{\text{atc}}(\phi \vee \neg \psi) \in \text{LT2}}$$

MR6'

$$\frac{\text{LT1} \vdash \mathcal{F}_{[\theta]}\phi \wedge \mathcal{F}_{[\xi]}\psi \wedge (\neg \phi \rightarrow \psi) \wedge (\theta \equiv \xi)}{\mathcal{F}_{[\theta \wedge \xi]}^{\text{atc}}(\phi \wedge \psi) \in \text{LT2}}$$

8. Possible Intrinsic Problems (and Further Directions of Research)

The previous sections focused on the deontic system discussed or presupposed by the so-called common Mīmāṃsā (from Jaimini to Śābara). For this purpose, we showed how Jaimini's and Śābara's remarks presuppose an articulated and developed deontic system. Further studies will show how this was robust enough to be basically preserved throughout the history of Mīmāṃsā. Nonetheless, it also entailed some tensions, which will indeed be the productive triggers for new directions in the successive history of Mīmāṃsā. We will now list at least some of them.

- The distinction between elective, fixed, and occasional sacrifices does not explain whether there are three (or more, given the distinction between the main sacrifice and its subsidiaries) concepts of duties at stake, or only one, but with different contents. In the latter case, fixed sacrifices would apply to all who fit some basic requirements (such as being able to perform the enjoined sacrifice), occasional sacrifices would apply to all the above, provided a given occasion applies and elective sacrifices would apply to all the above, provided they desire a given desirable result. This distinct interpretative line will be followed by Prabhākara and Maṇḍana, with opposite results.
- Moreover, it is not clear whether interrupting an elective ritual leads you to the same consequences as not performing a fixed one. See thereon ŚBh on PMS 6.1.15 (which says that you have to complete what you started or good people will despise you — that is, a social sanction is mentioned, but nothing more) and on PMS 6.3.3 (which says that failing to perform a fixed sacrifice will lead you away from *svarga* “heaven”). More in general, given the constitutive role of results and sanctions for the Mīmāṃsā deontic system, it is striking how little they are discussed.
- More precisely, what do sanctions amount to? See ŚBh on 6.3.3–7 (and 6.1.15), where they seem to be only the lack of the desired result, whose absence, however, is so bad that it is like a sanction (cf. “Hell is God's absence”). However, this solution does not seem to be viable in case one transgresses a prohibition.
- In the same connection, what does it mean to have a result for fixed sacrifices? Because they have to be performed throughout one's life, does it mean that the result will become more and more at each performance, for instance, that one will get more and more happiness or heaven? The texts seem rather to imply that the result will issue from the global performance of the fixed ritual throughout one's life. Supposing, for instance, that Devadatta performed the Agnihotra every day for 30 years and then died, and that Yajñadatta performed

the Agnihotra every day for 60 years because he had a longer life, can one conclude that Yajñadatta got more of the Agnihotra's result? Later Mīmāṃsā authors like Maṇḍana will discuss about results such as the elimination of one's accumulated bad karman.

- Finally, as for the interaction between prohibitions and prescriptions, it is not yet clear whether a permission can be understood as invalidating a previous prohibition or rather as leading one to a belief revision involving that one reinterprets what one had initially understood, as described in section 3.5. In favour of the latter interpretation runs the fact that it avoids the conflict among authorities required by a direct invalidation.

9. Conclusions

This article discusses the various deontic notions at stake in Mīmāṃsā. Prescriptive sentences are distinguished into the ones expressing recommendations and the ones expressing fixed or occasional obligations, according to whether the prescribed actions lead to a desired result (in the first case) or entail also, if not fulfilled, a sanction. Prohibitions entail a sanction if transgressed. The more specific cases of contrary-to-duty expiations and permissions are also discussed. A formalisation of these notions is also suggested in order to grasp their essential structure and at the same time to show in clear terms what was the underlying deontic system presupposed and at times directly formulated by Mīmāṃsā authors.

A further section discusses the interaction of such commands and especially their clash. Mīmāṃsā authors managed to create a complex system in order to allow for either the temporary suspension of a command while preserving the validity of the normative text issuing it, or a revision of one's beliefs concerning the deontic clash which is then revealed to have been only a seeming one.

From a logical point of view, we provide some theoretical guidelines to revise and extend the logical framework developed in Freschi et al. (2019) in order to make room for the additional concepts and the more refined analysis of the Mīmāṃsā theory illustrated in the present article. The core idea behind our formalisation proposal is to rely on the content, rather than on the form, of sentences having a deontic force. The content is identified by means of the taxonomic distinctions provided in section 3. In fact, the Mīmāṃsā theory is a paradigmatic case of content-based deontic theory due the fact that different types of commands share the same linguistic form in the texts. In our opinion, the idea of focusing on the content of norms can be fruitfully exploited also in broader areas of normative reasoning.

The concluding section discusses some elements of tension of the deontic logic system as presupposed in the common Mīmāṃsā. These tensions will be shown in future articles to have been the triggers for further developments.

In conclusion, at the beginning we declared that our purpose in writing this article is to convince scholars of deontic logic and of philosophy in general to check beyond their usual sources and look at Mīmāṃsā, while at the same time showing to scholars of Sanskrit philosophy the underlying structure of deontic reasoning in Mīmāṃsā. We hope to have convincingly highlighted the latter and thereby made Mīmāṃsā intriguing to the broader public it deserves.

Acknowledgements

As for EF's contribution, this article has been conceived within the research project funded by the Vienna Science and Technology Fund, grant M16_028 (see mimamsa.logic.at). EF presented parts of this article at a conference in honour of James Benson in Oxford (20.6.2019) and would like to thank the audience, and especially J. Benson, for his feedback.

MP's research was supported in 2019 by a grant of the Action Austria-Slovakia for the project entitled "A logical analysis of recent developments of the hierarchical view of modalities" and in 2020 by the Štefan Schwarz Fund for the project titled "A fine-grained analysis of Hohfeldian concepts."

The authors thank various colleagues with whom they have exchanged ideas on topics related to this article on many occasions: Kees van Berkel, Agata Ciabattoni, Eberhard Guhe, Francesca Gulisano, Björn Lellmann, Sudipta Muni, Parimal Patil, Shishir Saxena.

This article is the result of joint discussions by its two authors. Nonetheless, sections 1 and 7 should be attributed to MP, whereas sections 2 to 6 and sections 8 to 9 should be attributed to EF.

References

- ABRAHAM, M., GABBAY, D. M., and SCHILD, U. (2010) "Obligations and Prohibitions in Talmudic Deontic Logic." In G. Governatori and G. Sartor (eds), *Proceedings of DEON 2010*, pp. 166–178. Berlin: Springer.
- ÅQVIST, L. (2002) "Deontic Logic." In D. Gabbay and F. Guentner (eds), *Handbook of Philosophical Logic*, Vol. 8, pp. 147–264. Dordrecht: Kluwer.
- BENSON, J. (ed.) (2010) *Mīmāṃsānyāyasaṅgraha. A Compendium on the Principles of Mīmāṃsā [by Mahādeva Vedāntin]*, edited and translated by J. Benson. Wiesbaden: Harrassowitz.
- VAN BERKEL, K., CIABATTONI, A., FRESCHI, E., and MODGIL, S. (2019) "Evaluating Networks of Arguments: A Case Study in Mīmāṃsā Dialectics." In P. Blackburn, E. Lorini and

- M. Guo (eds), *Proceedings of LORI 2019. LNCS*, Vol. 11813, pp. 355–369. Berlin: Springer.
- BOUVIER, J. (1856) *A Law Dictionary*. 6th ed. Philadelphia, PA: Childs and Peterson.
- CIABATTONI, A., FRESCHI, E., GENCO, F. A., and LELLMANN, B. (2015) “Mīmāṃsā Deontic Logic: Proof Theory and Applications. *Proceedings of Tableaux 2015.*” *Lecture Notes in Computer Science* 9323: 323–338.
- CIABATTONI, A., GULISANO, F., and LELLMANN, B. (2018) “Resolving Conflicting Obligations in Mīmāṃsā: A Sequent-Based Approach.” In J. Broersen, C. Condoravdi, S. Nair and G. Pigozzi (eds), *Proceedings of DEON 2018*, pp. 91–109. London: College Publications.
- DUTILH NOVAES, C. (2007) *Formalizing Medieval Logical Theories: Suppositio, Consequentiae, and Obligationes*. Dordrecht: Springer.
- DUTILH NOVAES, C. (2018) “Formal Methods and the History of Philosophy.” In S. O. Hansson and V. F. Hendricks (eds), *Introduction to Formal Philosophy*, pp. 81–92. Dordrecht: Springer.
- EDGERTON, F. (1929) *Mīmāṃsānyāyaprakāśa of Āpadeva*. New Haven, CT: Yale University Press.
- ERIKSEN, A. (2015) “Beyond Professional Duty: Does Supererogation Belong to the Morality of Roles?” *International Journal of Applied Philosophy* 29: 85–101.
- FRESCHI, E. (2012) *Duty, language and exegesis in Prābhākara Mīmāṃsā: Including an edition and translation of Rāmānujācārya’s Tantrarahasya, Śāstraprameyaparicheda*. Leiden: Brill.
- FRESCHI, E. (2018) “The Role of *paribhāṣās* in Mīmāṃsā: Rational Rules of Textual Exegesis.” *Asiatische Studien* 72(2): 567–595.
- FRESCHI, E., OLLETT, A., and PASCUCCI, M. (2019) “Duty and Sacrifice. A Logical Analysis of the Mīmāṃsā Theory of Vedic Injunctions.” *History and Philosophy of Logic* 40(4): 323–354.
- GOBLE, L. (2013) “Prima Facie Norms, Normative Conflicts, and Dilemmas.” In D. Gabbay, J. F. Horty, X. Parent, R. van der Meyden and L. van der Torre (eds), *Handbook of Deontic Logic and Normative Systems*, pp. 241–351. London: College Publications.
- GONDA, J. (1980) *Vedic Ritual: The Non-solemn Rites*. Leiden: Brill.
- HEYD, D. (2019) “Supererogation.” In E. Zalta (ed.), *The Stanford Encyclopedia of Philosophy*. Winter 2019 ed.
- HORN, L. R. (1989) *A Natural History of Negation*. Stanford, CA: Center for the Study of Language and Information.
- HOWARD-SNYDER, F. (2006) “‘Cannot’ Implies ‘Not Ought’.” *Philosophical Studies* 130(2): 233–246.
- KATAOKA, K. (2011) *Kumārila on Truth, Omniscience, and Killing*. Wien: Verlag der Österreichischen Akademie der Wissenschaften.
- SAXENA, S. (2019) “Denotation as Complex and Chronologically Extended: *anvitābhidhāna* in Śālikanātha’s *Vākyārthamātrkā-I*.” *Journal of Indian Philosophy* 47(3): 489–506.
- SHIFFRIN, S. V. (1999) “Wrongful Life, Procreative Responsibility, and the Significance of Harm.” *Legal Theory* 5: 117–148.
- STERN, R. (2004) “Does ‘Ought’ Imply ‘Can’? And Did Kant Think it Does?” *Utilitas* 16(1): 42–61.
- STODDARD, W. H. (1982) “Hume and Facts, Logic and Values: A Comment on Cord’s Argument.” *The American Journal of Economics and Sociology* 41(2): 218–221.

- STOVE, D. (1978) "On Hume's Is-Ought Thesis." *Hume Studies* 4(2): 64–72.
- SUBBĀŚĀSTRĪ (ed.) (1929–1934), *Śrīmajjaiminipraṇitaṃ Mīmāṃsādarśanam* [including PMS, ŚBh and various subcommentaries]. Pune: Ānandāśramamudrāṇālaya.
- TABER, J., KRASSER, H., and ELTSCHINGER, V. (2012) *Can the Veda Speak? Dharmakṛti against Mīmāṃsā exegetics and Vedic authority. An Annotated translation of PVSV 164,24-176,16*. Wien: Verlag der Österreichischen Akademie der Wissenschaften.
- ULLMANN-MARGALIT, E. and MORGENBESSER, S. (1977) "Picking and Choosing." *Social Research* 44(4): 757–785.
- WICHER, I. (1999) "Der Vākyabheda bei Śābara." *Wiener Zeitschrift für die Kunde Süd- und Ost-Asiens* 43: 139–166.