Upāyahṛdaya as a manual of *vitaṇḍā* debate.

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Contemporary scholars of the history of Indian logic and argumentation seem to be unanimous about the *Upāyahṛdaya*'s (abbreviated as UH) status as a manual of debate. (Matilal 1986, 81; Kajiyama 1991, 107; Gillon 2008, 21). Although the original Sanskrit text is lost and has been retranslated from Chinese edition of Fang Bian Xin Lun 《方便心論》 (Taisho v. 32, pp. 23–28: T.1632) by Tucci (1929), scholars have put forward differing estimates of the possible title of the original treatise: *Upāyākauśalya-hṛdaya, Prayoga-sāra* (Frauwallner) and *Upāya-hṛdaya* (Tucci) (Gillon 2008, 21). With the original Sanskrit no longer available to settle the issue, there have been more contention pertaining to the authorship of UH. The ascription of the authorship to Nāgārjuna was made by the Song editor of Chinese Tripitaka, which has given some modern scholars reason to doubt the fact that UH is attributable to the famous Madhyamaka philosopher. The discussion seems to be laid at rest, at least until further evidence shows the contrary, after the publication of Kajiyama's forceful and textually well founded critique of Ui Hattori's earlier view that the author of the UH must have been a follower of Hīnāyāna tradition (Kajiyama, 1991). In spite of Kajiyama's *tour de force*, doubts still remain, therefore Lidntner in his *Nagarjuniana* has argued that UH most likely is not a genuine Nāgārjuna's treatise:

> At least two circumstances render its genuine dubious in my mind: It appears unlikely that Nāgārjuna, whose predilection for arguing merely by way of *prasaṅga* is well known should recommend conventional rules of debate in order to vindicate the Dharma. And again why does the *Upāyahṛdaya* never figure in the subsequent Svātantrika-Prāsaṅgika controversy in which its tenets would certainly have entitled it to playa decisive role if authentic? If on the other hand, we assume that it fell into oblivion in India at an early date it is quite possible that Nāgārjuna composes it from "from a desire to defend the Saddharma" (loc. cit., 23b 19-20), i.e. on the *saṃvṛti*-level (cf. ibid., 25a 4ff. where a *satyadvaya*-theory is implicit) (Lindtner, 1982, 16-17).

Lindtner's argument appears to be based on a discrepancy between promotion of the debate in general and Nāgārjuna's penchant for reductio ad absurdum *prasaṅga* arguments. UH opens with the author's providing an answer to the question whether one should engage in debates. The inquirer seems to equate any kind of debate with engendering animosity, conceit and vanity, suggesting that the wise should avoid the debaters at any cost, as well as discard any methods and principles of debate.[1] The

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[1] 問曰。不應造論。所以者何。凡造論者。多起憍恨憍逸貢高。自擾亂心少柔和意。顯現他惡自欺己善。如斯眾過智者所呵。是故一切諸賢聖人。無量方便斷諍論者。常樂遠離如捨毒器。又造論者。內實調柔外觀多過。是以若欲自利利人。應當捨此諍論之法。(23b9-14)

author of the treatise, on the contrary, admonishes the inquirer by proclaiming that without debate confusion, as to the correct understanding, would be rife. Besides, the authors intent is not the victory, but to lay bare the characteristics of good and bad, therefore correct and wrong debates: 「今造此論不為勝負利養名聞。但欲顯示善惡諸相故造此論。」. But we should not be taken in by this statement. Even a superficial acquaintance with the fragmentary sources which deal with public debate (*pariṣad*) in Ancient India, gives a strong impression that debating was perceived as an important aspect of intellectual life of an educated elite, whether they engaged in disputations of metaphysics of selfhood, wrangles of political strategies or negotiations on correct treatment of ailments in medical practice. In situations, which necessitate the defence of one's own positions in order to promote the doctrine of one's school as well as receive the support of the rulers, the winning of the debate becomes crucial. One could conclude that the above-mentioned inquirer must have been a novice, not yet steeped in principles and aims of debate, therefore the author further lays out the treatise, or manual, of debating. Surely, a probable intention in writing a treatise is not victory, nevertheless a goal of debating with opponents in order to establish or defend one's position, should not stop short of victory, or persuasion. An amiable discussion between a teacher and a pupil would rarely amount to a debate, a cordial deliberation of like-minded thinkers might stop short of a debate, however an apology of one's doctrine as well as an intention to counter the opponent's seemingly incorrect position, would necessitate a striving for a victory, which, if not obtained for the sake of fame and wealth, at lest might guarantee a persuasion, and at most a conversion the opponent. Therefore, whatever might have been real intentions of the author of the UH, one's not to take the author's opening statement at face value.

The author further states, that distinguishing principles of correct debate would help to benefit all sentient beings, spread and defend the correct dharma in the world: 「又欲令正法流布於世」.[2] Such intention strikes someone as being legitimate, considering the ancient Indian fondness of debating, but at the first glance it sounds rather unusual if attributed to Nāgārjuna. Indeed, why would the author of *Mūlamadhyamaka-kārikā*, *Vigrahavyāvartanī* and *Vaidalyaprakaraṇa*[3] compose at treatise advocating mainstream procedure of debating? One could hardly connect Nāgārjuna, "the pulveriser of categories" and the Nāgārjuna, who advocates "eight profound principles of debate":

> Thus, I should state briefly our eight profound principles of debate so as to open the door to all treatises and to eliminate sophistry: example (*dṛṣṭānta*), established thesis (*siddhānta*), excellence of speech (*vākya-praśaṃsā)*, defi-

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[2] 答曰不然。今造此論不為勝負利養名聞。但欲顯示善惡諸相故造此論。世若無論迷惑者眾。則為世間邪智巧辯。所共誑惑起不善業。輪迴惡趣失真實利。若達論者則自分別善惡空相。眾魔外道邪見之人。無能惱壞作障礙也。故我為欲利益眾生。造此正論。又欲令正法流布於世。如為修治菴婆羅果。而外廣植荊棘之林。為防果故。今我造論亦復如是。欲護正法不求名聞故。汝前說長諍論者。是事不然。為護法故故應造論。(23b14-24)

[3] The authenticity of authorship has been put in doubt in by Ole Holten Pind. See his "Why the Vaidalyaprakaraṇa Cannot Be an Authentic Work of Nāgārjuna" in Wiener Zeitschrift für die Kunde Südasiens / Vienna Journal of South Asian Studies Vol. 45 (2001), pp. 149-172.

ciency of speech (*vākya-doṣa*), means of knowledge (*pramāṇa*), timely speech (*prāpta-kāla-vākya*), specious and false reasons (*hetvābhāsa*) and equivocating objections *(vāk-chala)* (Gillon, 2008, 24).[4]

A simple survey of the Madhyamaka 中觀部 rubric of the Chinese Tripitaka of the words found in the above quotation from the UH shows that only a few of them appear in the works attributed to Nāgārjuna or his Indian commentators, some of them appear only in the works of the Chinese commentators. Such expressions as 'timely speech' (*prāpta-kāla-vākya*) 應時語, or 'equivocating objections' *(vāk-chala)* 隨語難 do not appear in 中觀部 at all, but are found only several times in other parts of the canon. 'Equivocating objections' *(vāk-chala)* 隨語難 seems to be found only in the UH. The common term 究竟義, which appears in a following fragment explaining the established thesis (*siddhānta*) 隨所執, unless Gillon is justified to translate it as standing for the Sanskrit *siddhānta* at all,[5] appears in many other Chinese Tripitaka rubrics, but in the 中觀部 is found mentioned only once in An Hui's 安慧 commentary to *Mūlamadhyamaka-kārikā* 大乘中觀釋論. Although in this paper my intention is not to search for the correspondence of every and each word of the UH within the Chinese Canon, it might serve as an interesting project, which would deal with the langue used in the UH and its possible spuriousness.

However, one could think of many reasons for the discrepancy of Nāgārjuna known to be the proponent of *prasaṅga* and Nāgārjuna suggesting proper ways of debate, one surmise that the UH was the earliest text written by Nāgārjuna in his career, besides Kajiyama also makes the same conclusion (Kajiyama, 1991, 113)[6]. Kajiyama, actually makes the following conclusion, which seems to be accepted by other scholars and have not been disputed so far:

> The *Upāyahṛdaya* follows Carakasamhita, but definitely antecedes the Nyāyasūtra and Nāgārjuna's works such as the *Vaidalyaprakaraṇa* and *Vigrahavyāvartanī*. Nāgārjuna knew Chaps. 1 and 5 of *Nyāyasūtra*, although he was criticised in Chaps. 2, 3, and 4 of the *Nyāyasūtra*.

Nevertheless, on the other hand if we take into the consideration the name of the treatise, i.e. 《方便心論》, as well as its reasonable rendering into the Sanskrit as the *Upāyākauśalya-hṛdaya*, one should immediately think of the immense importance of skilful-means *upāyākauśalya* in the overall architecture of the Buddhist soteriological thought, especially that of Mahāyāna. One could but agree with the L. Stafford

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[4] 如此八種深妙論法我當 略説。爲開諸論門。爲斷戲論故。一曰譬喩。二隨所執。三曰語善。四曰言失。五曰知因。六應時語。七似因非因。八隨語難。(23c05-08)

[5] 隨所執者名究竟義 (23c09). "An established thesis is a final truth. " (Gillon, 2008, 24). Gillon seems to follow Kajiyamas rendering of the term (Kajiyama 1991,114).

[6] We have the famous example of early Sautrāntika and later Yogācāra Vasubandhu, although it would hardly explain the disappearance of the text from the purview of later scholars of Prasaṅgika tradition.

Betty's contention, that "Nāgārjuna's methodology, his *prasaṅga*, was important to him as *upāya*¸ as means of deliverance for those still enchained to samsara" (Betty, 1984, 448). Betty went even further, saying that:

> Nagarjuna was not a philosopher despite every superficial appearance to the contrary. I say this, not because he fails in attempt to bridge his "two truths," but because he never made the attempt at all. His methodology is not an attempt to describe reality, either everyday or ultimate. Rather it is an *upāya*, a means to enlightenment; it is the ultimate Indian koan (Ibid., 449).

Although Betty's conclusion might be disputed, it still remains a reasonable option to subscribe to, while engaged in the attempt to understand whether Nāgārjuna was a mystic or a sceptic philosopher, both or neither. Why would a mystic, an anti-logician write a manual of debate on how to use logical fallacies in confounding the opponents? If the theory of UH's authorship remains uncontested, we might surmise, that it was for the sake of the exercise of skill in means, as the Chinese title of *Upāyahṛdaya* suggests.

Nonetheless, there have been other attempts to tackle the problem of the authorship of the UH, e.g. Gillon, following Prof. Masaaki Hattori, considers the possibility that the treatise might be the result of a compilation of various texts, which would explain many of the anomalies the UH presents (Gillon, 2008, 21). There could even be conjectures about the text of the UH as being a spurious compilation made by the Chinese translators themselves, which would explain not only anomalies mentioned by Gillon, but also once again give a support to Ui's contention that the translators of the UH misunderstood the application of *jāti* as valid means of reasoning.

Needless to say, but the text of the UH seems to give support to many conjectures about the authorship, unless and until we find a convincing textual evidence, this suggestion, as all the others mentioned above, still remain a conjecture, albeit rather reasonable one for us no to discard it outrightly. As far as I'm concerned, I find ascription of authorship of the UH to Nāgārjuna very doubtful, although it seems obvi‿ous that the author/authors of the text were somewhat Nāgārjunian.

Being unable to settle the disputes on the authorship of the UH definitively, scholars are in agreement concerning the status of the UH being a Buddhist manual of debate. I'm not using the expression 'manual of Buddhist logic' or "manual of Buddhist proto-logic", since I have serious reservations about the term 'logic' being applied to the contents of the UH. This is not to deny that there is a considerable resemblance to the family of 'logic' as we understand it in the West, albeit pertaining more to the field of informal logic and the theory of argumentation. The text of the UH leaves no doubt about it being conceived in the context of debate and argumentation, i.e. Indian dialectics, inasmuch as terms familiar to the pre-classical period of Indian logic are used. The UH abounds in the mention and use of concepts of cunning rejoinders *jāti* and sophistical arguments such as reductio ad absurdum *prasaṅga,* moreover the chapter on *jātis* or *prasaṅgas* forms the central portion of the text. What is even more important, according to Kajiyama, and in contradistinction to Ui, who

held that the mention of *jātis* or *prasaṅgas* must have sprung from the misunderstanding of the original text by the Chinese editors and translators,   Nāgārjuna does not disprove *jātis* and *prasaṅgas*, but recognises their validity. Kajiyama is of an opinion that Nāgārjuna wrote the UH in order to criticise and ridicule syllogism in the earliest stage of Indian logic, consequently he denied logic by using *jātis* and *prasaṅgas* with the aim to reduce his opponents, Nāiyāyikas and Abhidhārmikas, to utter silence (Kajiyama, 1991, 108 - 109). If Kajiyama is right and the Chinese word *xiangying* 相應, which is found as a heading for the fourth chapter of the UH (UH 27c08), indeed stands for the reductio ad absurdum, i.e. *prasaṅga* or *prasaṅga-jāti,* types of arguments, then we would have to agree that the text indeed belongs to the tradition, which accepted the validity of the *prasaṅga* arguments. Gillon translates 相應 as 'reciprocal exchanges' (Gillon, 2008, 22), which is just one of the many meanings if this polysemous word. In the Chinese Buddhist tradition 相應 is used most often to translate such Sanskrit words as *saṃyukta* and *saṃprayoga*[7], *saṃbandha*[8], as well as expresses the meaning of 'agreement', 'correspondence' - *yukta* and *yoga* - , thus also 'response', something that agrees and unities with each other, synonymous to the 契合. Although Gillon's 'reciprocal exchanges', and above all Kajiyama's *prasaṅga-jāti*, are derivative meanings from the common translations of 相應, the UH text indeed gives us clear impression that by 相應 is meant a 'response' to the argument, of which there are twenty. It is also clear from the text that the author thinks of their use legitimate:

> 問答相應有二十種。若人能以此二十義助發正理。是人則名解眞實論。
> 若不如是。不名通達議論之法。此二十種。要則有二。一異二同。以同
> 顯義名同。以異顯義名異。凡爲義者必依此二故。此二者通二十法。
> (27c11-15)

> There are twenty kinds of responses of questions and answers. If a person can use these twenty kinds to put forth proper reasoning, then such a person then is said to understand real debate. A person who is not that way is not said to have penetrated the principles of debate. These twenty kinds [responses] are, then, essentially twofold: one kind is [based on] dissimilarity and the second on similarity. The case of similarity is said to be where one uses something similar to make known the thesis; the case of dissimilarity is said to be where one uses something dissimilar to make the thesis known. Because all theses must depend on them, these two are found in all twenty ways [of response].[9]

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[7] Lit. 'yoked', 'harnessed', 'joined together', meaning the concomitance of mind with mental functions.

[8] Accordance, response; in tandem with; together; in synergy with; depending on each other; to be directly associated with.

[9] I have used the draft of the UH English translation by Gillon and Katsura, adding some minor changes in the rendition.

Kajiyama's conclusion, that the author of the text took these rejoinders as valid arguments, seems to have ample textual support. In the table on the page 8, I have compared the UH's twenty responses 相應 with translations offered by Kajiyama and Gillon/Katsura, to show that all the responses that Kajiyama deals with are perceived by him as being *prasaṅga,* i.e. reductio ad absurdum, type arguments, that Nāgārjuna is famous for. Most of the scholars also seem to agree, Kajiyama including, that the list of twenty responses in the UH is the *raison d'être* of Nyāyasūtra's chapter five on false rejoinders *jāti.*[10] Needless to say that Naiyāyikas, in they search for valid cognition *pramāṇa*, considered the non-affirmative negation of Nāgārjuna's *prasaṅga* arguments as false, but the debaters, who used such methods, as skeptic/*vaitāṇḍika.* What we see here in the UH in its preliminary form, which develops into full-blown non-affirming negation dialectic found in later treatises ascribed to Nāgārjuna, is the elaboration of a sophisticated sceptical strategy of argumentation, based on the idea of 'refutation-only' dialogue (Ganeri, 2004, 334).

If one were to side with Naiyāyikas and affirm Nāgārjuna's responses as futile rejoinders,[11] one would have to be reminded that application of *jāti* as valid, or oftentimes, necessary means of debate has had its precedents in ancient India, even outside the Madhyamaka circles. Esther Solomon writes:

> The art of debate was considered an important acquisition among medical practitioners. Very often the rival practitioners showed off, or perhaps had to show off their skill and learning in debates on the occasion of the treatment of patients who were rich. … [In Caraka Saṃhitā] it is also described, as we have seen, how a good and clever physician is to defeat his opponent in a controversy in a legitimate and scientific way and also by tricky devices if necessary. It was a practical necessity for these physicians to make their living in the face of strong competition, and it is easy to see how the tricky devices of *chala, jāti* and *nigraha-sthāna* entered into the regular art of debate for gaining victory over opponents, though they were not always employed. (Solomon, 1976, 868-867).

Since the UH deals with the proper conduct of debate and rules of argumentation, it seems necessary to situate it within the context of ancient Indian dialectics. A good deal of serious research has been done in the past couple of decades that allows us to place the UH between two texts: ancient Indian medical compendia *Caraka-saṃhitā* and *Nyāyasūtra*s, parts of which have been influenced, albeit negatively, by Nāgārjuna's dialectical methods. Much has been written on similarities and dissimilarities between 44 basic terms of debate (*vādamārgapada*) in *Caraka-saṃhitā* and 16 basic topics (*padārtha*) in *Nyāyasūtra*s, the list of which contains the terms of debate *vāda*, futile rejoinders *jāti*, as well as others we find also in the UH (Potter, 1977;

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[10] "The term '*jāti*' as a category in the dialectical tradition occurs, as far as we know, for the first time in the *Nyāyasūtra* within the definition of the hostile forms of debate" (Prets, 2001, 545).

[11] Although we must take into consideration Prets's observation: "The *Nyāyasūtra*, at least in the definitions of its first book, accepts the *jāti*s as valid means of dialectical refutation as can be seen in the definition of disputation (*jalpa*) and of eristic wrangles (*vitaṇḍā*) mentioned above." (Prets, 2001, 547)

Prets, 2000; Matilal 1986, 1998; et al.). There are obvious similarities between 44 *vā-damārgapada,* 16 *padārtha* and 8 principles of debate in the UH. I will not attempt to summarise the invaluable and detailed work done by these authors, but will limit myself only with the subject of debate pertaining to the UH.

Caraka-saṃhitā broadly divides debates *vāda* into two types. The first is held with a fellow-scholar and in a spirit of co-operation *(sandhāya saṃbhāṣa)* but the second in a spirit of opposition and hostility *(vigṛhya)* (Matilal, 1986, 83). In the *Vimāna-sthāna,* the eight's chapter of the *Caraka-saṃhitā,* a description of the debate *vāda* is given:

> A debate *(vāda)* is when one [disputant] discusses with an opponent in a hostile way, with a doctrine presupposed. In short, this is of two kinds: disputation *(jalpa)* and eristic wrangle *(vitaṇḍā)... .* In the following manner: The position of one [disputant] is that rebirth exists, [the position] of the other is that it does not exist. Both disputants substantiate their respective position by reasons [and] present the [respective] opposite position [for discussion]. This is disputation *(jalpa)* .... Eristic wrangle consists exclusively of pointing out the faults with regard to the opposite position. (Prets, 2000, 375).

Nyāyasūtra distinguishes three types of debates: good or honest debate (*vāda*), tricky or bad debate *(jalpa)* and a refutation-only debate *(vitaṇḍā)*:

> Good debate (*vāda*) is one in which there is proof and refutation of thesis and antithesis based on proper evidence *(pramāṇa)* and presumptive argumentation *(tarka)*, employing the five-step schema of argumentation, and without contradicting any background or assumed knowledge *(siddhānta)*. Tricky debate *(jalpa)* is one in which, among the features mentioned before, proof and refutation exploit such means as quibbling *(chala)*, false rejoinders *(jāti)*, and any kind of clincher or defeat situation *(nigrahasthāna)*. Refutation-only debate *(vitaṇḍā)* is one in which no counter-thesis is proven (NS 1.2.1-3 quoted from Ganeri, 2004, 322).

Table 1. Comparison of types of responses in the UH.

方便心論	Kajiyama: *prasaṅgas*	Gillon/Katsura: Objections
1. 增多	reductio ad absurdum trough argumentation	addition
2. 損減	reductio ad absurdum trough subtraction	subtraction
3. 同異	reductio ad absurdum trough identity and heterogeneity	similarity and difference

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方便心論	Kajiyama: *prasaṅgas*	Gillon/Katsura: Objections
4. 問多答少		prolixity of objection and prolixity of answer
5. 問少答多		paucity of objection and prolixity of answer
6. 因同	reductio ad absurdum trough difference	similarity of reason
7. 果同		similarity per effect
8. 遍同	reductio ad absurdum trough omnipresence	similarity of pervasion
9. 不遍同	reductio ad absurdum trough non-omnipresence	similarity of non-pervasion
10. 時同	reductio ad absurdum trough three times	similarity of time
11. 不到	reductio ad absurdum trough non-convergence	non-contact
12. 到	reductio ad absurdum trough convergence	contact
13. 相違	reductio ad absurdum trough difference	incompatibility
14. 不相違	reductio ad absurdum trough non-differnce	non-incompatibility
15. 疑	reductio ad absurdum trough doubt	doubt
16. 不疑		non-doubt
17. 欲破	reductio ad absurdum trough contrary example	refutation of the example
18. 聞同		similarity of tradition
19. 聞異		difference of tradition
20. 不生		non-arising

Both manuals *Caraka-saṃhitā* and *Nyāya-sūtra* discuss the question of the debate in general (*vāda*, *jalpa*, *vitaṇḍā*) with the difference that *vāda* in the *Nyāya-sūtra*s is understood as the friendly form of debate (*kathā*), and disputation (*japla*) and eristic wrangle (*vitaṇḍā*) are the hostile forms, whereas in *Caraka-saṃhitā* disputation and eristic wrangle are subdivisions of *vāda* (Prets, 2000, 374). Quibbling (*chala*) as category of debate is found in all three texts, 隨語難 in the UH that Gillon translates as 'equivocating objections' (Gillon, 2008, 24) , but the exact term of 'futile rejoinder' (*jāti*), which, according to *Nyāya-sūtra* are characteristics of *jalpa* debate,

whose goal is victory (*vijaya*),[12] are found only in *Nyāya-sūtra,* the concept of the Nyāyasūtra's *jāti* is contained in the definition of the *Caraka-saṃhitā*'s term "rejoinder" (*uttara*) (Prets, 2001, 549).[13] Prets (2001, 550) has also drawn our attention to the fact that *jāti* acquired the meaning of futile rejoinders and underwent categorisation and subsequent invalidation by Naiyāyikas precisely because they were employed by Buddhist thinkers to disprove doctrinal teachings, especially that of the existence of Ātman.

It seems plausible to draw a preliminary conclusion, that upon the survey of the types of debate described by the *Caraka-saṃhitā* and *Nyāya-sūtra*, the UH, which finds the use of quibbling (*chala*) and futile rejoinder (*jāti*) as legitimate technique, falls under the *jalpa* and *vitaṇḍā* types of debate.

It is not entirely clear whether the author of the UH conceived the treatise as a *jalpa* and *vitaṇḍā* manual of debate, most likely he never thought in such terms, which appear interesting to us from a historical perspective. Twenty responses 相應 are perceived by the author as legitimate rejoinders, thus the intention of the author might not have been mere conjuring up of witty tricks, confounding a proponent to win the debate by any means. The author seems to have assumed that the responses confound precisely because they draw out contradictions and absurdities inherent in the theses of the opponent. This makes reductio ad absurdum arguments, and their history span different epochs and cultures - one would just have to remember the famous Socratic elenchus - exceedingly powerful tools in argumentation by placing a burden of proof on the opponent. Would a debater use non-affirming negation, i.e. reductio ad absurdum arguments, in a friendly debate? Amicable exchange between

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[12] There is also a passage in *Caraka-saṃhitā*, which shows the authors interest in procedures that would help to win debates, even by tricks, since sometimes defeating an opponent by any means must have been of the utmost importance: "Under these circumstances the following [procedures] are ways of quickly defeating inferior [opponents]: He should overpower an unlearned [opponent] by long citations of *sūtra*s; more-over, [he should overpower] an [opponent] who is weak in theoretical knowledge by [the use] of sentences containing troublesome words; an [opponent] who is unable to retain sentences, by a continuous series of sentences composed of long-strung *sūtra*s; an [opponent] devoid of presence of mind, by the repetition of the same [words] with a difference of meaning; an [opponent] devoid of eloquence, by pointing to half-uttered sentences; an [opponent] devoid of self-confidence, by embarrassing [him]; an [opponent] of irritable temper, by putting [him] to exertion; one who is frightened, by terrifying [him]; [and] an inattentive [opponent], by reprehending him. In these ways he should overpower an inferior opponent quickly." (Prets, 2000, 370)

The Jaina canon *Sthānāṅga* refers to four types of refutation in a 'tricky' debate. First, there is the trick of confounding the opponent by using verbiage and thereby trying to give him a 'run-round' *(yāpaka-hetu)*. Second, there is the direct refutation with a valid reason by confounding the opponent's trick *(sthāpaka-hetu)*. Obviously the first kind of debate can be countered with the second one. Third, there is the argument based upon equivocation *(vyaṃsaka-hetu)*. This can be countered with the fourth kind called *luṣaka,* by exposing the equivocation and thereby confounding the opponent (Matilal, 1986, 82).

[13] Prets writes that "If one looks at Caraka's example for this kind of rejoinder, it does not have the character of something illegitimate, unsound, or futile. The argument brought forward in the rejoinder points at a deficiency in the example of the original argument by adducing dissimilar examples that would prove the opposite of the proposition: "As for example, if one [disputant] says: 'The pathological change of bodily conditions is similar to its causes, because there is a similarity to cold-feeling diseases with its causes, [namely] the contact with ice or cold air,' the other would answer: 'The pathological change of bodily conditions is dissimilar to its causes, as for example in the case of inflammation in the limbs of the body, of burning and heat sensations, or gangrene, there is a dissimilarity to its causes, [namely] the contact with ice or cold air' "(Prets, 2001, 549-550).

friends might involve play of words, puns and occasional reductio ad absurdum, if the aim of the discussion is finding the truth together, in a manner of Socrates' elenchus. The UH obviously falls in the group of hostile debates, as defined by the *Caraka-saṃhitā*, its aim though not being fame and riches, but the defence of the Dharma, and by the same token further one's own cause. The difference of the UH from the *Caraka-saṃhitā* consists in not providing any detailed suggestions as to the necessity to examine the good and the bad points of the debater, strength and weaknesses of one's own arguments, as well as the characteristics of the assembly. Methods and tricks in the debate would depend on whether the opponent is inferior, equal, or superior, but the assembly intelligent or stupid (Matilal 1998, 39). Could it be that the author of the UH took his responses 相應 as invincible clinchers causing a point of defeat *nigrahasthāna*?

It was mentioned earlier that the *Caraka-saṃhitā* further divides hostile debates into those of *jalpa* and *vitaṇḍā*. Motilal (1989, 41) explains, that *jalpa* is a debate where two theses are explicitly stated, and defended by citing reasons along with the refutation by each of the other with the help of some further independent reasons, whereas *vitaṇḍā* debate is said to be a special variety of the *jalpa* where only the refutation of the opponent is achieved, but no establishment of one's own position is attempted. If we take this last description as a definition of refutation-only debate, then the UH falls within the category of *vitaṇḍā* debate, in which the debater tries to ensure victory simply by refuting the thesis put forward by the other side. Matilal (1989, 47) also points out that it has been indicated that *jalpa* debate has victory as its goal. Hence the debater may indulge in all sorts of tricks to outwit the opponent. However, he runs the risk of being censured and defeated by clinchers if the opponent can catch him at his own game. The author of the UH does not take victory as his main goal, but the defending and spreading of the Dharma, his use of responses 相應, which seem to be non-affirmative refutation arguments typical of *prasaṅga*, it gives as enough reasons to classify the author of the UH as skeptic-*vaitāṇḍika*. For this reason, Nyāya philosophers from Vātsyāyana onwards argued that this third type of debate is not only unfair but also that it is impossible to conduct rationally:

> For the debater cannot simply get away with his destructive strategy and not defend, or even formulate his own position. For, as Vātsyāyana insists, the debater, by refuting the opponent's thesis, *p*, must be forced to accept the opposite thesis, *not-p,* and should then be asked to defend it by citing a reason. If he concedes, he gives up his original stance as a "refutative debater" (*vaitāṇḍika).* If he does not concede *not-p,* his rationality is to be called in question, and the debate can be brought to a close without allowing victory to the "refutative debater." (Matilal, 1989, 51)

Having said this, Matilal still goes on to provide a charitable reading of Nāgārjuna's, qua septic, seemingly irrational refutations, that were found lacking by the later Naiyāyikas, by comparing them to the notion of illocutionary negation, as developed by J. Searle in his "speech-act" theory:

Thus the debater can stick to his "refutation only" of the opponent's thesis, *p*, without conceding, even by implication, the counter thesis, *not-p.* An illocutionary negation usually negates the act or the illocutionary force, whereas a propositional negation would leave the illocutionary force unchanged, for the result would be another proposition, a negative one, which is asserted just as was the affirmative one. (Matilal, 1989, 52).

My intention here is not to settle the problem of whether Nāgārjuna should be viewed as a skeptic, it is highly relevant and interesting topic in itself. It needs to be said that there are authors who interpret Nāgr̥ajuna's thesisless approach differently. Georges Dreyfus (2010, 89 - 113), for example, reviews and criticise Matilal's analysis of Nāgārjuna's refutation of Hindu realist epistemology and Garfield's description of a broad cross-cultural skeptical family including Sextus Empiricus, Nāgārjuna, Hume, Tsongkhapa, and Wittgenstein. He ponders whether skepticism should be taken as a doctrine making truth claims about the limits and even impossibility of knowing, or should it be approached in an entirely different way, as a radical suspension of any assertion. Dreyfus has based his critique of Matilal's view on the reading of his analyses on scepticism found in *Perception: An Essay on Classical Indian Theories of Knowledge*[14], he seems to have neglected Matilal's use of Searle's "speech-act" theory in his suggestion that sceptical arguments in Ancient Indian history of logic should be understood as illocutionary negation, thus providing a sympathetic reading of Nāgārjuna's supposedly irrational or fallacious arguments.

In the UH we do not yet find the uncompromising and sceptical stance reminiscent of Nāgārjuna in the *Mūlamadhyamaka-kārikā*, *Vigrahavyāvartanī* and *Vaidalyaprakaraṇa,* although the chapter 4, which provides us with 20 refutations 相應, is an apparent connection, that binds these text together, if not by the authorial intention then by the intention of the text. Although the author of the UH did not consider it belonging to any specific category of debate, by situating it in between *Caraka-saṃhitā* and *Nyāyasūtra*s we might conclude that it would have been viewed as *vitaṇḍā* debate manual by Naiyāyikas.

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[14] Matilal 1986, 46 - 68.

Primary Sources.

方便心論

CBETA 電子佛典集成 大正藏 (T) 第 32 冊 No.1632
The SAT Daizōkyō Text Database 大正新脩大蔵経(SAT版) Vol. 32, No. 1632

Secondary Sources.

1. Betty, L. Stafford. "Is Nāgārjuna a Philosopher? Response to Professor Loy." *Philosophy East and West,* Vol. 34, No. 4 (Oct., 1984), pp. 447-450.
2. Dreyfus, Georges. "Can a Mādhyamika be a Sceptic? The Case of Patsab Ny-imadrak." In *Moonshadows: Conventional Truth in Buddhist Philosophy* by The Cowherds. New York: Oxford University Press, 2011.
3. Ganeri, Jonardon.. "Indian Logic." In *Handbook of the History of Logic: Greek, Indian and Arabic Logic*, edited by Dov M. Gabbay and John Woods, 1:309-395. Amsterdam; Boston: Elsevier, 2004.
4. Gillon, Brendan. "An Early Buddhist Text on Logic: *Fang Bian Xin Lun*." *Argumentation* 22, no. 1 (2008): 15-25.
5. Kajiyama, Yuichi. "On the Authorship of the *Upāyahṛdaya*." In *Studies in the Buddhist Epistemological Tradition: Proceedings of the Second International Dharmakīrti Conference, Vienna, June 11-16,1989*, edited by Ernst Steinkellner, 107-117. Wien: Verlag der Osterreichischen Akademie der Wissenschaften, 1991.
6. Lindtner, Christian. Nagarjuniana: Studies in the Writings and Philosophy of Nāgārjuna. Delhi: Motilal Banarsidass, 1982.
7. Matilal, Bimal Krishna. *Perception: An Essay on Classical Indian Theories of Knowledge.* Oxford University Press USA, 1986.
8. Matilal, Bimal Krishna. *The Character of Logic in India*. Edited by Jonardon Ganeri and Heeraman Tiwari. Albany: SUNY Press, 1998.
9. Matilal, Bimal Krishna. *Logic, Language & Reality. An Introduction to Indian Philosophical Studies.* Delhi, 1985.
10. Potter, Karl H. Encyclopedia of Indian Philosophies. Vol. II. Indian Metaphysics and Epistemology: The Tradition of Nyāya-Vaiśeṣika up to Gaṅgeśa. Delhi, 1977.
11. Prets, Ernest. "Futile and False Rejoinders: Sophistical arguments in early Indian logic." *Journal of Indian Philosophy* 29 (2001), 545-558.
12. Prets, Ernest. "Theories of Debate, Proof and Counter-Proof in the Early Indian Dialectical Tradition" In
13. Solomon, Esther A. 1976. *Indian dialectics: Methods of philosophical discussion, vol. 2.* Ahmedabad: B.J. Institute of Learning and Research.
14. Todeschini, Alberto. "On the Ideal Debater: Yogācārabhūmi, Abhidharmasamuccaya and Abhidharmasamuccayabhāṣya." *Journal of Indian and Tibetan Studies* 15: 244, 2011.

15. Tucci, Giuseppe. 1929. *Pre-Diṅnāga texts on logic from Chinese sources*. Baroda: Oriental Institute, 1929.

16. Wayman, Alex. *A Millennium of Buddhist Logic*. Delhi: Motilal Banarsidass Publishers, 1999.