

THE LOGISTICS OF ARGUMENTATION : HABERMAS AND NYĀYA (A COMPARISON)

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Introduction

In any philosophical interfacing of ideas between two different traditions and viewpoints argumentation is indispensable. Both in East and West, discourse has been used tellingly to substantiate and establish systems of thought. Whereas, in the West, the argumentative tradition received a short shift during the middle ages, in India the tradition continued till much later. Socrates the master of eliciting confessions from the opponents about the weaknesses of their own arguments stands as the tallest figure in the West.

In India, since the tradition was commentarial and since it remains so even today in traditional bastions of learning, the method of argumentation was mastered by all two sought to cement their systems of thought. There were, in India too, peers for Grecian Sophists in the Naiyāyikas who honed the art of argumentation to a nicety. But Naiyāyikas were more interested in laying down the rules for argumentation since they were more concerned with logical reasoning. Though it is common in both traditions for one system to join issue with other systems, only Habermas explored the feasibility of a running discourse on social, political, and practical problems in the present historical context. It is but usual that a system refutes the claims of its rivals after the fading away from the scene of its towering luminaries. But it was Habermas who introduced a multidimensional approach to the complex web of issues which are not so simple as to warrant a solution after having a tete-a-tete over the table. On the contrary, there are problems which are

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as old as the human race and which will continue to haunt forever. Man has the rare gift of reconciling himself to even unpalatable situations and turning them to his advantage. It is here that the persuasive and convincing power of the argumentative skill comes in handy. But there are problems concerning beliefs, identities, ideologies, dogmatism, reification, and exploitation which beg for a more discursive and dialogical approach. In order to avoid traps and self-deceptions one needs to master the skill of argumentation. Precisely, this was the reason which prompted people like Habermas and Naiyāyikas to systematize the rules of argumentation so that it may be used for a constructive debate and in detecting and protecting oneself from deceit and manipulation from other ill-willed interlocutors. On the other hand, one can instill a positive response in the interlocutors by making them see reason and involving them in the dialogue.

The Aim of a Discourse

Habermas, says McCarthy, has proclaimed that his theory of knowledge has remained faithful to the "insight that the truth of statements is linked in the last analysis to the intention of the good and true life."¹ McCarthy writes further, " ... Habermas' argument is, simply, that the goal of a critical theory - a form of life free from unnecessary domination in all its forms - is inherent in the notion of truth: it is anticipated in every act of communication."² This view is very close to the Nyāya concept of *vāda*, a type of argument which aims only at achieving truth irrespective of who triumphs in the debate.³ Furthermore, Habermas' strong emphasis on the role of communicative competence which necessarily involves argumentative and rationalizing skills and his stress upon the acceptable way to essay one's opinion and contentions resembles the Nyāya theory of argumentation in which various types of right and wrong types of discourses are discussed elaborately. It is this communicative competence which determines the achievement of the objectives of the participants along with the types of debates to be engaged in, with the opponent. If the opponent is intent on defeating the proponent by resorting to all sorts of fallacious reasoning, the argumentative skills of the proponent helps him in warding off the opponent.

The discourse is determined by the attitude and vein of the participants.

For Habermas, communicative action is the logical consequence of the innate communicative competence. A discourse is a rational process of argumentation in which only the force of the argument prevails.⁴ Whereas, in the case of Nyāya, it is a stage by stage journey from doubt (*sansaya*) to certainty (*nirnaya*) in which various types of argumentation processes form a part.⁵ In communicative action, Habermas, though he distinguishes the attitudes characterizing each interaction, aims only at achieving a consensus via practical discourse in which moral-ethical questions are discussed. But the Nyāya dialectician takes recourse to various types of arguments in various types of debates. If the interlocutors set their sights upon achieving true knowledge, then it is *vāda*. The debators are called upon to call the bluff of the opponents if they resort to false methods. Thus, rhetoric, polemics, and sophistry all find a place in Nyāya theory of argumentation. Here too, like Habermas' universal pragmatics there is always a need to have the proof of an established tenet of knowledge. Thus, a *priori* and a *posteriori* components of knowledge come into play. Thus, the hallmarks of the communicative action like discursivity, justifiability, and redeemability which is the silver-lining of all argumentative methods find a place in Nyāya theory of debates.

The major difference between Habermas' discourse and Nyāya theory of argumentation lies in the direction of thrust. While, for Habermas, the aim is to give the practical and normative actions a theoretical basis and empirical veracity, the Nyāya aim is rigorous and logically sound epistemology which leads to a final release from ignorance. This may make it appear as if Nyāya supports soteriology. But B.K. Matilal argues that the emphasis on *tarka* which is translated variedly as confutation, hypothetical argumentation, and logical reasoning rids the Indian philosophy, as a whole, of the tag of being soteriological.⁶ Vidyabhusana argues that this method of argumentation and logical reasoning of the Nyāya philosophy has pervaded all systems of Indian philosophy which were intent on systematic and logical development.⁷

While discussing the reasons behind Habermas' staunch support to formal pragmatics, McCarthy quotes Chomsky:⁸ "There is no way to avoid the traditional assumption that the speaker - hearer's linguistic intuition is the ultimate standard for determining the accuracy of the linguists' proposals." By advocating a "maeutic" process, Habermas wants to give equal importance to both the formal and empirical components of speech. The "maeutic" procedure consists of "questioning the subject with the aid of systematically arranged examples (through the use of suitable examples and counter examples, of contrast and similarity relations, of paraphrases, and the like)."⁹ Nyāya theory realizes the chances of distortion in a debate and vividly discusses various ways of committing fallacies. The awareness of such fallacious methods of reasoning is imperative for any skilful debator. And in order to meet the devious designs of the opponents the disputant has to employ the right methods and point out the anomalies in the opponent's arguments. Thus the approach is realistic. On the contrary, Habermas demands an "ideal speech situation" in order that a free, fair, and undistorted debate aimed at achieving a consensus is conducted. This is precisely the reason for which Habermas shifted the onus onto language instead of consciousness. Austin's institutionally bound speech acts and Searle's analysis which links the attitudinal, linguistic, and the institutional apparatus attracted Habermas. He reiterates that the communicative aspects of speech is the fundamental telos of any communicative activity and that strategic and instrumental uses are only parasitic.¹⁰ Likewise, Nyāya speaks of three kinds of argumentation: *vāda*, *vitāṇḍa*, and *jalpa*. The first is discussion and aims at arriving at a true knowledge; the second is cavilling and aims at finding faults; and the third is wrangling and it is concerned with vanquishing the opponent.¹¹ As though echoing the Nyāya procedure McCarthy writes:¹²

Assuming mutual comprehensibility, consensus is endangered if the truth of what one says is challenged. This kind of disturbance can be overcome within the context of interaction by pointing to relevant experiences, supplying information, citing recognized authorities, and the like.

Thus, in the case of *Vāda* and *discourse* only the "unforced force of the better argument" counts and not the victory of personal viewpoints. *Vāda* is for *tattva bubutsu*, the seeker of ultimate knowledge, whereas *discourse* is for the aspirant of a rational consensus devoid of coercion, distortion, and deception.

Habermas draws a distinction between the everyday life (*doxa*, opinion, common sense, the unreflected, uncritical, natural standpoints) and theoretical attitude (*episteme*, knowledge, science, the reflected, critical, phenomenological standpoints). This is the basis of his differentiating communicative action (interaction) from discourse. In the former, the validity claims are naively accepted while, in the latter, they are considered hypothetical and there is a need for them to be explicitly thematized. In a discourse, the aim is rationally motivated consensus.¹³ The agreement is valid for all rational subjects.

Arguing forcefully in favour of his paradigm shift, Habermas says that verification does not end with experience but needs interpretation in language. The old experience is sublated by a new experience and this is explainable only in language. In his theoretical discourse, Habermas analyses the structure and conditions of argumentation relating to hypothetical truth claims. McCarthy writes, "As such it is a "logic of truth," an examination of how claims about the world can be rationally settled."¹⁴ According to Habermas, discursivity and objectivity are not mutually exclusive. He sees the world of objects of experience as the "systematic interplay of sense reception, action and linguistic representation."¹⁵

Habermas uses the theory of speech acts in describing the word-world relationship. The reason he attributes is that the world of objects (bodies in motion) are coordinated with the world of praxis (acting and speaking subjects). Referring to the frames of references of empirical and intersubjective realms, McCarthy says, "In one case we have a reference system for empirical *descriptions*, in the other a reference system for *narratives*."¹⁶ Expressing inseparable relationship, Habermas says, "The *unity of argumentative reasoning* is compatible with this *differential meaning-*

constitution of object domains."¹⁷ Unlike Peirce, for whom the opinion which is agreeable to everyone is the truth, Habermas lays down the criterion of rational justification and judgement of competent individuals with whom the dialogue is possible. Finally, the agreement of the participants confers authenticity to the truth claim.

Accepting Austin-Strawson emphasis on performative aspect of the sentences, Habermas stresses that the assertions gain truth-hood only when they are asserted. Thus, he holds on to the "argumentative vindication" of truth claims. By this, he makes himself the target of criticism of conjoining truth and the method of arriving at the truth. McCarthy also points out to the problem of distinguishing between a false and true consensus. Habermas tries to parry the objections by insisting upon the cogency of arguments employed in a discourse. Though he does not elaborately deal with the falsifying aspects of an argumentation process he has indirectly referred to them through his "ideal speech situation".¹⁸ In Nyāya too, such an "ideal speech situation" has been envisaged in which free discourse, critical examination, logical justification, and rational consensus abound. Habermas writes, the criterion of truth is "not the fact that some consensus has been reached, but rather that at all times and all places, if only we enter into a discourse, a consensus can be arrived at under conditions which show the consensus to be grounded."¹⁹ Habermas realizes that such truth claims must stand the scrutiny of metatheoretical and epistemological processes.

Habermas sees the affirmation of the goal of critical theory of "good and true life" in the consensual, cooperative, and free theoretical discourse. Though the ideal speech situation is far from realistic the anticipation is imperative for all those who are engaged in an argumentative activity. If this basic presupposition is absent there is no possibility of any meaningful communicative activity, cogency of expression, and normative grounding of values. There can be no hermenutic process and there will be a complete breakdown in intersubjective interaction. What makes even a conversation possible is the avowed desire that there is this possibility of an ideal speech situation. Hence, Habermas argues that "this is an unavoidable

presupposition (*Understellung*) of a discourse."²⁰ While Habermas has argued for depth-hermeneutics in the case of systematic distortions, there is every possibility that the absence of the notion of the ideal speech situation may lead to systematic distortions like neurosis, hysteria, depression, and schizophrenia because there will be no standard norms to distinguish between what is true and what is false and the human mind cannot work without a frame of reference to categorize thoughts and ideas.²¹

We cannot know *a priori* whether that appearance [*Vorschein*] is a mere delusion [*Vorspiegelung*]-however unavoidable, the presuppositions from which it springs-or whether the empirical conditions for the realization (if only approximate) of the supposed forms of life can practically be brought about. Viewed in this way, the fundamental norms of rational speech built into universal pragmatics contains a practical hypothesis.

Starting from this practical hypothesis, Habermas goes on to argue for the possibility of rational approach to practical questions.

Practical Discourse

Habermas holds that "the justification of the validity claims contained in the recommendation of norms of action and of evaluation can be just as discursively tested as the justification of the validity claims implied in assertions."²² McCarthy writes that any action is performed in the background of recognized values, norms, institutions, rules, and conventions, Habermas gives the example of regulative speech acts. Practical discourse deals with problematic rightness claims and aims at achieving a consensus through rationally motivated argumentation. At a higher level, even norms and institutions which form the background of the discourse become the target of inquiry. The only possible way to establish their validity is to universalize the consensus. Discursivity, redeemability, and criticisability make the rightness claims valid. This is possible only through the intersubjective recognition of validity claims. Here, the rationality is immanent to the real interests and sincere intentions of the participants of a discourse because it is a question of adherence to the norms and regulating oneself rather than con-

siderations of success or happiness.

Habermas goes on to stress the role of language as the bridge between the subjective and the objective realms. Though humans have the uncanny knack of smelling the intentions of others only the language binds normatively the interlocutors in carrying out the transactions. This is precisely the reason why Habermas chooses illocutionary speech acts for his communicative action. Austin himself says that an enhancement in linguistic capabilities could help one to express one's thoughts and ideas in a better manner and this also gives a methodological success. Habermas feels that theoretical and practical reasons are inextricably linked. This is because the question of "How" cannot be divorced from the question of "What".

It is to be noted with interest that both habermas and Naiyāyikas emphasize the universalizability principle. Though being realistic, the Nyāya method not only pays attention to the world of affairs but also to the practical aspect of individual conduct for which it takes the cue from *sruti*. Thomas McCarthy, commenting on Robin Horton's views on African tradition cultures, writes as follows: "In short African traditional cultures largely lack what Popper calls a *critical tradition* and what Habermas terms *Institutionalized discourse*."²³ But this is not true in the case of Indian tradition which in essence is dialogical and argumentative. In response to peter Winch's defense of Zande tribes' lack of discursive tradition in which he cites the difference in outlooks of external observers because of their lifeworld backgrounds, Habermas and K.O. Apel argue that the relativistic standpoint of attributing the absence of dialogical moment to difference in practical realm is condescending. The absence of discursive tradition is only too apparent. It can be argued that while such a relativistic view has been aired from one side and there has not been a corresponding response from the other proves the contention that there has been a dearth of argumentative tradition in African tribes.

Nyāya method of Argumentation

The Nyāya school was the harbinger of logical hypothesizing in Indian philosophy, Without exception, all other schools of Indian philosophy

have borrowed the syllogistic method of Nyāya to establish their epistemological doctrines. Rightly, Nyāya has been variedly called *Tarkaśāstra* or the science of reasoning; *pramāṇaśāstra* or the science of logic and epistemology; *Hetuvidyā* or the science of causes; *Vādavidyā* or the science of debates; *Anvīkṣiki* or the science of critical study.²⁴

The Nyāya method starts with an initial doubt (*saṃśaya*) and proceeds towards a conclusion (*nirṇaya*). The investigation is based upon the *pramāṇa* doctrine or the theory of adequate evidence. This method attempts to resolve "the doubt of a neutral party (*madhyastha*- the person in the middle) through the medium of a strictly controlled debate between two parties."²⁵ According to Vātsyāyana, *Anvīkṣiki* is the *Nyāyavidyā* i.e. critical examination of an idea or a doctrine through *pramāṇas*.²⁶ Thus by espousing the method of adequate evidence Nyāya method destroys the allegation that Indian philosophy is soteriological (*adhyātmavidyā*). The great Vishnugupta, the author of monumental *Arthasāstra* defines *Anvīkṣiki* or philosophy as follows: "... *Anvīkṣiki* renders help to people, keeps their minds steady in woe and weal, and produces adroitness of understanding, speech, and action."²⁷ It is emphasized in the *Nyāyasūtra* that only if the sixteen categories are known that right knowledge is obtained. Apart from *pramāṇa* and *pramēya* there are fourteen categories. The first seven are called *Nyāya-pūrvāga*, the preliminaries and the last seven containing a classification of types of debates are called *Nyāya-uttarāṅga*. The preliminaries contain doubt, purpose, observational data, doctrinal bases, the schema for argument, supportive reasoning, and decision. The last seven consist of three types of debates (*vāda*, *jalpa*, and *vitanda*), pseudo-evidence, quibbling, sophistical rejoinders, and situations for courting defeat.²⁸ Though the Nyāya method mainly caters to the epistemological inquiry the logical reasoning is also used allegorically in other realms as mentioned in the purpose or *prayojana* of inquiry. The subject under discussion here is the aim of human beings at various stages of their lives. These are called *puruṣarthas* in Indian philosophy. They are: *dharma*-religio-ethical duties, *artha*-wealth, *Kāma* - duties of a householder, and *mokṣa*-the final release.²⁹

Indian philosophy had had a hoary past of argumentative tradition.

Argumentation as a method of corrective aspect of reflective activity had been emphasized repeatedly in many works far more ancient than the Greek tradition. During the *sramaṇa* (post-Upanisadic) period of Indian philosophy, the intellectual climate was ablaze with controversies and criticism were flying thick and fast between the proponents and the opponents of the *vedas*. Organized religion, Vedic orthodoxy, established social codes and moral norms were subjected to crucible test. Debates, slanging matches and wranglings were the order of the day and this prompted Lord Buddha to forbid his disciples from engaging in fruitless debates.³⁰ But, ironically, since, other than verbal exchanges there can be no other form of communicating and establishing ideas, the Buddhists themselves had to resort to debating to counter wrong teachings and rival attacks. *Kathāvastu* (recorded at the Buddhist council at c. 255 B.C.) is a debate manual which discusses various topics. Later versions of the manuals are *Upāyahṛdaya*, Asanga's *Yogācārabhūmi*, *Caraka-samhitā*, and the *Nyāyasūtra*. The Jaina canon is *Sthānanga*.³¹

Caraka describes the friendly debate as *Sandhyāya sambhāṣa* which is the 'debate among fellow-scholars and friends'. In Caraka's terminology, the debate with a disputatious person is called verbal fight (*vigṛhya*).³² In a friendly debate, a spirit of cooperation reigns. In a verbal battle, a feeling of opposition and hostility rends the air. It is here that Nyāya is realistic. In a debate, the interlocutors select the type of debate according to the attitude of the opponents. In Habermas, an ideal speech situation is necessary in which all desirable ideals are presupposed. The Nyāya method aims at arriving at truth whereas Habermas aims at consensual understanding. Nyāyasūtra defines the philosophical debate *kathā* which literally means 'speech' or discussion.'

The hostile debate is divided into *vitanda* and *jalpa*. In the former, one tries to censure others without establishing any doctrine. In the latter, both sides try to establish their positions while refuting that of others. In a friendly debate which is held between a teacher and a student or between intellectuals in pursuit of clarification of their doubts, victory or defeat is not the end. There will be a defeat or a censure in this debate but with no

animosity, for it will be a fair game."³³ Matilal disagrees with Vātsyāyāna who severely criticizes *Vitanda* for not asserting any standpoint. Matilal argues that a seeker of truth cannot be blamed if he is not clear about his thesis. It is *jalpa* that Naiyāyikas are wary of because of its emphasis on rebutting the opponent's position and being solely preoccupied with victory. Thus, as in Habermas, the right to disagree and criticize the views of the opponents are given importance in Nyāya method of argumentation. In this context, Matilal differentiates between 'illocutionary negation' and 'propositional negation.' He gives examples.³⁴

1) Sanjaya said: 'I do not say that there is no after-life.'

2) 'There is no after-life.'

Matilal says, " ... it is quite feasible for a debater to conduct an honest (non-tricky) debate consisting of refutation at 'rejection- only.' Such a debate can be called *vāda - vitanda*."³⁵ The distinction between *vāda* and *jalpa* is very much akin to Plato's distinction between 'dialectic' and 'eristic' forms of debates. The former aims at discovering the truth while the latter aims at victory.³⁶ Plato reports that Socrates employed *elenchus*, a form of debate which involves cross-examination of the opponent and the refutation of his view by ridding him with a barrage of questions so that he is forced to cede the falsity of his original position. In Nyāya, *mātanujna* is the contradiction of the original position. The 'dialectic' which resembles *vāda* is eulogized by Plato thus, in *The Republic*: the dialectic seeks "what each thing is', the abiding element in the thing. it is a search for definitions."³⁷

Conclusion

Habermasian discourse is metatheoretical in nature. Though in a way it is also a search for definitions it is not as objective as Plato's Forms. It is more akin to Hegel's dialectics where the ideas evolve and devolve historically without reaching any finale. But Nyāya epistemology is a justification of a system and it is not any sort of a metacritique. As in Habermas, the discursive temper is given immense importance in the Nyaya system of thought. In Nyāya there is definitely a telos which starts from one stage and ends in another, i.e. from ignorance to certainty or truth. In Habermas,

truth is invariably interwoven with historicity, traditional conventions and beliefs, culture, religion etc. It cannot be abstracted from the socio-historical background. It is a sort of self-discovery, an estimation of the human position in the vast mosaic of the society. At every step in Habermas, the society and the individual are indivisible though the subject and the object polarisation is insoluble.

In Nyāya, various metaphysical questions regarding earthly life of suffering, God, causation, bondage of this soul, and the liberation which is the absolute cessation of the suffering as the supreme end of the life are examined. Only the knowledge of reality could lead to liberation. The indeterminate and immediate perception of the objects are most sought after. The subjective self is the real agent. Such a decidedly subjectivistic and deterministic metaphysics is antithetical to Habermas because the problem of ultimate truth and knowledge is not the subject-matter but a rather pragmatic and historical learning and unlearning process. The truth-in-itself is discarded for a more social, discursive, justifiable, and redeemable set of ideas, by Habermas. He, moreover, allocates truth claims to the world of affairs which is more comparable to Nyāya method of syllogism with its evidential and argumentative potential. It is only in the aesthetic and practical realms that Habermas really wants to emphasize the presence of room for argumentation. Nyāya is more deterministic in discussing only the means for particular ends rather than scrutinising the veracity of the means and the authenticity of the ends. For Habermas whichever linguistic activity involves justification, rationalization, and discourse the action becomes non-teleological.³⁸ Hence, Habermas' theory is a social theory whereas the Nyāya system is a philosophical system.

NOTES

1. Thomas McCarthy, *The Critical Theory of Jiirgen Habermas*, Polity Press, 1984. p. 273.
2. *Ibid.*, p. 273.

3. Gautama. Nyāya Sutra, Trans. Nandalal Sinha and Satishchandra Vidyabhusana, Motilal Banarsidass, Delhi, 1990. p. 19.
4. *Op. cit.*, p. 293.
5. *op. cit.*, pp. 230-232.
6. B.K. Matilal, *Perception*, Motilal Banarsidass, p. 71.
7. Gautama, *Op. cit.*, p. XIX.
8. Thomas McCarthy, *Op. cit.*, p. 273.
9. *Ibid.*, p. 273-274.
10. *Ibid.*, p. 287.
11. Gautama, *Op. cit.*, pp. 19-20.
12. Thomas McCarthy, *Op. cit.*, p. 289.
13. *Ibid.*, p. 291.
14. *Ibid.*, p. 299.
15. *Ibid.*, p. 295.
16. *Ibid.*, p. 297.
17. *Ibid.*, pp. 298-299.
18. *Ibid.*, p. 307.
19. *Ibid.*, p. 308.
20. *Ibid.*, p. 309.
21. *Ibid.*, p. 310.
22. *Ibid.*, p. 311.
23. *Ibid.*, p. 320.
24. C.D. Sharma, *A Critical Survey of Indian Philosophy*, Motilal Banarsidass, 1987. p. 191.
25. B.K. Matilal, *Perception*, p. 70.

26. *Ibid.*, p. 70.
27. *Ibid.*, p. 72.
28. *Ibid.*, p. 73.
29. *Ibid.*, pp. 74-80.
30. *Ibid.*, p. 81.
31. *Ibid.*, pp. 81-82.
32. *Ibid.*, p. 83.
33. *Ibid.*, p. 84.
34. *Ibid.*, p. 88.
35. *Ibid.*, p. 90.
36. *Ibid.*, pp. 90-91.
37. *Ibid.*, pp. 92-93.
38. Jurgen Habermas, *Theory of Communicative Action*, Vol. I, *Reason and Rationalization of Society*, Trans. Thomas McCarthy, Beacon Press, Boston, 1984. p. 15.