

Conspectus of the philosophical orientation of Lorenzo Peña

Version 1.1. 2022-09-18

Lorenzo Peña began his academic career at the Pontifical University of Quito in 1974, as a recent graduate in philosophy.

In 1979 after four years of postgraduate studies in Liège, he received his doctorate in philosophy having successfully defended a thesis on a system of contradictorial logic he had set up and proposed. It was written under the supervision of Paul Gochet. Upon being awarded his Ph.D. Lorenzo returned to Quito, where he taught philosophy at the University between 1979 and 1983.

His youthful philosophical leaning had been a Hegelianism of sorts with a Marxist tinge -- mixed with a fondness for other philosophers, such as Plato, Leibniz and Nicolai Hartmann. In 1972-75, under new influences -- above all those of Frege and Quine -- Lorenzo gradually adopted the methods of analytical philosophy and mathematical formalisation. From his early choice, he retained a belief in true contradictions (as expressed by Hegel in his famous assertion: *contradictio est regula ueri, non-contradictio falsi*); now implemented through a unique gradualistic or fuzzy logic he himself had devised (thanks to the contributions of Lukasiewicz and L. Zadeh), which is, at the same time, paraconsistent (confluence with Newton da Costa and Richard Routley, but with its own approach to paraconsistency, which is unique not only because of its peculiar technical-logical implementation, but also of its philosophical motivations).

Upon returning to Spain in 1983, Lorenzo taught philosophy of language at the University of León until in 1987 he joined the CSIC [Spanish Superior Board of Scientific Research, i.e. the Highest Spanish Institute of Advanced Studies]. In 1992-93 he was a visiting researcher in Canberra (Research School of Social Sciences, ANU).

Throughout most of his career, Lorenzo has devoted himself mainly to the two disciplines of logic and metaphysics, which he always wanted to unite from a perspective of ontological realism, facing harsh opposition from the established paradigms on either side of the border between these two areas of knowledge. At that time, his most significant work was precisely *Being and its Being: A logical-metaphysical study* (1985). In those years Lorenzo also published works on theodicy, linguistic philosophy, theory of knowledge and the history of

philosophy (Plato, Leibniz, Nicholas of Cusa), with brief forays into other philosophical fields. As a characteristic label for that stage of his career, Lorenzo coined the term *ontophantics*.

From the 1993/94 academic year onwards, Lorenzo's intellectual concerns began a gradual modification, focusing, first, on the logic of norms, and later on the fundamental problems of the philosophy of law -- including, among them, the logic of legal situations. This reconversion was translated into a new course of study - Licenciante degree in Law (2004) and Doctorate in Juridical Science [Ph.D. in Law or LL.D.] (2015) - and by choosing to be ascribed to the academic field of legal philosophy, to which he belonged until his mandatory retirement in 2014.

Over the last few decades, Lorenzo's research efforts have focused on delving into the problems of legal rationality, proposing a vision of Law as a system of rules committed, by its very essence, to incorporating certain non-enacted canons, without which no set of prescriptions could be a genuine legal system. Such canons constitute a true Natural Law, along the lines of classical rationalism. Leibniz's imprint reappears here in full force.

In the latter period, his main work is the book *A Logical View of Law: A Defence of Legal Rationalism* (2017).

When taking stock of his academic and doctrinal career, Lorenzo wonders who has most influenced the direction of his philosophy. Introspection and memory are always selective and often inaccurate. With that caveat, he dares to list seven decisive authors - those to whom he owes much of the content of his own systematic development: Plato, Nicholas of Cusa, Hegel, Leibniz, Gottlob Frege, Willard Quine and David Lewis. (One Greek, four Germans and two Americans.) Those is in the field of general philosophy.

In logic, Lotfi Zadeh, Jan Lukasiewicz and Nicholas Rescher.

In linguistics (to which he devoted a strenuous effort during his long period as a philosopher of language), the following stand out: his teacher, Francisco Rodríguez Adrados, along with Ferdinand de Saussure and André Martinet.

In deontic logic the only influences he has received have been negative ones, since both von Wright and all other specialists in that discipline have only taught him how not to make a logic of norms; his own nomological logic can be said to have sprung from nothing (or, rather, from reflecting on how jurists reason in their legal praxis).

Something not entirely dissimilar happens in philosophy of law, even if the seminal ideas of St. Thomas Aquinas and Leibniz contain a germ of the Laurentian philosophy of the common good; nevertheless neither of these two illustrious predecessors developed a systematic conception of the notion of the

common good; the *Logical Vision of Law* proposes a radically innovative system of legal philosophy. (The only contemporary legal philosopher having positively influenced his course of thought is the Mexican Eduardo García Máynez; the reading of all others has only pushed him to reject their theories, almost all of which are positivist - however productive the meditation on Kelsen's work may have been). Laurentine legal philosophy is so peculiarly jusnaturalist that it would be groundless to group it with others under some common denominator.

How unreliable self-assessments are! Quite aware of such frailness (and, of course, subjecting his opinion to better founded ones) Lorenzo thinks that his main and most original intellectual contributions are the following five:

1. The contradictorial gradualistic logic; a logic belonging: (1) on the one hand, to the *fuzzy* family - although it differs significantly from the other proposals of that orientation, which sacrifice the principle of excluded middle; (2) on the other hand, to the cluster of paraconsistent logics, among which it stands out, precisely, for being the only one whose motivation is to regard a true contradiction as the partial existence of a fact or state of affairs; furthermore, contradictorial gradualistic logic, or transitive logic, is characterised by its rich expressivity - thanks to its wide array of monadic and dyadic functors - and by its being modelled through atomic algebras (which means that any algebraic filter of the set of truth values has an *infimum*, or greatest lower bound [glb], c , which is non-zero, e.d. $c > 0$).
2. Ontophantical metaphysics, which, founded on transitive logic, identifies each entity with the fact of its existence, embracing a version of modal realism according to which possible worlds are aspects of the real world (our world being merely one such aspect); each possible world is a function mapping facts, or states of affairs, upon other facts, or states of affairs, constrained by certain congruence canons; furthermore, this ontological system is a realism of universals (a Platonism) and a necessitarianism (yet not as strong as Spinoza's, but rather akin to Leibniz's).
3. Cumulativism, as a derivation of ontophantics (only less metaphysically fraught), which stresses, on the one hand, the cumulative or comitative nature of reality (the inherent tendency to exist-with) and, on the other hand, cumulativity as gradation by addition or accretion, postulating the Leibnizian principle of continuity as an epistemological guideline for the various scientific disciplines - and, consequently, rejecting any leaps and breaks (even if such ideas clash head-on with the theories now espoused by most physicists).
4. Nomological logic, a system opposed to standard deontic logic, SDL, from which it only keeps the principle of deontic subalternation (what is obligatory is licit); were an axiom of nomological logic added to SDL, the result would collapse; and conversely; as opposed to SDL, nomological logic - which certainly does not avoid all difficulties - is attached to the

praxis of legal reasoning (being, however, also useful - perhaps with adaptations - to formalise a sound argumentation in any other normative order).

5. Additive natural law, whose axis is nomological logic and whose essential axiom is the obligatory nature of the common good. The common good serves a fourfold purpose: (1) it is the only foundation of the social order; (2) it is the only purpose of Law; (3) it is the heuristic guideline of an abductive enquiry into the axioms and inference rules of this logic; and (4) besides being the main nomological axiom, it is also the supreme norm of any legal order.

Currently Lorenzo's goals for the next decade, i.e. his life expectancy according to [the BBC](#) (based on statistical data on life expectancy in different countries and at different ages), are four:

1. A major intellectual autobiography, which would entail a study of the stages of his philosophical trajectory, the influences received, university work and academic production (all in the spirit of a scholarly research based, whenever possible, on archival pieces and other documents, without omitting [self-]critical assessments).
2. A book entitled *The public Good*, which would elucidate the supreme value of the jusnaturalism proposed in his previous work *A Logical Vision of Law*.
3. An investigation of legal ontology, which would go into the metaphysical postulations needed to rationally establish a suitable account of Law, such as: the states of affairs and their attributes; necessity and contingency (spheres of being); values; the causal link; identity; universals (*clusters*) -- including among them all collectivities, whether human or non-human, organised or not; cultural entities (within a study of the strata of being); non-being. Unlike a pure ontology, it would be an ontology specifically applied to the legal field, which constantly needs to avail itself of those concepts whose elucidation is the philosopher's task.
4. A group of investigations, brought together into a collection possibly entitled *Nomological concepts and values*, which would be a compendium of several monographic studies (some of which, alternatively, could be included into one of the previously mentioned researches):
 - The non-existence of an international public good (defending a realist-Hobbesian approach to international relations, compatible with the proposal of a future Earthian republic).
 - The legitimacy of the nation-state against irredentist pretensions (arguing for the illegitimacy of any secessionism).
 - The conflict of values as against Dworkin's principle of integrity.
 - A study on the justification of private ownership.

- An ontological-legal research into the distinction between action and omission.
 - The supra-individual entities: Collective persons.
 - The effects of telematics on the production and consumption of spiritual goods (in relation to intellectual property law).
 - Legal duties towards oneself.
 - The legally binding force of promises.
 - Instrumental rationality and the suboptimal choices.
 - The arduous journey of religious freedom in Spain.
 - The rights of successive generations: The living and the dead.
 - The right to improvement as a natural human right.
-

Outside the academic field, (having already left behind his passion for cycling), Lorenzo spends his free time not only improving his linguistic knowledge and quenching his encyclopaedic thirst (especially his eagerness to learn more history), but also writing essays on social, historical and political topics (including those about University life). The outputs of his musings are spread in podcasts, blogs and portals, whose production he personally takes charge of.

His intellectual fixations are by now mainly three:

1. to promote six values: patriotism, commitment, marital union, work, common prosperity and freedom -- including freedom of migration.
2. all things concerning Africa (a continent he is passionate about).
3. the rights of our inferior brothers.

This intellectual production (not belonging - or only partly belonging - to the academic sphere, and therefore not subject to the canons of scholarly rigour) can be found on the sites:

- [The podcast THE PUBLIC GOOD](#)
 - [The blog Sic-et-non](#)
 - [The publication 'The Public Good'](#) (a platform of unitarist republicanism)
 - [JuriLog blog](#) (legal philosophy and other related topics)
 - [The blog THE SPANISH PEOPLE](#) (current political and social issues)
 - [Facebook](#)
-