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Arthur Fridolin Utz

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Utz, Arthur

Arthur Utz was born in Basle, Switzerland, on April 15th, 1908. As new research has brought to light, he was however not, as previously thought, a Swiss national by birth, but in fact German-born to become a Swiss citizen only later on in his life. After finishing high school in Freiburg, Germany, in 1928, he joined the Dominican Order, Teutonia province, adopting the monastic name of Fridolin Maria. In 1939, he changed over into the newly founded Southgerman-Austrian province. Following his novitiate in Venlo, Netherlands, he studied philosophy and theology (from 1934 onwards 'Generalstudium' - 'general studies') in the studium of Walberberg in the vicinity of Bonn. He concluded his studies with the lectorate. In 1934, he was ordained as a priest in Cologne. Taking his propensity for preaching into account, Utz was trained in rhetorics and phonetics in a four-year course, equally in Cologne. His superiors however had other plans for him in mind: They wanted Utz to teach moral theology later on and therefore sent him to the University of Fribourg, Switzerland. In 1937, he graduated under Spanish-born S. Ramirez O.P., whom he considered to be 'the greatest commentator of Saint Thomas Aquinas' putting him 'on equal footing with Thomas'. The topic of Utz's dissertation was the unity of moral virtues according to Thomas.

Already before obtaining his doctor's degree, Utz was nominated as professor of moral theology at the regional seminar in Fuchow (Fukien, China) by the Papal Congregation 'De propaganda fide'. His provincial attempted to develop the regional seminar into a theological faculty – plans which however failed. As a consequence, Utz was sent to Walberberg shortly before his planned departure to China. Utz taught logic and metaphysics at Walberberg until the monastery was expropriated in March, 1942. As a Swiss citizen, he was forced to go into hiding in a remote building in the Berg country. During this time, he wrote contributions about ethics as well as comments about significant treatises of Thomas Aquinas' theological 'summa' for French magazines. As his comment on the teaching of 'habitus' and virtues (1940), these writings were later published in the 'Deutsche Thomas-Ausgabe' – 'The German Thomas Edition' ('Glaube als Tugend' - 'Faith as a Virtue', 1950; 'Recht und Gerechtigkeit' - 'Law and Justice', 1953).

After the war, Utz wanted to habilitate in moral theology at the University of Vienna, but the Russian occupation authorities refused to grant him entry into the country. In January 1946, Utz took over the newly created chair for ethics and social philosophy at the University of Fribourg. At the same time, he also studied economics and, for 32 years, headed the International Institute for Social Sciences and Politics which he had cofounded together with Prof. Eugène Bongras and Privy Counsellor Joseph Piller. From 1949 until 1953, Utz edited the institute's magazine 'Politeia'. The institute took a lot of its inspiration from the 'Union Catholique d'Etudes Sociales et Economiques (Union de Fribourg), a union of Catholic politicians and social scientists, which had been founded by Gaspard Cardinal Mermillod in 1885 and which participated in preparations of the Social Encyclical 'Rerum Novarum' of 1891. In line with these

ideas, the institute's objective was to put the Catholic social doctrine into political and social practice, an objective which Utz continued to pursue as an emeritus professor.

When Utz was discharged from active service in 1978, the institute ceased to exist as well. He consequently refounded it as 'Union de Fribourg – International Institute for Social and Political Sciences'. A multitude of conventions and publications is proof of its activity. As an emeritus professor, Utz taught social ethics at the seminary for priests at the diocese of Roermond (Netherlands) for five years. Already in 1945, Utz was elected as a member of the board of trustees of the International Association for Judicial and Social Philosophy to be nominated as its honorary president in 1979. As Eberhard Welty's O.P. successor, Utz headed the Institute for Social Sciences Walberberg (now in Bonn) from 1966 until 1993. Furthermore, he acted as president of the International Foundation Humanum (Berne, now in Lugano) from 1976 until 1998.

In line with the pastoral constitution of the Second Vatican Council, the International Foundation Humanum promotes the dialogue of the Catholic Church with 'the world' bestowing the Augustin-Bea-Award on people who have made particular contributions towards this goal, among them former Joseph Cardinal Ratzinger in 1989. Utz also took care of the Scientia Humana Institute in Bonn which is closely linked to the foundation. In 1950, Utz's Fribourg-based institute organised a much noted convention on social sciences on behalf of the Holy See during which Pius XIIth held his wellknown speech on industrial co-determination. Additional international conventions followed suit, especially in Madrid. Of particular importance was a convention on medium-sized businesses there in 1958, as well as one on the Christian concept of a pluralistic democratic system in 1976. These meetings, bringing together scientists and practitioners of the Catholic social movement, had a strong impact on political processes, for example the development of the German middle class and the formation of Spain's parliamentary democracy.

Utz, himself lecturing in several languages, was convinced that the proponents of Catholic social teaching had to cooperate closely on an international level, if their ideas were to have an impact. In line with that conviction, many of his writings (for example his 'Bibliographie der Sozialethik' – 'Bibliography of Social Ethics' in eleven volumes, 1960–1980) were published in several languages, among them also Asian languages.

Utz was widely acclaimed for his outstanding knowledge of thomist literature and writings on social sciences and ethics, as well as his amazing productivity to a great age. Sought after as an adviser and consultant, he was often referred to as the 'nestor' of Catholic social teachings - similar to his antagonist in the Jesuit Order, Oswald von Nell-Breuning.

Utz however also received a lot of criticism mainly for strictly basing his social ethics on metaphysics alone. And yet, praise prevailed: In 1965, the Order's General

conferred the rarely bestowed title 'Master of Sacra Theologia' on him to be followed by West Germany's Federal Cross of Merit in 1968. In 1985, the University of Basle conferred a special doctorate on him (Dr. h.c.) and in 1991, the Republic of Austria awarded him with the Great Golden Medal. Utz was one of the main initiators of the Papal Academy of Social Sciences erected in 1994 and Pope John Paul II nominated him as a founding member.

During the last years of his life, Utz became increasingly involved in disputes on ecclesiological as well as political and ethical matters, such as the controversial debate on the role of Catholic parliamentarians in the formulation of abortion laws. On the one hand, he defended Papal positions on this matter, on the other hand he criticized precisely those positions, intervening in the Congregation of the Faith whenever its members, in his view, made too many concessions to ethical concepts violating natural law – out of a lack of thomist knowledge (as for example in 'Evangelium Vitae', 1995, n. 73). Utz died in Fribourg on October 18th, 2001, before being able to finish his last book entitled 'Der Weg des Menschen zum dauerhaften Glück und inneren Frieden. Ein Resümee der Ethik und der Moraltheologie des Thomas von Aquin' – 'The Path of Mankind Towards Enduring Happiness and Inner Peace. A Resumé of the Ethics and Moral Theology of Thomas Aquinas'.

Utz mainly focused on the ethics of Thomas Aquinas even if he had excellent knowledge of his entire work, commenting upon treatises included in the 'Summa Theologica' on faith (II-II 1-16), hope (II-II 17-22) and spiritual life (II-II 80-88, the commentary on qq.89-100 remained unfinished). Based on Aristotle's and Thomas' teachings on acting, virtue and justice, Utz developed a holistic approach which allowed him to formulate an ethical concept based on existing realities which he, scientifically speaking, could claim to be normative. His main concern was to develop a true social ethical system embracing all social, political and economic aspects of life, a system which could not be misinterpreted as just an appendix to an outdated ethical concept relating to individuals or social ranks. According to Thomas, a society (for example of a particular state) ought to be comprehended as a true unity - not just as a sheer conglomeration of individuals. Consequently, Utz also rejected Christian personalism in the narrow sense (Gustav Gundlach S.J., Oswald von Nell-Breuning S.J.) because, in his view, the coexistence of personal rights cannot suffice for constituting a social entity. Whereas the individual tries to achieve true happiness (as an experience of *bonum*) in its orientation towards God as its 'universal source of all being good' (S. th. I-II 2,8 ad 1), the common good (*bonum commune*) is the object of moral decisions in the social sphere. The common good is to be determined before principles of social acting (solidarity, subsidiarity, golden rules etc.) can be formulated. The common good may indeed have to be considered before individual interests can be taken into account. Its very definition, however, presupposes the consideration of the interests of all individuals intending to achieve personal perfection.

According to Utz, Thomas integrates terms he encountered in the writings of Aristotle

and Augustinus in his concepts by newly accentuating them. He elevated the justice of the common good (*iustitia generalis/legalis*), traditionally subordinated to the justice of exchange (*iustitia commutativa*), to the level of justice in the restricted sense of the word (S. th.II-II 58, 5), and even to '*principalis virtus*' (S. th.II-II 80,1). Laws intended for the creation of the common good may not be orientated towards the virtuous alone. Aside regulations concerning acts which are evil by nature and must be univocally forbidden by law (for example abortion), laws are of a pragmatic nature and are, according to Utz, only to guarantee a minimum ethical standard. (S. th. I-II 96,2 resp.)

In this sense, Utz interprets Thomas' social ethics strictly philosophically – not theologically. Apart from the acceptance of a God of creation (as *lex aeterna*) who can be recognized rationally on the basis of natural theology (compare Vaticanum I, DH 3004) there is no other theological precondition in order to spontaneously recognize the apriori character of the highest imperative – to do the good, and to avoid the bad – by means of practical reasoning (*habitus principiorum*). On the one hand, Utz's approach acting on cognition emanated from empirical sciences does address non-believers as well. On the other hand, he does not surrender to the modern 'dogma' of having to state norms on post-metaphysical grounds. He critically looks into Kant's theory of cognition (as well as his transcendental-philosophical epigones), Hegel, marxism, 'critical rationalism' (Popper) and positivism of law (Kelsen). Utz rejects attempts to 'reconcile' the thomsonian theory of cognition and the (finalistic) substantiation of norms with (idealistic) phenomenology introspecting the awareness of moral values. Resorting to Thomas – not to thomist 'systems' -, Utz also rebuffs rationalistic and deductivist-essentialistic tendencies of modern scholasticism – even though critics (among them Franz Böckle and Franz Furger) have suspected precisely him of actually harboring these very same tendencies himself. Norms are to be gained creatively by resorting to a holistic and metaphysical abstraction of reality which incorporates 'prescientific' inner experiences of moral responsibility. Their respective formulation, however, exhibits a strictly analogue character taking into account external experience in the context of a public discourse. In line with Thomas, Utz's dynamic new substantiation of 'natural law' which ought not to be dismissed – especially not by pluralistic communities – clearly differentiates between inalterable general normative principles (*lex naturalis*) and flexible duties to be more closely defined by instantaneous decisions taken on a concrete level (*ius naturale*). What constitutes natural law in different concrete situations respectively is always what best complies with the sense and the inner purposefulness of those norms which aim at bringing human nature to perfection.

Utz's significance lies in the thomist-speculative penetration of Catholic social teaching on the scientific level of reflection of the twentieth century. Thought in line with the logic of Catholic social teaching, that means the method by which the Christian idea of man is linked to different, concrete social realities, owes much to the conviction, sophisticated by studying Thomas, of the power of cognition inherent in natural reason which is subservient to the truths of revelation.