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## Pastoral Theology before the Issue of Conscience

### First Insights into a Field of Research

1. Conscience as a topic of pastoral theology? – 2. Understanding different concepts of conscience – 3. An exploratory connection between doctrine and life: the “theology of the people” – 4. Outlook: Why should the question of conscience remain on the pastoral theological agenda?

#### 1. Conscience as a topic of pastoral theology?

The article, as the subtitle suggests, presents an initial insight into a theological field of research rather than a sophisticated concept. More of a problem indicator than a solution. It is about conscience – a primordial human topic. Theologically, it classically belongs to moral-theological or theological-ethical reflection.

However, the Second Vatican Council comes to speak prominently about conscience in its pastoral constitution *Gaudium et Spes*<sup>1</sup> and, in connection with this, in its declaration on religious freedom *Dignitatis humanae* – among other things with reference to conscience – carries out<sup>2</sup> its great paradigm shift from the “right of truth to the right of the person”, as it has been reflecting for decades both from the point of view of state church law and on the part of moral theology<sup>3</sup>.

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<sup>1</sup> GS 16.

<sup>2</sup> Cf. for example DH 11.

<sup>3</sup> Eberhard Schockenhoff. 2003. *Wie gewiss ist das Gewissen? Eine ethische Orientierung*. Freiburg i. Br.: Herder.

At present, bishops are also arguing about conscience in view of the great controversies in the Church. It or its function is interpreted in different ways. To give two examples:

First of all, on the question of the blessing of homosexual couples, the bishops of Aachen and Münster, for example, made a decision about this in the spring of 2022 as a decision of the conscience of local pastors. Likewise, a little later, the Bishop of Limburg, Georg Bätzing, left access to communion for non-Catholic Christians to the decision of conscience in the context of the ecumenical church congress in Frankfurt. In both cases, conscience is understood as a place of free, certainly not arbitrary decision, the result of which in any case is obviously not already certain beforehand.

However, this concept does not go unchallenged. The letter of the 70 bishops to the German bishops of April 12, 2022, expresses fear of a church split in view of the current reform path of the German Church. It also speaks prominently about conscience: “Conscience, which must not be confused with personal preference or even self-assertion, is not a creative source of truth. A well-educated Christian conscience remains committed to the truth about human nature and to the norms for a righteous life revealed by God and taught by the Church of Christ”<sup>4</sup>.

Against this current background, which is only very briefly described here, the article presents questions and thoughts that have so far been given too little consideration by pastoral theology. Because conscience plays a literally decisive role not only in current ecclesiastical disputes, but always in pastoral care. Perhaps it is no coincidence that *Gaudium et Spes* deals with the conscience. From my own practice and the practice of other pastors, the conscience plays an important role in daily pastoral care in the sense of a decision-making authority that is always running along, because it is responsible to God. By these pastoral conversations, but also personal conflict situations in which the reference to conscience offers a real place for a personal solution. Some call such an approach “pastoral” or “merciful”, in the sense that it cannot have a normative, i.e. dogmatic meaning. I would like to show that such a conception of “pastoral” is precisely not in the sense of Vatican II. Therefore, an in-depth discussion is called for as essential, because not least the above, current leading position in the question of conscience shows how little such a view of the doctrinal significance of pastoral care has so far shaped the church globally. I associate this with the hope that, as the church historian Klaus Schatz once said, great councils only came into full effect after 50 years and that their sig-

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<sup>4</sup> Eine Antwort auf die Situation in Deutschland: ein brüderlicher Brief an unsere Mitbrüder im Bischofsamt in Deutschland. 11. April 2022. <https://files.static-nzz.ch/2022/04/12/bf1df2fa-e96d-4cca-ad03-b96b6c43e018.pdf> (3.05.2022).

nificance for the entire history of the church was only decided a few decades after their conclusion. So, it would be time to problematize such ideas today.

To this end, it is necessary as a first step to understand the “theological architecture” of the two contrary concepts of conscience presented above. This is followed by a methodological continuation of these concepts in the form of *Amoris laetitia*, which will be linked to the question of whether theologians and all the baptized should be satisfied with this. It is precisely at this point that the importance of pastoral theology for the question of conscience should be brought into play.

## 2. Understanding different concepts of conscience

In the context of the “architecture” of the above-mentioned contrary episcopal references to conscience, one premise in particular is essential: already in the Council, in the above-mentioned section *Gaudium et Spes* 16, conscience is described only in the form of a so-called “juxtaposition” in the sense of a “simultaneous assertion”. “Conscience is the most hidden centre and sanctuary in man, where he is alone with God, whose voice is heard in this innermost being”<sup>5</sup>. As well as: “In conscience one recognizes in a wonderful way that law which has its fulfilment in the love of God and neighbour. (...) The more (...) the right conscience prevails, the more the persons and groups abandon blind arbitrariness and seek to conform to the objective norms of morality”<sup>6</sup>.

Here, two concepts are already opposed to each other, so that for reasons of the consensus to be reached in the Council, as Eberhard Schockenhoff describes, the question remained unanswered as to whether conscience or objective law is regarded as the point of intervention of reflection and as the actual source of moral knowledge<sup>7</sup>. It is precisely this openness or contradiction of the concepts in the Council that subsequently becomes the starting point of many conflicts. In this way, the contrast between episcopal statements described at the beginning can also be illustrated in a mirror image. The “juxtaposition” of the Council lives on in them. I would like to call these concepts “theonom” and “personal” in the following and summarize them in all due brevity.

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<sup>5</sup> GS 16.

<sup>6</sup> GS 16.

<sup>7</sup> Schockenhoff. 2003. *Wie gewiss ist das Gewissen*, 165.

## 2.1. The “theonome” concept of conscience

After the Council, the theonomic concept of conscience finds its most prominent expression in the magisterium in the encyclical *Veritatis splendor* of 1993. Here one distances oneself from a concept of conscience that is called “creative”<sup>8</sup> or “creative authority”<sup>9</sup>. True conscience “cannot be measured by the liberation of conscience from objective truth in favour of a presumed autonomy of one’s own decisions, but on the contrary by the persistent search for truth”<sup>10</sup>. Magisterium, this position can be traced back to the encyclical *Quanta cura* of 1864, where, in addition to other modern civil liberties, freedom of conscience was also condemned in the sense of a *proprium ius*<sup>11</sup>. In the post-conciliar discussion, reference is made here primarily to Thomas Aquinas and John Henry Newman. Joseph Ratzinger refers to the medieval tradition and speaks centrally of anamnesis in the sense that there is a “remembrance of the true and beautiful in every human being”<sup>12</sup>. This primal reminiscence needs “tutoring from outside” in order to become really recognizable. This is provided by the Magisterium of the Church<sup>13</sup>. The act of conscience, according to Ratzinger with Thomas Aquinas, applies what is recognized in the anamnesis in the sense of an “actus”.

Current receptions of John Henry Newman’s concept also begin along this line: here it is clear that – as Newman notes – “in matters of doctrine, the ‘sovereignty of conscience’ is not the appropriate court for what I consider to be a valid statement (...) would last”<sup>14</sup>. Anyone who contradicts a truth of faith for reasons of conscience cannot invoke conscience, it only shows that someone is not yet enlightened by faith<sup>15</sup>, as popular Newman interpretations claim today.

This is not the place to discuss these concepts, i.e. to ask whether Newman and Thomas are not interpreted too one-sidedly and whether there are other references that could be more open. Unfortunately, this has to be done elsewhere. It

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<sup>8</sup> VS 55.

<sup>9</sup> VS 54.

<sup>10</sup> VS 61.

<sup>11</sup> Peter Neuner. 2019. *Der lange Schatten des I. Vaticanums. Wie das Konzil die Kirche noch heute blockiert?*. Freiburg o. Br.: Herder, 25.

<sup>12</sup> Joseph Ratzinger. 2005. *Werte in Zeiten des Umbruchs. Die Herausforderungen der Zukunft bestehen*. Freiburg i. Br.: Herder, 115n.

<sup>13</sup> Ibid.

<sup>14</sup> Hermann Geißler. 1995. *Gewissen und Wahrheit bei John Henry Kardinal Newman*. Frankfurt a. Main: Peter Lang, 199.

<sup>15</sup> Ibid.

becomes clear that conscience is interpreted as a place of knowledge and application of what is revealed, the interface, so to speak, between given revelation and subjective faith or action. It is therefore not a place of autonomous decision-making, but of application.

What is essential now is a brief fade into the opposite position, towards the “personal” concept of conscience.

## 2.2. The “personal” concept of conscience

This concept is based on the above conciliar formulation that conscience “is the most hidden centre and sanctuary in man; [J.L.], where he is alone with God”<sup>16</sup>. This concept is prominently associated with the late moral theologian Eberhard Schockenhoff and currently with the theologians Jochen Sautermeister and Stephan Görtz, among others. This is particularly about the dignity of conscience as a kind of “obligation without coercion”. Görtz writes: “Objective moral claims are generated by moral subjects. In contrast to other approaches, which are driven by the interest in stabilizing a decreed moral order, the autonomous moral self-organization can be appreciated in the personal model”<sup>17</sup>.

This becomes clear in the way in which the formation of conscience is understood here. Within a personal conception, one refers to *Dignitatis humane* 11 as an important context of *Gaudium et spes* 16. There it is said accordingly that God calls people to his service in spirit and in truth and therefore obliges them in conscience through this call but does not force them to follow this claim. The formation of conscience here takes place dynamically and dialogically and finds its possibility as well as its limit in the creaturely autonomy of man.

At this point, after reviewing these concepts, the question finally arises as to what understanding of conscience is contained in a papal document *Amoris laetitia* that takes up the concept of conscience in view of the explosive questions of marriage and family pastoral care.

## 2.3. *Amoris laetitia*: Conscience as an “Ignatian mediator”

In the context of *Amoris laetitia*, the Pope’s formulation that the Church is called to form consciences, not to replace them, becomes prominent. In addition, *Amoris*

<sup>16</sup> GS 16.

<sup>17</sup> Stephan Görtz, Caroline Witting. 2016. Wendepunkt für die Moralthologie? Kontext, Rezeption und Hermeneutik von *Amoris Laetitia*. In *Amoris laetitia – Wendepunkt für die Moralthologie?* (Katholizismus im Umbruch 4). Ed. Stephan Goertz, Caroline Witting. Freiburg i. Br.: Herder.

*laetitia* describes a dynamic understanding of conscience<sup>18</sup>. All this suggests echoes of the second model. At the same time, Francis continues to speak of the “objective ideal”<sup>19</sup> and lays the foundation for pastoral decisions in individual cases by the Ignatian method of deciding by discernment. Cardinal Kasper therefore sums up:

The Pope does not change a single doctrine, and yet he changes everything. (...) Mercy does not abolish doctrine, it applies doctrine according to the Gospel. Against the Catholic narrow-mindedness [Francis wants; J.L.] regain true catholicity. This includes freedom of conscience. The Church cannot replace conscience, it must encourage it<sup>20</sup>.

However, this raises questions: Will the juxtaposition not be retained here? Does not conscience here become a place of ecclesiastical singularity or diversity management, because it is pastoral? However, one that continues to make a clear distinction between “pastoral” and “merciful” solutions on the one hand and inviolable doctrine on the other? Are people who come to different conclusions for themselves and their life situations just not yet ready in the sense of a gradual understanding? But then autonomy means that man can or must change, but this remains irrelevant for the content of faith?

### 3. An exploratory connection between doctrine and life: the “theology of the people”

This short passage through the concepts should make it clear that one thing in particular becomes apparent: the above-mentioned juxtaposition has not been overcome, at best it is taught in practice – as exemplified in *Amoris laetitia*. But can that satisfy? Especially in view of the crisis phenomena within the church of our time?

However, as a moral theologian, Eberhard Schockenhoff already laid a line in his standard work *Wie gewiss ist das Gewissen* (*How Certain Is the Conscience*) from 2003 that reaches directly into pastoral theological reflection. Like others before him, he writes that the Council, along the lines of the Pope’s opening address, was essentially about a new form of “doctrinal speech in the Church”, which also reflects on the relevance of dogmatic statements to life

<sup>18</sup> AL 303.

<sup>19</sup> Ibid.

<sup>20</sup> Walter Kasper. 2016. „In der Liebe selber entscheiden“. *Die Zeit* 17 : 56.

and takes the “reciprocal relationship” between doctrine and life constitutively seriously<sup>21</sup>.

This “reciprocal relationship of development” i.e. the pastoral constitution of doctrine, would be a trace that leads out of the above-mentioned, above all theoretically conducted discourses. This is where pastoral theology comes into play. It stands for the fact that since Vatican II at the latest, theological problems can no longer be solved by means of theoretical concepts alone, but on the basis of and with the help of practice as locus *theologicus in actu*. In the following, I would like to make a conceptual proposal that attempts to evaluate practical decisions of conscience theologically in the sense of the mutual development of doctrine and life.

When Pope Francis stepped onto the loggia of St. Peter’s Basilica in 2013 immediately after his election and gave the blessing *Urbi et orbi* for the first time, there was a gesture that was unusual by Roman standards. Before the newly elected Pope spoke the solemn blessing formula, he asked those gathered to pray for him, to bless him. After a little irritation as to what this would mean, the first voices spoke up in the weeks that followed, saying that this practice was derived from a “theology of the people” based in Argentina. After all, Francis’ program *Evangelii Gaudium* clearly bears the traces of this approach and was co-authored in parts by the Argentine Jesuit Juan Carlos Scannone. Later, in 2015, at the 50<sup>th</sup> anniversary of the Synod of Bishops, the Pope finally speaks of the elementary importance of the “intuition of the people” for the future of the Church when asked about a learning Church.

It is interesting that despite all the astonishment about an apparently new approach, a “theology of the people” can also be found in the German-language pastoral theological archive. It was developed along the lines of *Gaudium et spes* as early as the 1970s by the pastoral theologian Adolf Exeler and fell into oblivion due to Exeler’s early death in the early 1980s. It was actually, as one of Exeler’s assistants at the time told me, one of his heartfelt concerns, which he would have liked to pursue further<sup>22</sup>. In fact, comparable approaches can later be found in receptions of “cultural studies” as well as currently in reflections on so-called “people’s theologies”. Exeler, however, presents an overall pastoral theological concept very early on, as it were in the slipstream of the Council, which is already reflected on in an interdisciplinary manner in the volume of the same name.

<sup>21</sup> Schockenhoff. 2003. *Wie gewiss ist das Gewissen*, 155.

<sup>22</sup> Adolf Exeler, Norbert Mette (ed.). 1978. *Theologie des Volkes*. Mainz: Mathias Grünewald Verlag.

I would therefore like to dwell briefly on Exeler's approach, in order to then ask whether there could not be a trace in the question of conscience and the active use of conscience in the people of God to think both further: the function of conscience for the future path of the Church and the "theology of the people" on the basis of the question of conscience.

In the volume published after Exeler's death, he briefly defines what he means by a "theology of the people":

What is meant is a theology in which what moves 'the people' has its say and is processed. Certainly not without church affiliation and without specialist theologians [sic!] (...), but in such a way that 'the people' are encouraged to have an intensive say (...)<sup>23</sup>.

Following in the footsteps of Karl Rahner and Johann Baptist Metz, Exeler wanted to assert the "everyday practice and experience of faith" as a constitutive component of the Church's testimony of faith<sup>24</sup>. Theologically, he refers to the fact that infallibility is attributed to the entire church people, as he later did with the *Argentine Ansätze*. The "theology of the people" has a primarily narrative character, in that it allows people to have their say about their experiences in a narrative way. A characteristic that seems very compatible within a Western culture that is developing more and more narratively<sup>25</sup>. Interestingly, Exeler does not only have the "active" in mind, or we would say the church "filter bubble" today, but also those whose voice is otherwise not heard at all in the church for various reasons.

What makes this approach special to this day is the role that is ascribed to specialist theology: despite all the criticism of crooked forms – such as popular piety – it becomes the preparer of the religious experiences of the people, especially *vis-à-vis* the Magisterium. Its starting point is practice; indeed it becomes an advocate of practice when, along the lines of *Gaudium et spes*, it seeks to convey the "light of revelation"<sup>26</sup> and the "light of human experience"<sup>27</sup>.

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<sup>23</sup> Adolf Exeler. 1978. Vom sprachmächtigen Glauben zur „Theologie des Volkes“. In *Theologie des Volkes*, 16.

<sup>24</sup> Ibid 20.

<sup>25</sup> Hermann-Josef Pottmeyer. 1978. Theologie des Volkes. Ihr Begriff und ihre Bedingungen. In *Theologie des Volkes*, 145.

<sup>26</sup> GS 33.

<sup>27</sup> GS 46.

Exeler does not explicitly address conscience in his remarks. However, he names the discrepancy between doctrine and life, precisely that which is often “solved” in practice by the decisions of the conscience of individuals, when he writes:

The ability to think and speak independently in the name of the people and in a critical attitude towards church leadership and specialist theology is (...) significant. It is not enough to make do with a ‘double standard’: one knows the official teaching of the Church (...); but in practice one is still oriented quite differently, more generously (...). It is precisely such discrepancies that must be openly expressed and processed. In this way, important contributions to a ‘theology of the people’ can come about<sup>28</sup>.

These few lines illustrate how differently the “theology of the people” must think of conscience than the above approaches. Precisely because it is the place of personal immediacy of God in the sense of the Council, it becomes the excellent executing authority of the *sensus fidelium*, without it being contained from the outset in any way whatsoever. Decisions of conscience can thus be understood as explicit contributions to a “theology of the people” in the sense that the people of God, in their judgment, have solutions or concepts ready that the other theological places do not penetrate on their own

Decisions of conscience become theologies in their own right. In this sense, one can certainly speak of an advance or a resource store. Of course, it cannot be about a normativity of the factual and there will always be the “erroneous conscience”, but it is interesting here how it is not clear from the outset what that is. It will prove itself on the path of spiritual discernment and in the struggle of theological places with each other, and thus ultimately must lead to normative conclusions. It is essential that, against the background of the “theology of the people”, one does not only speak theoretically of “conscience”, but understands it as a dynamic, in fact only plural theological place in action. Among other things, in this way practice becomes theologically generative and a test case of life-relevant, because it’s a life-serving speech about God or Christian practice. As part of pastoral theology, this must be explored, for example, with the means of reconstructive social research or with the method of a “self-ethnology”, as it has currently been developed in the USA, and finally to be incorporated into our sometimes theoretically encapsulated theological discourses. The “theology of the People” stands for the fact that theology is first and foremost practice before all necessary reflection and that perhaps even some theological Gordian knots could be untied from and out of practice.

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<sup>28</sup> Exeler. 1978. Vom Sprachmächtigen Glauben, 36.

This clear primacy of practice, which is the basis of the “theology of the people”, is also an important interjection in the pastoral theological discourse landscape. Pastoral theologians are happy and justified in their calling for hearing as the first step of theological knowledge or – currently – of a synodal church form. However, we must also put up with the critical question of the extent to which our topics in the subject still have any contact with the real problems and questions of people who are active in pastoral care, who are in precarious living situations or who still know that they are somehow connected to the church. Both church and theological leaders are therefore faced with the challenge of knowing the actual present of our time and taking it conceptually seriously before even starting to draw constitutive or normative conclusions.

#### **4. Outlook: Why should the question of conscience remain on the pastoral theological agenda?**

At the end of these remarks, which would certainly have deserved some deepening in many places, I would like to return more fundamentally to the question of why the question of conscience should also be and remain central to pastoral theology. In addition to the practical and mostly extremely dissonant references to “conscience” mentioned at the beginning, it is above all our socio-cultural overall context that suggests this. Unlike the great theoreticians of ethical or moral theological questions of conscience such as Thomas Aquinas or John Henry Newman, we are now living in completely different times. Social megatrends are described as individualization and singularization, among other things, and even a democratic society is increasingly faced with the question of how the individual or isolated particular and the general can still be conveyed in the sense of a *bonum commune*. From the point of view of the sociology of religion, it is clear how secularization occurs from its origin as well as in its current processes as a singularization of lifestyles, beliefs and perspectives. Charles Taylor, for example, recently identified precisely this connection as central to the future of religion<sup>29</sup>. To put it somewhat boldly or pathetically: if we do not get theologically and ecclesiastically justifiable and valid access to today’s largely singularized, individualized and diversified modes of existence, we will not only miss the task of interpreting the signs of the times, we will also, according to all that can be said, more and more assume the status of a sparkling “little flock”. It is precisely here that a theologically open and

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<sup>29</sup> Charles Taylor. 2007. *A Secular Age*. Harvard: Harvard University Press.

practical approach to the concept of conscience could open new doors. These are the doors through which a synodal church figure would also like to pass. The only question here is how far one is actually willing to go.

To sum it up in conclusion: Overall, it should be about dynamic doctrinal statements that are kept open in practice and towards it, in which general and particular things can be conveyed in a new and different way. This could be a contribution to the diversity management of church doctrine, which are at the same time not ambiguous and relativistic. It would have to be a (pastoral) theology that tries to convey the general and particular about conscience without cancelling the two against each other.

Let me conclude with a quote from a very wise old nun who was active in spiritual accompaniment for a long time. She once told me: “The opposite of ideology is called conscience”.

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**Abstract:** Conscience is classically a place of moral-theological or ethical reflection. More and more often, however, it is used by bishops as a place of decision in the face of ambiguous or controversial pastoral situations, such as the blessing of same-sex partners. In contrast, episcopal critics of the Synodal Way, for example, also refer to the conscience that, according to their interpretation, is precisely not a place of doctrinal development. This situation leads to the analysis of an understanding of conscience that was already ambiguous in the Council, which is continued in theological follow-up concepts or later magisterial positions. Regarding a “theology of the people” that was already developed in the 1970s in the German-speaking world – parallel to Latin America – this juxtaposition could be overcome from the practice of concrete decisions of conscience and thus the pastoral essence of Vatican II could be continued in the face of concrete problems today.

**Keywords:** conscience, pastoral theology, theology of people, Second Vatican Council.

**Streszczenie: Teologia pastoralna wobec kwestii sumienia. Wstępne spostrzeżenia na temat obszaru badań.** Sumienie jest klasycznie miejscem refleksji moralno-teologicznej lub etycznej. Coraz częściej jednak jest wykorzystywane przez biskupów jako miejsce podejmowania decyzji w obliczu niejednoznacznych lub kontrowersyjnych sytuacji duszpasterskich, takich jak błogosławieństwo partnerów tej samej płci. Z kolei biskupi krytykujący Drogę Synodalną również odwołują się do sumienia, które według ich interpretacji nie jest miejscem rozwoju doktrynalnego. Sytuacja ta prowadzi do analizy rozumienia sumienia, które było niejednoznaczne już na Soborze Watykańskim II, a które jest kontynuowane w następnych koncepcjach teologicznych lub późniejszych stanowiskach Magisterium. W odniesieniu do „teologii ludu”, która została rozwinięta już w latach siedemdziesiątych XX w. w obszarze języka niemieckiego (równoległe do Ameryki Łacińskiej) to przeciwstawienie może być przewyżczone z punktu widzenia praktyki konkretnych decyzji sumienia, a tym samym duszpasterska istota *Vaticanum II* może być współcześnie kontynuowana w obliczu konkretnych problemów.

**Słowa kluczowe:** sumienie, teologia pastoralna, teologia ludu, Sobór Watykański II.