

**Rafael Navarro-Valls, Javier Martínez-Torrón, Conflictos entre Conciencia y Ley. Las Objeciones de Conciencia, Madrid: Iustel, 2011, ISBN 978-84-9890-134-4, 514 pp.**

In recent years, the interrelations and disputes between secular law and individual religious conscience have become major issues both in legislation and in case law within many (if not all) Western legal systems. States have increasingly been faced with conflicts of law and religious conscience as a consequence of the growing pluralism in Western societies or as an outcome of the so-called secularization of the law and of public policies. In this sense, one may think of those legal issues which have arisen in Europe and America concerning religious attire in schools or in public buildings, refusal to perform civic duties (such as serving as a juror or as poll station agents), or doctors' rejection of actions associated to medical profession (such as performing or assisting an abortion). It is becoming clear that one of the most reliable indicators of a healthy constitutional legal system is when domestic law is respectful and sensitive in considering freedom of conscience. Furthermore, in academic legal settings, it is not uncommon to see that many legal scholars devoted to Church-State legal affairs (or law and religion, in general) increasingly have paid careful attention to what is called "conscientious objection" in general, or religious conscientious objection in more precise terms.

It would be important to keep in mind here that the term "conscientious objection" or religious conscientious objection, does not refer exclusively to the religiously motivated opposition to armed forces, as it might seem for historical reasons, but also to conscientious opposition to State legal duties and obligations, based on deep and sincere religious and non-religious beliefs. Rafael Navarro-Valls and Javier Martínez-Torrón, professors of law at Universidad Complutense de Madrid (Spain), have been pioneers in the study and research of conscientious objection from a legal perspective. They have developed a strong, successful, and long-lasting line of research concerning religious conscientious objection since 1985. This is even more important when taking into account that Navarro-Valls and Martínez-Torrón have established a peculiar approach to this important issue, which can be characterized by two basic features.

The first is the broadness of their definition of conscientious objection: "individual's rejection, due to conscientious reasons, to act in a compulsory way legally mandated" (p. 31). This definition is clearly alien to impractical nuances among different concepts surrounding the religiously motivated disobedience to State law and State-protected legal relations (civil disobedience, religious disobedience, conscientious objection, religious conscientious objection, right of resistance, and so forth) and it is also foreign to definitions crafted according to the perspective of legal positivism (i.e. conscientious objection is only what the law recognizes as such). The second distinctive feature is their comparative law methodological approach, which integrates a balanced and complete analysis of issues, facts, legal tools, and solutions from both the Anglo-American tradition and the civil law tradition, combined with a deep and integrated approach to regional and international law. The felicitous combination of all these characteristics is likely responsible for the success of Navarro-Valls and Martínez-Torrón's Italian book. For this book the authors received the "Arturo Carlo Jemolo" international prize in 1998. In 1997 Navarro-Valls and Martínez-Torrón published the Spanish version.

Rafael Palomino