

free and fair but notes that a default scheme would do much to protect those in unregistered religious marriages, or those who persist in believing in the idea of common-law marriage and who currently find themselves without legal protection or redress upon the breakdown of their relationship.

In conclusion, this volume succeeds in its objectives. It is likely to be of considerable use to policy-makers and of significant interest to those seeking to understand the debates, problems and complexities surrounding this area of law reform. It is clear and accessible and provides much food for thought.

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COVID-19 y libertad religiosa

Edited by JAVIER MARTÍNEZ TORRÓN AND BELÉN RODRIGO LARA

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In some respects, the coronavirus pandemic has been a shared experience for almost the entirety of humanity over the course of 2020 and 2021. Few nations have been untouched by the virus itself, and few people have escaped profound disruption to their routine caused by legal and social changes in response to the crisis. Added to which, of course, at the time of writing, around 219 million people have suffered from the disease, and approximately 4.55 million have lost their lives to COVID-19. There has been no comparable global disaster or unifying event within living memory.

Yet, having acknowledged this commonality of experience, it is also undeniable that there have been, and continue to be, profound differences between societies facing the reality of this public health crisis. The pandemic has highlighted social inequalities within and between nations, and availability of access to hospital care, personal protective equipment and even clean water for handwashing. Access to technology has made a huge difference for children unable to attend schools, and for adults attempting to manage their work and personal lives amid curfews and shutdowns. Whatever angle this human tragedy is viewed from, the poor have suffered more acutely than the rich and, for reasons which are not yet fully understood, some countries have had higher rates of infection and/or death than others, while we likewise do not yet understand all of the biological dynamics at play.

All of these very practical concerns are of importance to lawyers because they affect the context within which legal systems are attempting to respond to

societal needs in this ongoing event. They are part of the reason why different jurisdictions have adopted distinct approaches to managing the conflicting considerations of protection and liberty at stake, but they are not the only aspect of the picture, as contrasts in legal culture also shape the response of courts and legislatures. In fact, juridical responses to COVID-19 have been incredibly varied. There is a great deal to be learnt from both the divergences and the similarities in strategy, and information for the future to be gleaned from both triumphs and disasters in legal approaches. For this reason, in-depth and nuanced discussions of the coronavirus pandemic from a legal perspective are much-needed additions to current scholarship and knowledge, and the collection of essays edited by Martínez Torrón and Rodrigo Lara could not be more timely.

This volume focuses on the impact of COVID-19 on religious freedom and explores the issue in various jurisdictional settings; at the same time it draws together some invaluable threads of meta-analysis. To this end, the opening section of the book provides some general perspectives, with Martínez Torrón asking whether COVID-19 presents the world with new problems or old solutions, and Bussey discussing governmental anxiety and religion during the crisis. The following section takes a deep dive into a number of European settings, with authors examining Germany, Belgium, Spain, France, Italy, Poland, Portugal, the United Kingdom and the Vatican. Part three then pursues a similar project in relation to the Americas, addressing Argentina, Brazil, Chile, Colombia, the USA, Mexico, Peru and Uruguay.

It should be emphasised that the attention and detail given to each national context addressed within both the European and American sections of the book is impressive. Every commentator has profound knowledge of the jurisdiction on which they are writing, and a first-hand understanding of the way in which the pandemic played out socially and legally within the setting they are addressing. It is rare to find a volume with such an exceptional level of detail for so many different countries; this in and of itself makes the book an important contribution to scholarship.

Additionally, however, and of particular interest to readers of this *Journal*, the focus on religious freedom could not be more critical. In an acute emergency such as this pandemic, there is an inevitable and necessary temporary rebalancing of rights and needs but this cannot be understood as a *carte blanche* to deprioritise fundamental liberties. It is comparatively easy for states to accommodate human rights when there are no conflicting pressures but the importance and weight given to core freedoms in the face of a crisis is extremely telling in terms of the value accorded to them.

It should also, of course, be stressed that, for the most part, examinations of the treatment of religious liberty against the backdrop of COVID-19 are not binary sagas of good versus evil or oppression versus recognition. The reality

is that governments, legislatures and courts had an almost infinite variety of responses at their disposal in managing public health and public freedom and, for the most part, questions were far more nuanced than simply needing to decide whether to permit or prohibit religious gatherings. How religious liberty was treated and where it fitted within the hierarchy of other concerns and challenges was not straightforward in any context.

The academic task of understanding the nature of our collective response to this pandemic in relation to religion is a crucial one, not only for the sake of what it reveals with regard to our likely response during future outbreaks of infectious disease, but also because of what it shows about our underlying perspectives and priorities. This drawing together of sophisticated scholarly material on the subject will provide a rich resource for years to come, not only for researchers interested in legal reactions to COVID-19 but also for those asking bigger questions about the nature and treatment of religious freedoms in Europe and the Americas. Profs Martínez Torrón and Rodrigo should be commended for such a successful achievement, as this is a work of global significance which will have enduring impact on the state of the discipline.

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