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Penitentiary isolation and the right to freedom of religion in theory and practice

Izolacja penitencjarna a prawo do wolności religii w teorii i praktyce

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Abstract

The right to freedom of conscience and religion is one of the fundamental rights of every individual. It is not only a law, but also a specific human freedom that regulates life in society. Access to these rights and freedoms is granted to every person, regardless of sex, nationality, faith or even social status. The law of religious freedom must be respected in all areas of life. Penitentiary isolation is a reality guided by different principles. Persons convicted by final court judgments face certain limitations, but under Polish law they are guaranteed freedom of conscience and religion. This is mainly mentioned in the Constitution of the Republic of Poland. The author, considering the subject of penitentiary isolation in theory and practice, focused primarily on the relationship between reality and legal regulations. The author conducted an interview in the Gniezno Metropolitan Curia with bp. Radosław Orchowicz, who for many years served as a prison chaplain.

Keywords: prison isolation, right to religious freedom, prison chaplain, inmate

Streszczenie

Prawo do wolności sumienia i wyznania to jedno z podstawowych praw każdej jednostki. To nie tylko prawo, ale także swoista wolność ludzka, która reguluje życie w społeczeństwie.

Dostęp do tych praw i wolności ma każdy człowiek bez względu na płeć, narodowość, wiarę czy chociażby status społeczny. Prawa do wolności religijnej należy przestrzegać we wszystkich dziedzinach życia. Izolacja penitencjarna to kierująca się innymi zasadami rzeczywistość. Osoby skazane prawomocnymi wyrokami sądów doznają pewnych ograniczeń, ale zgodnie z polskim prawem mają zapewnioną wolność sumienia i religii. Stanowi o tym przede wszystkim Konstytucja RP. Autor, poddając rozważaniom tematykę izolacji penitencjarnej w teorii i praktyce, pochylił się przede wszystkim nad odniesieniem rzeczywistości do regulacji prawnych, co możliwe było dzięki wywiadowi przeprowadzonemu w Gnieźnieńskiej Kurii Metropolitalnej z biskupem Radosławem Orchowiczem, który wiele lat pełnił funkcję kapelana więziennego.

Słowa kluczowe: izolacja penitencjarna, prawo do wolności religijnej, kapelan więzienny, osadzony

Introduction

Human rights occupy an important place in the social discourse of the current era. People are increasingly aware of their rights. One of the basic constitutional human rights is the right to freedom of conscience and religion, which is guaranteed by Article 53 of the Basic Law¹. The Constitution explicitly mandates that everyone is to be guaranteed freedom of conscience and religion. Religious freedom includes the freedom to profess or embrace a religion of one's choice and to externalize one's religion individually or with others, publicly or privately, through worship, prayer, participation in rituals, practice and teaching. Freedom of religion also includes having temples and other places of worship according to the needs of believers, and the right of people to receive religious assistance where they are. The right to freedom of conscience and religion, which makes up religious freedom, is an objective and universal value, the essence of which is not determined by the subjective predilection of the legislator, but by the dignity of the human being².

The right to freedom of religion is guaranteed to all people, but in some life situations this right is executed in a different way, often very specific and deviating from everyday norms and arrangements. One such situation is penitentiary isolation and being confined and subject to the Polish prison system. Prisons are understood as the system of serving imprisonment in a country.

¹ Constitution of the Republic of Poland of 2 April 1997, Dz.U. 1997, no. 78, item 483 with amendments.

² T. Płoski, *Wolność sumienia i wyznania w warunkach izolacji więziennej*, „Studia Prawnoustrojowe” 2009, nr 9, p. 55.

Content of the right to religious freedom of detainees

The limits on the use of this form of freedom by inmates are determined primarily by the provisions of the Criminal Executive Code³ (Article 102(3) of the Criminal Penal Code, Article 106 of the Criminal Penal Code, Article 247(1) of the Criminal Penal Code) and the Order of the Minister of Justice of September 2, 2003 on the detailed rules for religious practice and the use of religious services in prisons and detention centers⁴. A convicted prisoner has the right to perform religious practices and receive religious services, as well as to participate directly in services held in the prison on holidays and to listen to services broadcast by the mass media, and to possess the books, writings and objects necessary for this purpose (Article 106 of the Penal Code). In addition, a person deprived of liberty has the right to participate in religious instruction conducted in prison, to take part in charity and social activities, as well as to meet individually with the clergyman of the church or other religious association to which they belong. These clergymen may visit the convicts in their rooms.

The Polish legislator clearly emphasizes that the embracing of religious freedom must not violate the principles of tolerance or disrupt the established order in the prison. Thus, there are certain restrictions on the externalization of religious freedom. According to Article 247 of the Penal Code in cases justified by special sanitary or health reasons or a serious threat to security, the director of a penitentiary or detention center may, for a specified period of time, withhold or limit the employment of inmates, contacts between inmates, the granting of visits and walks, the carrying out of activities of a collective nature, the holding of religious services, the making of purchases, the receiving of packages, as well as the use of self-dialing telephones, order the closing of cells or other rooms where inmates are housed or work, prohibit the possession of certain objects in the cell, and suspend the function of the convict ombudsman. These restrictions may also apply to the provision of religious services⁵.

According to the aforementioned regulation, convicts have the right to participate in services and meetings, including individual meetings, of a religious nature, which are held in a chapel or other suitably adapted room or place on the premises of a prison or detention center. The analyzed regulation indicates that the internal order for the performance of religious practices and the use of religious services shall be established by the director of the establishment in consultation with the clergy of churches or other religious

³ Act of 6 June 1997. Executive Penal Code, Dz.U. 2021, item 53 t.j.), cf. J. Sobczak, M. Gołda-Sobczak, *Wolność sumienia i wyznania jako prawo człowieka*, „Annales Universitatis Mariae Curie-Skłodowska. Sectio K – Politologia” 2012, nr 1, pp. 28–64.

⁴ Ordinance of the Minister of Justice of 2 September 2003 on the detailed rules of performance of religious practices and use of religious services in penitentiary institutions and detention centres, Dz.U. 2003, no. 159, item 1546, [in:] J. Nikołajew, K. Walczuk (eds.), *Wolność sumienia i religii osób pozbawionych wolności. Aspekty prawne i praktyczne*, Wydawnictwo Diecezji Siedleckiej Unitas, Warszawa–Siedlce 2016, pp. 237–247; J. Nikołajew, *Wolność sumienia i religii skazanych i tymczasowo aresztowanych*, Wydawnictwo KUL, Lublin 2012.

⁵ J. Krzywkowska, *Prawo osadzonych do korzystania z posług religijnych w dobie pandemii COVID-19*, „Studia Prawnoustrojowe” 2022, nr 55.

associations, performing religious services in that penitentiary or detention center, hereafter referred to as chaplains⁶. Religious practices and ministries of an individual nature may also take place in residential cells, hospital infirmaries, if they do not interfere with the rules of order and security in force in the institution, and if conditions for privacy in the performance of these practices and ministries are provided. However, convicts serving sentences in a closed-type facility are led to the rooms and places where services are held by Prison Service officers⁷. Prisoners serving sentences in a semi-open or open facility go to these rooms and places without supervision by an officer in the established order.

Prison chaplaincy service

In order to ensure that prisoners perform religious practices and receive religious services, the director of the prison concludes contracts with a chaplain to perform religious services⁸. The chaplain's contract shall be based on a referral from the superior authority or an authorised representative of a church or other religious association appointing him to perform religious services in the given establishment. The contract shall specify, in particular, the scope of the chaplain's activities, the rules for his replacement by another clergyman, the extent to which and the rules for the chaplain's use of other persons in the performance of religious services, the rules for his interaction with the director of the establishment and the cases in which the contract shall be terminated. In the event of an emergency the chaplain or the clergyman deputising for him shall ask the director of the establishment for the necessary assistance in the event of an emergency. The director of the establishment shall ask another clergyman of the same religious association to provide it. of the same religious association. The regulation also indicates that the director of the of the establishment shall take the necessary steps to ensure appropriate conditions for religious practices and services and the use of such services, and shall consult the opinion of the chaplain on the organisation of religious services⁹.

The ministry of a Catholic chaplain is regulated by the Code of Canon Law of John Paul II¹⁰. A chaplain is a priest who is entrusted with the permanent pastoral care, at least to a certain extent, of a community or a special group of the faithful, exercised in accor-

⁶ A chaplain is a clergyman in the Roman Catholic, Orthodox, Greek Catholic, Anglican and Protestant, performing liturgical functions at a religious chapel, hospital chapel, or assigned by an ecclesiastical authority to provide pastoral care to a certain group of people or environments (for example, a military chaplain, prison chaplain, hospital chaplain, university chaplain). A chaplain is also known as a diocesan or religious clergyman who assists the bishop in episcopal duties and is his secretary.

⁷ Prison Service – a Polish uniformed and armed formation that performs tasks in the execution of custodial sentences and pre-trial detention. It is subordinate to the Minister of Justice and has its own organisational structure.

⁸ J. Nikołajew, *Duszpasterstwo więzienne w Polsce w świetle badań własnych*, [in:] S. Bukalski (ed.), *Duszpasterskie i profilaktyczne aspekty służby penitencjarnej*, Wydawnictwo Naukowe Uniwersytetu Szczecińskiego, Szczecin 2010.

⁹ Ibid.

¹⁰ *Codex Iuris Canonici auctoritate Ioannis Pauli pp. II promulgatus*, 25 January 1983, „Acta Apostolicae Sedis” 1983, 75 II.

dance with the provisions of universal or particular law¹¹. According to Canon 565 of the Code of Canon Law, the chaplain is usually appointed by the Ordinary of the place¹². The chaplain should be equipped with all the authorisations that the proper exercise of pastoral care requires. In addition to what is granted to the chaplain either by particular law or by special delegation, he has by virtue of his office the authority to hear the confessions of the faithful entrusted to his care, as well as to preach the word of God to them, to administer the Viaticum¹³ and the Anointing of the Sick and the Sacrament of Confirmation to those in danger of death. In addition, the prison chaplain in relation to inmates has the authority to discharge censures *latae sententiae*¹⁴ but unreserved and undeclared. It is the chaplain's responsibility to either administer liturgical services or direct them. According to Canon 568 of the Code of Criminal Procedure, chaplains should be appointed, as far as possible, for those persons who, due to their living conditions, cannot benefit from the ordinary care of parish priests, certainly this group includes persons in prison isolation. In carrying out his pastoral task, the chaplain is to maintain due liaison with the pastor of the place. The tasks of the chaplain are wide-ranging, since he is to not only to promote the faith or assist in worship, but to provide spiritual assistance.

A case study of the implementation of inmates' right to religious freedom

For the purpose of the article, the author interviewed Father Radoslaw Orchowicz¹⁵, auxiliary bishop¹⁶ of Gniezno, who served for eleven years as the chaplain of the Inowrocław Penitentiary¹⁷ and to this day maintains contact with prison chaplains from all over Poland. According to Bishop R. Orchowicz, "the prison authorities provide inmates with access to the chaplain's ministry and care for freedom of religion, the rights of prisoners are not restricted. Everything is done within the limits of the law and under its authority. It is the

¹¹ 1 Kpk, kan. 564.

¹² An Ordinary of a place in the Catholic Church is any higher superior – in addition to the Bishop of Rome, also the diocesan bishop and others who, even if only temporarily, are the superiors of a particular Church or a community assimilated to it, as well as those who have general ordinary executive authority in them ordinary authority, namely, the vicars general and the episcopal vicar, as well as – for their own members – the major superiors of clerical religious institutes under pontifical law and of clerical societies of apostolic life under pontifical law, who have at least ordinary executive authority. Colloquially, the term used to refer to the diocesan bishop.

¹³ Viaticum (Latin *viaticum* – 'provisions for the journey'; *via* – 'way') – in Christianity, especially in Catholicism, Holy Communion given to a person in danger of death as food for the journey to eternal life.

¹⁴ *Latae sententiae* (from Latin 'sentence [already] passed') is a way of imposing sentences in the Catholic Church in its canon law. The punishment of *latae sententiae* is a punishment imposed ipso facto, automatically, by virtue law itself, at the moment of its violation.

¹⁵ Radoslaw Orchowicz (born 21 January 1970 in Wysoka) – Polish Roman Catholic clergyman, Doctor of the theological sciences, auxiliary bishop of Gniezno since 2022.

¹⁶ Auxiliary bishop (Latin: *episcopus auxiliaris*) – an ordained Catholic clergyman tasked with assisting the diocesan bishop in the governance of the diocese, usually as vicar general or episcopal vicar.

¹⁷ The Penal Institution in Inowrocław is a semi-open unit for convicted male recidivists. penitentiary offenders. The capacity of the unit is 346 places. The facility is subordinate to the Regional Inspectorate of the Penal Service Inspectorate in Bydgoszcz. It is located in the Kujawsko-Pomorskie voivodship.

directors of prisons and jails who usually request the ministry of a chaplain at a given facility. They care about respecting basic rights and personal freedoms. I have not heard from other chaplains that somewhere the right to freedom of conscience or religion is not respected. It is possible that there are such cases somewhere, but they are certainly not common situations, I know nothing about such.”

Already constitutional norms oblige penitentiary units to ensure that inmates are able to realize religious freedom, which is “the freedom to choose different values and externalize their beliefs in private and public life.”¹⁸ The various areas of freedom are not just moral or customary norms. These are also the determinants that motivate every human being to act in the worldview and religious sphere. It is a peculiar set of entitlements for each person to ensure their development in accordance with their predispositions and situated on the appropriate plane of their choices. The Catholic Church proclaims (including at the Second Vatican Council) that religious freedom is the first and inalienable right of the human being¹⁹.

The practice of these measures was also confirmed by Bishop Orchowicz in an interview. In prisons, for example, religion is taught through the prison radio station, Scripture is read, and retreats are conducted. Individual meetings with clergymen also turn out to be a daily occurrence in prisons. Convicts need such contact, it is a great chance for some confidence and intimate conversations. Prisoners who are deep believers and practiced their faith prior to incarceration very often lack real access to daily liturgy. If the visitation of the Miraculous Image of Our Lady of Jasna Góra takes place in a particular diocese, it also does not bypass the prison walls.

Selected case law of the European Court of Human Rights in Polish cases on the right to religious freedom of detainees

The externalization of religious freedom is also an appropriate diet, such as the prohibition of eating meat on Ash Wednesday or Good Friday. The legislator in Article 109 of the Penal Code guarantees the convict to receive three times a day a drink and a meal of adequate nutritional value, including at least one hot meal, taking into account the type of work performed and the age of the convict, and if possible, religious and cultural requirements. The convict may also receive food as prescribed by a doctor. The feeding of inmates in Polish prisons and detention centers is regulated in detail by a regulation of the Minister of Justice dated February 19, 2016²⁰. An inmate enjoying meals prepared with religious or cultural requirements shall be provided with the same meals after being transported to another penitentiary or detention center, provided it is possible to prepare

¹⁸ T. Płoski, p. 57.

¹⁹ A. Rogowska, *Wolność sumienia i wyznania w świetle przepisów polskiego Kodeksu karnego wykonawczego*, [in:] M. Sadowski, P. Szymaniec (eds.), *Acta Erasmianna. Prace z zakresu integracji europejskiej oraz nauk penalnych*, Katedra Doktryn Politycznych i Prawnych Wydziału Prawa, Administracji i Ekonomii Uniwersytetu Wrocławskiego, Wrocław 2011, p. 259.

²⁰ Regulation of the Minister of Justice of 19 February 2016 on the feeding of inmates in penal institutions and remand centres, Dz.U. 2016, item 302.

them in that penitentiary or detention center. Polish law indicates that whenever there is a possibility, the meals and their nature should be adapted to the religious predispositions of the inmate. Practice says that this provision is usually followed. However, the case of *Jakóbski v. Poland* is worth citing²¹. It concerned complaint No. 18429/06 filed on April 27, 2006 against the Republic of Poland before the European Court of Human Rights. The complainant filed an allegation under Article 9 of the Convention on Human Rights²² that he was denied a meat-free diet in prison in violation of his religion. As of June 20, 2003, the complainant was serving an eight-year prison sentence imposed by the Poznań District Court following his conviction for rape. Previously, the complainant had been in Goleniów Prison and had requested several times to be served meatless meals due to the dietary precepts of his religion. He claimed to be a Buddhist and strictly adhered to the Mahayana Buddhist dietary rules, which mandate abstinence from eating meat. On January 19, 2006, the prison dermatologist recommended that the applicant be placed on a meatless diet due to his health problems. He was granted a pork-free diet (PK diet) for a period of three months, which contained very small amounts of meat and was also available to six Muslim inmates at Goleniów Prison. On April 20, 2006, the doctor who examined the complainant concluded that there was no longer a medical indication to maintain a PK diet for the complainant. Therefore, this diet was discontinued. The complainant objected and threatened a hunger strike. On April 27, 2007, the complainant applied to the District Prosecutor's Office for criminal proceedings against employees of the Goleniów Penitentiary. The complainant claimed that despite his repeated requests to be provided with a meat-free diet, he was given meals containing meat products. He had to rely only on food parcels received from his family. He was forced to take meals, which he then threw away. This is because refusing to take them would be treated as undertaking a hunger strike, which in turn would result in disciplinary action. June 13, 2006, the Goleniów District Prosecutor discontinued criminal proceedings relating to the complainant's allegations. On July 3, 2006, the Buddhist Mission in Poland sent a letter to prison authorities in support of the applicant's request for a meatless diet. Its authors argued that Mahayana Buddhists face a serious moral problem when forced to eat meat. According to the current rules, a Mahayana Buddhist should avoid eating meat, thus showing compassion for all living beings. In their letter, they further asked the authorities to simply eliminate meat products from the meals served to the complainant. The complainant claimed that interference was made with his religious beliefs, particularly because prison guards used the term 'sect' in relation to the Buddhist Mission in Poland. On November 14, 2006, in response to further complaints by the complainant, the Regional Prison Inspector informed the complainant that the only special diet available at the Goleniów Prison was the PK diet. This diet contains various meat products, such as beef, poultry and fish, while it is devoid of pork. A meatless diet is not available at this prison. On November 20, 2006,

²¹ *Jakóbski przeciwko Polsce – wyrok ETPC z dnia 7 grudnia 2010 r., skarga nr 18429/06*, [w:] M.A. Nowicki, *Europejski Trybunał Praw Człowieka. Wybór orzeczeń 2010*, Lex a Wolters business, Warszawa 2011, p. 227.

²² Convention for the Protection of Human Rights and Fundamental Freedoms, done at Rome on 4 November 1950, subsequently amended by Protocols Nos. 3, 5 and 8 and supplemented by Protocol No. 2, OJ. 1993, No. 61, item 284 as amended.

the inspector of the Prison Service in Szczecin, in response to another complaint, again stated that the only type of diet that takes into account the complainant's religious beliefs is the PK diet. He further explained that: "A convicted person has the right to change their religion while serving their sentence of imprisonment and to exercise their freedom of religion if they so wish. This does not mean, however, that prison authorities are obliged to provide such a person with special food that meets specific requirements based on the principles of his faith. The issue of the type of food related to religion or cultural tradition should not lead to manipulation by convicts against prison authorities for personal gain." In a complaint filed with the Regional Court in Szczecin on September 3, 2007, the complainant claimed that the allowance he was given at the Goleniów Prison did not take into account his religious beliefs. On December 3, 2007, the District Court dismissed the applicant's complaint. The court found that the applicant remained on a special diet starting July 18, 2006. Further, the court noted that given the prevailing technical conditions in the prison kitchen, the transportation of meals and the shortage of staff in the kitchen, it is impossible to provide each inmate with individual food in accordance with the dietary requirements of his religion. The court also confirmed that meals were prepared that did not contain pork. In March 2009, the complainant was transferred to Nowogród Prison. On May 2, 2009, he requested that meatless meals be served to him due to the dietary requirements of his religion. The applicant's request was denied on May 13, 2009. On August 12, 2009, in response to the complainant's complaint, the Ombudsman informed the complainant that prison authorities are not required to prepare special meals that take into account differing dietary requirements. Moreover, given that the complainant was the only Buddhist in the prison, this would place too great a burden on the prison authorities.

The complainant alleged that the prison authorities, by refusing to provide him with a meatless diet consistent with his religious beliefs, violated his right to externalize his religion by following the tenets of the Buddhist religion, which is protected under Article 9 of the European Convention on Human Rights, which reads: "1. Everyone has the right to freedom of thought, conscience and religion; this right includes the freedom to change one's religion or belief and the freedom to manifest one's religion or belief individually or with others, in public or in private, through worship, teaching, practice and ritual acts. 2. Freedom to externalize one's religion or belief may be subject only to such restrictions as are provided by law and are necessary in a democratic society for the interests of public safety, the protection of public order, health and morals, or the protection of the rights and freedoms of others." The government disputed such an argument. The complainant argued that under Article 9 of the Convention, the state has a duty to respect and promote the freedom of the individual to practice their religion. Any restrictions may be imposed only in the interest of public safety, the protection of public order, health and morals, and the freedoms of others. According to the complainant, adherence to vegetarianism cannot be considered a threat to public safety, health, morals or the rights and freedoms of others. The complainant further stressed that Buddhism represents a path of life on which an individual should learn about himself and develop one's self-awareness. The government has said that assuming that state authorities are obliged to provide each inmate with special food in accordance with one's religious beliefs would be too strict and would entail

too many technical and financial problems. According to the government, the allowance given to the applicant more or less met the requirements set by the principles of his religion. Given that Goleniów Prison housed nearly 1,200 inmates, preparing special meals for just one person would impose an undue burden on prison authorities. Considering all the circumstances, and despite the margin of discretion left to the respondent State, the Court finds that the authorities failed to strike a fair balance between the interests of the prison authorities and those of the complainant, that is, his right to externalize his religion by observing the tenets of the Buddhist religion. The Court ruled that there had been a violation of Article 9 of the European Convention on Human Rights. It was held that the respondent State should pay to the applicant, within three months from the date on which the judgment becomes final, in accordance with Article 44 § 2 of the Convention, the amount of EUR 3,000 plus such tax as may be chargeable – for non-pecuniary damage and the amount of EUR 187 for costs and expenses, converted into Polish zlotys at the rate of exchange applicable on the date of settlement.

Conclusion

In conclusion, it should be noted that the right to religious freedom is a fundamental right and at the same time a human freedom that cannot be restricted in any way. As can be seen from the above analysis, freedom of conscience and religion is guaranteed also in a situation of deprivation of liberty²³. Polish law regulates the issues related to religious freedom in penitentiary units.

References

Legal sources

Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus, 25 January 1983, „Acta Apostolicae Sedis” 1983, 75 II.

Jakóbski przeciwko Polsce – wyrok ETPC z dnia 7 grudnia 2010 r., skarga nr 18429/06, [in:] M.A. Nowicki, *Europejski Trybunał Praw Człowieka. Wybór orzeczeń 2010*, Lex a Wolters business, Warszawa 2011.

Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r., Dz.U. 1997, nr 78, poz. 483 ze zm.

Konwencja o Ochronie Praw Człowieka i Podstawowych Wolności sporządzona w Rzymie dnia 4 listopada 1950 r., zmieniona następnie Protokołami nr 3, 5 i 8 oraz uzupełniona Protokołem nr 2, Dz.U. 1993, nr 61, poz. 284 ze zm.

Rozporządzenie Ministra Sprawiedliwości z dnia 2 września 2003 r. w sprawie szczegółowych zasad wykonywania praktyk religijnych i korzystania z posług religijnych w zakładach karnych i aresztach śledczych, Dz.U. 2003, nr 159, poz. 1546.

²³ P. Sobczyk, *Wolność sumienia i religii w art. 53 Konstytucji Rzeczypospolitej z dnia 2 kwietnia 1997 r.*, „Prawo Kanoniczne” 2001, nr 3–4.

Rozporządzenie Ministra Sprawiedliwości z dnia 19 lutego 2016 r. w sprawie wyżywienia osadzonych w zakładach karnych i aresztach śledczych, Dz.U. 2016, poz. 302.

Ustawa z dnia 6 czerwca 1997 r. – Kodeks karny wykonawczy, Dz.U. 2021, poz. 53 t.j.

Literature

Krzywkowska J., *The right of inmates to receive religious services in the era of the COVID-19 pandemic*, "Legal Studies" 2022, no. 55.

Nikołajew J., *Duszpasterstwo więzienne w Polsce w świetle badań własnych*, [in:] S. Bukalski (ed.), *Duszpasterkie i profilaktyczne aspekty służby penitencjarnej*, Wydawnictwo Naukowe Uniwersytetu Szczecińskiego, Szczecin 2010.

Nikołajew J., *Wolność sumienia i religii skazanych i tymczasowo aresztowanych*, Wydawnictwo KUL, Lublin 2012.

Płoski T., *Wolność sumienia i wyznania w warunkach izolacji więziennej*, „Studia Prawno-ustrojowe”, 2009, nr 9.

Rogowska A., *Wolność sumienia i wyznania w świetle przepisów polskiego Kodeksu karnego wykonawczego*, [in:] M. Sadowski, P. Szymaniec (eds.), *Acta Erasiana. Prace z zakresu integracji europejskiej oraz nauk penalnych*, Katedra Doktryn Politycznych i Prawnych Wydziału Prawa, Administracji i Ekonomii Uniwersytetu Wrocławskiego, Wrocław 2011.

Różański M., *Kapelan więzienny. Prawne podstawy duszpasterzowania*, [in:] J. Nikołajew, K. Walczuk (eds.), *Wolność sumienia i religii osób pozbawionych wolności. Aspekty prawne i praktyczne*, Wydawnictwo Diecezji Siedleckiej Unitas, Warszawa–Siedlce 2016.

Sobczak J., Gołda-Sobczak M., *Wolność sumienia i wyznania jako prawo człowieka*, „Annales Universitatis Mariae Curie-Skłodowska. Sectio K – Politologia” 2012, nr 1.

Sobczyk P., *Wolność sumienia i religii w art. 53 Konstytucji Rzeczypospolitej z dnia 2 kwietnia 1997 r.*, „Prawo Kanoniczne” 2001, nr 3–4.