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**MEDICAL SELF-GOVERNMENT
IN POLAND – HISTORY AND
DEVELOPMENT**

**HUMAN
RIGHTS**



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ABSTRACT

The professional self-government has the right of self-determination with regard to the organization and conditions of practice and control. By allowing such professional groups to exist, the state relinquishes the performance of certain public administration tasks to the self-government of these groups. The history of Polish medical self-government is associated with the end of the 19th century. In 1950, the development of medical chambers was stopped by the communist regime. The authorities decided to dissolve them. Political changes in the last two decades of the 20th century enabled the formation and establishment of a new political system. The efforts of Polish doctors to regain their professional self-government were linked to the democratisation processes of the Polish state in 1989. The Polish Chamber of Physicians and Dentists (Naczelna Izba Lekarska), the Regional Chambers of Physicians and Dentists (Okręgowe Izby Lekarskie), and Military Medical Chamber (Wojskowa Izba Lekarska) are the organisational bodies of the professional self-government of physicians and dentists.

KEYWORDS: *self-government, medical professions, medical associations, physicians, dentists, healthcare, democratization*

INTRODUCTORY REMARKS

Self-government refers to the idea of self-determination where individuals and groups of people have the right to govern themselves, to make decisions about their own lives or future, to determine their own political status without outside interference. It means managing one's own affairs independently. Self-government can be treated as a form of decentralization of the authority of the state and administration. It is interesting to consider that local self-government is the most popular and discussed form of self-government. However, there is also special self-government that is established according to different criteria. It is an important actor in the system of the representation of the interests of defined circles. Special self-government consists of professional self-government, business self-government, and religious self-government. Therefore, as Robert Kmiecik emphasizes, it is important that *self-government should be approached from a slightly different angle – not only in the administrative*

and institutional context, but also from the point of view of the realization of the interests of organized social groups^[1].

Professional self-government is a term that describes an organization of associating persons of the same profession, e.g. in order to guard professional ethics and to ensure social protection to people in a given profession, to perform a range of tasks that are typical in a given profession, to conduct the registers of persons authorized to work in a given profession. It distinguishes professional self-government from other associations^[2]. Despite the fact that it does not apply to every citizen, special self-government is important in the context of administrative system of many countries. It can be seen as one of the hallmarks of civil society or modern participatory democracy.

Currently, in the Polish political system, the term of special self-government refers to associations under public law that *exercise authority over the professional and business operations of specific categories of persons, and which perform their tasks of the decentralized portion of state administration on a par with self-government entities*^[3]. The role of professional self-government has been strengthened because art. 17 of the Constitution of the Republic of Poland mentions directly this kind of self-government, and it also provides for other kinds of self-government to be established^[4]. Unfortunately, the legislator did not specify what kind of self-government is referred to. However, it is significant that professional and business circles are granted some public and administrative competences, *which raises them in the hierarchy of political system*^[5]. Moreover, the constitutional provisions facilitated

[1] Cf. R. Kmiecik, *Self-government in the political system of Poland*, *Przegląd Politologiczny* 2020, vol. 2, pp. 87-104, DOI: 10.14746/pp.2020.25.2.6

[2] Ibidem, p. 98. About the subject of professional self-government, see more in P. Rączka, *Działalność prawodawcza samorządów zawodowych w Polsce*, TNOiK, Toruń 2013, pp. 1-432.

[3] R. Kmiecik, *Self-government...*, op.cit., p. 98.

[4] (...) *self-government may be crated within a profession in which the public repose confidence, and such self-governments shall concern themselves within the proper practice of such professions in accordance with, and for the purpose of protecting, the public interest*, the Constitution of the Republic of Poland, *Journal of Laws* 1997, no. 78, item 483; see also J. Dytko, *Nadzór i sądowa kontrola działalności uchwałodawczej organów samorządu zawodów medycznych*, *Studia Prawnoustrojowe* 2022, vol. 57, p. 174, DOI: 10.31648/sp.8070.

[5] R. Kmiecik, *Self-government...*, op.cit., p. 98.

and enabled development of statutory rank regulations regarding professional self government of such professions as medical doctors, nurses and midwives, pharmacists, laboratory diagnosticians, physiotherapists, veterinarians, lawyers, legal advisors, and others.

The issue of professional self-government is not very popular with the researchers. The representatives of the Polish science are mainly interested in modern system and tasks of professional self-government. However, such researchers as, e.g. Piotr Kordel^[6], Anna Marek^[7], Tadeusz Nasierowski^[8], or Elżbieta Więckowska^[9] focus on the history of medical self-government in Poland.

The purpose of the article is to present the history and development of medical self-government in Poland, its desirable deliberative features and practices. The main questions the present study strives to answer are: What are the traditions of the Polish self-governmental thought, specifically in the context of professional (medical) self-government? How has medical self-government developed after the communist regime since its restoration in 1989? In the first part of the article, the history of Polish solutions concerning medical self government will be presented. The struggle for restoration of medical self-government in the context of development of civil society will be taken into closer consideration in the second part of the text. In this particular study, the historical and legal methods were applied to address the research questions and then, to reach some conclusions. It was conducted a scoping review in Pub.Med.gov, Google Scholar, and Scopus to identify the available literature reporting data. Subject related legal texts were analyzed. Unfortunately, since

^[6] P. Kordel, *Geneza, struktura i funkcjonowanie samorządu lekarskiego w Polsce w latach 1989-2009*, rozprawa doktorska, Promotor prof. dr hab. M. Musielak, Katedra nauk Społecznych Wydział Nauk o Zdrowiu Uniwersytet Medyczny im. Karola Marcinkowskiego w Poznaniu, Poznań 2012, <https://www.wbc.poznan.pl/dlibra/show-content/publication/edition/249327?id=249327>, accessed: 08.07.2024.

^[7] A. Marek, *Historia samorządu lekarskiego w II Rzeczypospolitej, Lekarz Wojskowy* 2020, vol. 98(2), pp. 121-125.

^[8] T. Nasierowski, *Świat lekarski w Polsce II połowa XIX w. – I połowa XX w.*, Wyd. OIL, Warszawa 1992, pp. 1-190.

^[9] E. Więckowska E., *Lekarze jako grupa zawodowa w II Rzeczypospolitej*, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 2004, pp. 1-292.

the modest scope of the article does not allow for an exhaustive treatment of the subject, the present work is contributory in nature.

THE TRADITIONS OF THE POLISH SELF-GOVERNMENTAL THOUGHT

The ability to heal was already highly valued among primitive cultures as well as in ancient times. The medical professions enjoyed high esteem. The rise of popularity of medicine has contributed to a significant increase in number of practicing doctors^[10]. As the number of doctors increased, medical associations of a socio-professional nature were being established. According to Bronisław Seyda, at the end of the 16th century, Collegia Medica began to establish in numerous European cities^[11]. In Poland, the first project of establishment of chamber of physicians originated in Gdańsk in 1612. Collegium Medicum was to promote and admit doctors to practice, conducting consultations, handling conflicts concerning the art of medicine, examining medicine, and inspecting pharmacies. At last, the project was not accepted by the city council. In 1677, another step in order to establish Collegium Medicum took place. The project was advanced by Matthias Littawer together with thirteen other doctors. It contained deontological rules of conduct for doctors (e.g. the prohibition of applying for the practice by unauthorized means, the prohibition on making a name of oneself by despising other doctors and interfering in the treatment process of other doctors, the appointment of arbitrators or standing up to the whole college)^[12].

^[10] About the history of medicine, see more in T. Brzeziński (ed.), *Historia medycyny*, PZWL Wydawnictwo Lekarskie 2020, pp. 1-488; W. Szumowski, *Historia medycyny filozoficznie ujęta*, Wydawnictwo Marek Derewiecki, Kęty 2008, pp. 1-680.

^[11] B. Seyda, *Dzieje medycyny w zarysie*, Państwowy Zakład Wydawnictw Lekarskich, Warszawa 1997, p. 177.

^[12] Cf. P. Kordel, *Geneza, struktura i funkcjonowanie samorządu lekarskiego...*, op.cit., pp. 21-22, <https://www.wbc.poznan.pl/dlibra/show-content/publication/edition/249327?id=249327>, accessed: 08.07.2024.

In the 19th century, economic and professional organizations gained popularity. In 1848, German legal system transformed the existing chambers of commerce into compulsory institutions with legal personality, therefore, the medical profession also received formal legal representation. In the period of Partitions of Poland (1795-1918), medical self-government was closely related to the existence of self-governing bodies established in the German and Austro-Hungarian Empires^[13]. Polish physicians became the members of the mandatory chambers that were created by German and Austro-Hungarian authorities.

The Polish administration created in the years following the First World war was based on three models: Prussian, Austrian, and Russian. The reborn country underwent a difficult time, organizing the central and local administrative bodies, taking into account the inheritance of occupying countries^[14]. The purpose was to speed up the unification process. Although, the tradition in the sphere of local self-government had been established before, a variety of solutions it was taken into closer consideration. In fact, the model which was applied was the consequence of the clash of two opposing concepts (the first one – in favor of centralized structure of administrative bodies, the second one – calling for maximum degree of independence of the local authorities)^[15]. The creation of independent Polish state in 1918, made it necessary to build a system of state administration bodies, which were divided into governmental administration (including composite administration under the authority of the voivode); special administration (comprising military administration, education administration, religious administration, and economic self-government

[13] Cf. P. Kordel, M. Moskalewicz, *The Rebirth of Medical Self-Government in Poland in 1989*, *Lex Localis – Journal of Local Self-Government* April 2024, vol. 22, no. 2, p. 106, DOI:10.52152/22.2.104-119(2024).

[14] See mor in J. Sobczak, *Idea samorządowa w polskiej myśli politycznej XIX i początku XX wieku*, [in:] *Edukacja samorządowa*, ed. B. Jastrzębski, Olsztyn 1997, pp. 40-41.

[15] E. Sokalska, *The concepts of the local self-government in Poland in the first years of regaining independence*, *Studia Prawnoustrojowe* 2015, vol. 28, pp. 305-306. It should be emphasized that the discussion referring to self-government (especially local self-government) was very vivid that time. See, e.g. M. Jaroszyński, *Samorząd terytorialny w Polsce. Stan obecny. Wnioski do reformy*, Warszawa 1926, p. 1; T. Bigo, *Związki publicznoprawne w świetle ustawodawstwa polskiego*, Wyd. Kasy im. Mianowskiego, Warszawa 1928, p. 152.

with industrial and agricultural administration, with ministers responsible for specific tasks); and territorial self-government.

The existence of economic self-government (industrial and commercial, craft, agricultural, and professional) during the Second Polish Republic was an extremely interesting solution. The association of persons conducting specific economic activities was compulsory. The units of self-government were the chambers of commerce, responsible for performance of public administration within the mandated scope and, of course, for the defense of the interests of members in the case of the actions of the state administration authorities. Therefore, associations were mandated and regulated by the state. It reflected subordination of self-government to the state administration.

The organization of local self-government and special self-government was advanced by the Polish Constitution of the 17th of March 1921^[16], which determined that the political system of the Second Polish Republic was based on the principle of broad self-government, which was combined with legislative powers, giving a certain degree of autonomy, specifically in the field of public administration and culture^[17]. Although the Constitution of the 23rd April 1935^[18] brought some reduction in laws referring to self-government in comparison to the previous constitutional act, self-government became an essential aspect of social and economic life. There were created some favorable conditions for the development of corporations or associations of individuals working in various branches of economy.

The circumstances mentioned above influenced preservation of the medical self-government during the interwar period. In December 1921, it was passed

^[16] Constitution of the Republic of Poland, March 17, 1921, Journal of Laws of the Republic of Poland 1921, no. 44, item 267.

^[17] It is significant that on the 23rd of March it was adopted the law that partially changed the local self-government in order to unite together a variety of forms of self-government in Poland (Ustawa o częściowej zmianie ustroju samorządu terytorialnego [The Act on Partial Change of Local Self-Government], Journal of Laws of the Republic of Poland 1933, no. 35, item 294).

^[18] Constitution of the Republic of Poland 1935, Journal of Laws of the Republic of Poland 1935, no. 30, item 227.

the bill that established the Polish Chambers of Physicians^[19]. The first paragraph contained regulations referring to the chambers' tasks, namely: self-arrangement all matters concerning the interest and well-being of the medical estate; establishment of aims and tasks related to the performance of medical duties; guarding the rights and dignity; cooperation among national and local authorities within the field of public health^[20]. Under this act, self-governing representation of the medical state was constituted by the chambers of physicians and the Supreme Chamber of Physicians with legal personality.

The territorial structure of medical self-government was based on the administrative division of the state. The Minister of Public Health in agreement with the Supreme Medical Council was able to establish additional chambers of physicians. The members of the medical chambers were all doctors practicing medicine who resided in the district of the chamber and were entered on its list^[21]. The chambers of physicians carried basic tasks of self-government. In addition, they managed assets, set fees to cover the needs of the chamber, and drafted internal regulations. They also had the right to establish and run special institutions to protect doctors in the event of illness or old age, protecting widows or orphans of the doctors^[22].

The bodies of the chamber were a chamber council, a chamber board, an audit committee, and disciplinary courts, which term of office lasted three years. The chamber council consisted of 20 persons at least. They were elected by all doctors of a chamber by secret ballot. The chamber council elected a chamber board for a period of one year (5-9 members) and alternate board members. Its task was primarily to maintain the list of doctors. Removal from the list took place in the case of doctor's death or his leaving for the other

[19] Ustawa z dnia 2 grudnia 1921 r. o ustroju i zakresie działania izb lekarskich [The Act of 2 December 1921 on Organisation and Scope of Actions of Chambers of Physicians], *Journal of Laws of the Republic of Poland 1921*, no. 105, item 763.

[20] Cf. P. Kordel, M. Moskalewicz, *The Rebirth of Medical Self-Government...*, op.cit., p. 107.

[21] M.A. Waligórski, S. Pawłowski, *Samorząd zawodowy i gospodarczy w Polsce*, Wyższa Szkoła Zarządzania i Bankowości, Poznań 2005, pp. 115-116.

[22] See more in P. Kordel, *Geneza, struktura i funkcjonowanie samorządu lekarskiego...*, op.cit., pp. 25-26,

district. The council was obliged to publish information about inclusion in the list or any changes. In the appropriate official journal. A chamber board drew up an annual report on the implementation of the chamber's budget, implemented resolutions of the council, collected contributions of chamber's members, mediated in disagreements between the members of the chamber or between a chamber member and a non-physician. It also dealt with referring cases of misconduct to the disciplinary boards^[23].

The German occupants prohibited activities of medical chambers during the World War II. The first years after the war were the period when the communist regime began to shape new public administration. Seemingly agreeing to the existing political system, they quickly introduced new solutions. The intensification of centralization process was strengthened in the period of 1948-1950. It was the need to eliminate opposition, and any form of community self-organization was seen as a thread to the new totalitarian system. Self-government, and thus principle of decentralization of public tasks, was not formally allowed by the government. For this reason, administration was organized in the form of hierarchical subordination, where decisions were made top-down^[24]. Although, the Polish Chambers of Physicians started to operate in 1945, the communist authorities dissolved it in 1950 pursuant to the act of 18 July 1950 on abolition of chambers of physicians and dentists^[25]. The first attempts to restore the medical corporation took place in the 1950s. Unfortunately, the doctors' initiative failed, and the authorities did not allow physicians and dentists to set up their own organization^[26].

^[23] Ibidem, p. 27.

^[24] For more about the restrictions on self-governmental activities according to the concepts of Lenin's 'democratic centralism', see R. Kania, *Prawo w służbie ideologii. Myśl polityczna komunistów polskich i prawo stanowione od Manifestu PKWN do wyborów do Sejmu Ustawodawczego*, Difin, Warszawa 2023, pp. 274-275.

^[25] Ustawa z dnia 18 lipca 1950 r. o zniesieniu izb lekarskich i lekarsko-dentystycznych [The Act of 18 July 1950 on Abolition of Chambers of Physicians and Dentists], *Journal of Laws* 1950, no. 36, item 326.

^[26] Cf. P. Kordel, M. Moskalewicz, *The Rebirth of Medical Self-Government...*, op.cit., p. 107.

THE ATTEMPTS TO BUILD MEDICAL SELF-GOVERNMENT

The year of 1989 marked the collapse of the period of real socialism. It was opened the way for the formation of a civil state under the rule of law, based on a broad local self-government, which was not able to function without a professional non-political state civil service^[27]. After forty years of centralization political changes in the last two decades of the 20th century enabled the formation and establishment of a new political regime. The changes led to the development of civil society in the 21st century. Civil society provides society with some autonomous social institutions. They are not controlled centrally by the state authorities. Some questions concerning the instruments and forms of the effective participation and deliberation in the field of local self-government and other areas have been raised^[28].

In the matter of the fact, the idea of local self-government was an instrument of democratization of the Polish state. It was preferred an axiological order that presupposed the construction of a democratic state in relation to a broad self-government and enabled social participation^[29]. The reforms of public administration in the 1990s reintroduced local self-government, where 'gmina' became the basic administrative unit, and they led to the formation of the dualistic model of public administration, namely – governmental and

^[27] About development of political and administrative system, and reactivation of local self-government, see, e.g. H. Izdebski, M. Kulesza, *Administracja publiczna zagadnienia ogólne*, Liber, Warszawa 2000, pp. 68-78; Z. Leoński, *Samorząd terytorialny w RP*, C.H. Beck, Warszawa 2002, pp. 14-25; B. Dolnicki, *Samorząd terytorialny*, Zakamycze, Kraków 2001, pp. 56-66.

^[28] Cf. E. Sokalska, *Challenges of the Polish local self-government in the context of the development of the civil society*, *Studia Politologiczne* 2020, vol. 57, p. 136, DOI: 10.33896/SPolit.2020.57.8. It is significant that the developing interest in civil society by the representatives of a variety scientific areas correlates with the experience of democratic oppositions in the European states and the fall of communism. More about the idea of civil society, see, e.g. M. Kazimierczuk, *Wolność zrzeszania się jako element społeczeństwa obywatelskiego*, *Studia Prawnoustrojowe* 2015, vol. 28, pp. 22-24.

^[29] Cf. G. Radomski, *Idea samorządu terytorialnego jako instrumentu demokratyzacji państwa polskiej myśli politycznej po 1989 roku*, [in:] *Idee polityczno-prawne i społeczne jako fundamenty III Rzeczypospolitej*, eds. J. Justyński, R. Kania, Towarzystwo Naukowe Płockie, Płock 2018, pp. 311-328.

self-governmental structures^[30]. The purpose of the legislator was to grant local communities autonomy by means of decentralization of public authorities. The basic objective of the public administration reforms was to increase efficiency and effectiveness of public administration offices, the performance of public services, and the management of public finances at the local and regional levels, as well as to establish institutions of civil society at the local and regional levels.

After 1980, the opportunity for medical activists to regain their professional self-government appeared. Independent Self-governing Trade Union *Solidarność* and its Healthcare Section were in favor of the medical chamber reactivation. The idea of restoration of the medical self-government was approved on 24-25 April 1981, during the 1st congress of the National Healthcare Section of the Independent Self-governing Trade Union *Solidarność* in Poznań. The 2nd congress on 12 December 1981, delegates discussed the bill on the restoration of the Chamber of Physicians proposed by state authorities, and they proposed several amendments. Due to the Martial Law since 13 December 1981, the work on the bill was without the representatives of *Solidarność*. However, the Polish Medical Association took further activities in order to pass the bill^[31]. On 8 July 1986, Jerzy Bończak (a vice Minister of Health) submitted the goals of the bill on healthcare and medical profession. In June 1988, the Health Committee the Medical self-government bill. The proceedings were very slow because communist side was not in favor of the restoration of the medical chambers^[32].

At last, the 'Round Table' talks that began in February 1989, brought some positive changes. On the first session of the Health workgroup, the Chamber of physicians was considered the crucial element of reform of the Polish healthcare system. The system was inefficient because it was too centralized. Unequal money transfer to administrative units caused inequality of healthcare service.

[30] More about the legal basis of local self-government, see M. Granat, *Prawo konstytucyjne*, Wolters Kluwer, Warszawa 2019, pp. 377-387.

[31] Kordel P., Moskalewicz M., *The Rebirth of Medical Self-Government...*, op.cit., p. 108.

[32] *Ibidem*, p. 109.

It was noticed that the chambers would help to change this centralized system, and restoration of medical self-government would provide the improvement of healthcare system, and it would help doctors to regain their social prestige^[33].

The 'Round Table' agreements were signed on 5 April 1989. The Act on Chambers of Physicians referred to the Polish interwar traditions. Heated debate concerning, e.g. the procedures of the medical courts, granting medical license to doctors, and organization of first General Medical Assembly (the highest authority of the Polish Chamber of Physicians and Dentists) took place. The final success was voting on the Act on Chambers of Physicians on 17 May 1989^[34]. It should be taken into consideration that also other medical professions later created their self-governments (nurses and midwives, or veterinaries).

The currently binding law that regulates the organization and tasks of medical self-government is the Act of 2 December 2009 on Chambers of Physicians^[35]. The Polish Chamber of Physicians and Dentists (Naczelna Izba Lekarska), 23 Regional Chambers of Physicians and Dentists (Okręgowe Izby Lekarskie.), and Military Medical Chamber (Wojskowa Izba Lekarska) are the organisational bodies of the professional self-government of physicians and dentists^[36]. They are responsible for supervising the proper exercise of the medical professions, determining the principles of professional ethics and deontology, and protecting and representing the medical professions^[37]. Medical self-governmental bodies grant professional

^[33] Ibidem, p. 111.

^[34] Ustawa z dnia 17 maja 1989 r. o izbach lekarskich [The Act of 17 May 1989 on Chambers of Physicians], Journal of Laws 1989, no. 30, item 158.

^[35] Ustawa z dnia 2 grudnia 2009 r. o izbach lekarskich [The Act of 02 December 2009 on Chambers of Physicians], consolidated text: Journal of Laws 2021, item 1342.

^[36] *Ministerstwo Zdrowia*, www.gov.pl/web/zdrowie/samorzadzawodowy, accessed: 28.03.2024; *Naczelna Izba Lekarska*, <https://nil.org.pl/izba-154>, accessed: 28.03.2024.

^[37] See more about tasks of medical self-government in M.J. Piekut, J.A. Pacian, *Self-government of doctors in the context of their professional responsibility: economic, managerial, and legal aspects*, *Medical Studies/Studia Medyczne* 2023, vol. 39(4), pp. 405-413, DOI: <https://doi.org/10.5114/ms.2023.134094>. See also P. Kordel, *Wybory organów samorządu lekarskiego w Polsce*, [in:] *Prawo wyborcze i wybory. Doświadczenia dwudziestu lat procesów demokratycznych w Polsce*, ed. A. Stelmach, Poznań 2010, pp. 211 – 220.

licenses and maintain registers of doctors^[38]. It is crucial for medical self-government to be independent and function in a proper way in order to provide patients with high standards of medical practice.

CONCLUDING REMARKS

Professional corporations, existing as a form of privatization of administration, selected on the basis of the criteria of the professional interest, tie a specific group of citizens exercising mainly public trust professions, are the basis for the activities of various social groups. The professional self-government has the right of self-determination with regard to the organization and conditions of practice and control. By allowing such professional groups to exist, the state relinquishes the performance of certain public administration tasks to the self-government of these groups.

Civil society promotes citizen's participation in social and political life. The issue of civil society might be taken into closer consideration in a variety of contexts. The transformation of post communist regime enabled the active participation of citizens in public life via self-government that is an expression of civil society^[39]. Besides local self-government, in 1989, professional self-government, namely – medical self-government also evolved. After Soviet domination, democratisation process and political transformation in Poland allowed medical community to recreate and develop. Medical chambers improve the working conditions for doctors, and we can notice direct correlation between that improvement and the amelioration of the situation of patients. They also influence the health care draft legislation in order to eliminate the threats to doctors and patients posed by specific solutions advanced by Polish government.

^[38] M. Przystek, P. Kordel, *Centralny Rejestr Lekarzy jako przykład wykonywania zadań administracyjnych przez samorządy zawodowe*, [in:] *Z badań nad samorządem zawodowym w Polsce*, ed. R. Kmiecik, WNPiD UAM, Poznań 2010, pp. 171 – 178.

^[39] Sokalska E., *Searching for a new formula of a state: International discourse on deliberative democracy*, *Acta Iuridica Resoviensia* 2023, vol. 1(40), p. 124, DOI: 10.15584/actaires.2023.1.8.

It is worth to mention that around the current political practice and the attitude of the Polish government to corporations, which represent the professions of public trust, arose deliberate concerns due to the fact that their role is consistently marginalized. Central administration is unwilling to share its political influence. It is rather interested in periodical consultations. According to Robert Kmiecik, *these disturbing processes are further strengthened by the populist depreciation of professional circles associated in self-governing chambers*^[40]. He adds that *the increasing interference of government administration in their operations poses an obvious risk to the powers of these self-governing structures, to the further consolidation of participatory processes*^[41] and to the promotion of civil society. Also other Polish researchers emphasize that subsequent governments are rather reluctant to allow the professional self-governments to take greater responsibility for their circles, and to reduce their role to administrators with little direct power^[42]. However, we have to conclude that the rebirth of medical self-government in Poland that was linked to democratization of the Polish state should be seen as an important hallmark of modern deliberative democracy.

REFERENCES

- Bigo T., *Związki publicznoprawne w świetle ustawodawstwa polskiego*, Wyd. Kasy im. Mianowskiego, Warszawa 1928.
- Brzeziński T. (ed.), *Historia medycyny*, PZWL Wydawnictwo Lekarskie 2020, pp. 488.
- Dolnicki B., *Samorząd terytorialny*, Zakamycze, Kraków 2001.
- Dytko J., *Nadzór i sądowa kontrola działalności uchwałodawczej organów samorządu zawodów medycznych*, *Studia Prawnoustrojowe* 2022, vol. 57, pp. 173-190, DOI: 10.31648/sp.8070.
- Granat M., *Prawo konstytucyjne*, Wolters Kluwer, Warszawa 2019.
- Izdebski H., Kulesza M., *Administracja publiczna zagadnienia ogólne*, Liber, Warszawa 2000.
- Jaroszński M., *Samorząd terytorialny w Polsce. Stan obecny. Wnioski do reformy*, E. Wende i S-ka, Warszawa 1926.

^[40] R. Kmiecik, *Self-government...*, op.cit., p. 99.

^[41] Ibidem, p. 99.

^[42] Cf. P. Kordel, M. Moskalewicz, *The Rebirth of Medical Self-Government...*, op.cit., p. 117.

- Kania R., *Prawo w służbie ideologii. Myśl polityczna komunistów polskich i prawo stanowione od Manifestu PKWN do wyborów do Sejmu Ustawodawczego*, Difin, Warszawa 2023.
- Kazimierzczuk M., *Wolność zrzeszania się jako element społeczeństwa obywatelskiego*, *Studia Prawnoustrojowe* 2015, vol. 28, pp. 21-34.
- Kmieciak R., *Self-government in the political system of Poland*, *Przegląd Politologiczny* 2020, vol. 2, pp. 87-104, DOI: 10.14746/pp.2020.25.2.6.
- Kordel P., *Geneza, struktura i funkcjonowanie samorządu lekarskiego w Polsce w latach 1989-2009*, rozprawa doktorska, Promotor prof. dr hab. M. Musielak, Katedra nauk Społecznych Wydział Nauk o Zdrowiu Uniwersytet Medyczny im. Karola Marcinkowskiego w Poznaniu, Poznań 2012, <https://www.wbc.poznan.pl/dlibra/show-content/publication/edition/249327?id=249327>, accessed: 08.07.2024.
- Kordel P., Moskalewicz M., *The Rebirth of Medical Self-Government in Poland in 1989*, *Lex Localis – Journal of Local Self-Government* April 2024, vol. 22, no. 2, pp. 104-119, DOI:10.52152/22.2.104-119(2024).
- Kordel P., *Wybory organów samorządu lekarskiego w Polsce*, [in:] *Prawo wyborcze i wybory. Doświadczenia dwudziestu lat procesów demokratyzacyjnych w Polsce*, ed. A. Stelmach, Poznań 2010, pp. 211 – 220.
- Leoński Z., *Samorząd terytorialny w RP*, C.H. Beck, Warszawa 2002.
- Marek A., *Historia samorządu lekarskiego w II Rzeczypospolitej*, *Lekarz Wojskowy* 2020, vol. 98(2), pp. 121-125.
- Ministerstwo Zdrowia, www.gov.pl/web/zdrowie/samorząd-zawodowy, accessed: 28.03.2024.
- Naczelna Izba Lekarska, <https://nil.org.pl/izba-154>, accessed: 28.03.2024.
- Nasierowski T., *Świat lekarski w Polsce II połowa XIX w. – I połowa XX w.*, Wyd. OIL, Warszawa 1992, pp. 190.
- Piekut M.J., Pacian J.A., *Self-government of doctors in the context of their professional responsibility: economic, managerial, and legal aspects*, *Medical Studies/Studia Medyczne* 2023, vol. 39(4), pp. 405-413, DOI: <https://doi.org/10.5114/ms.2023.134094>.
- Przastek M., Kordel P., *Centralny Rejestr Lekarzy jako przykład wykonywania zadań administracyjnych przez samorządy zawodowe*, [in:] *Z badań nad samorządem zawodowym w Polsce*, ed. R. Kmieciak, WNPiD UAM, Poznań 2010, pp. 171 – 178.
- Radomski G., *Idea samorządu terytorialnego jako instrumentu demokratyzacji państwa polskiej myśli politycznej po 1989 roku*, [in:] *Idee polityczno-prawne i społeczne jako fundamenty III Rzeczypospolitej*, eds. J. Justyński, R. Kania, Towarzystwo Naukowe Płockie, Płock 2018, pp. 311-328.
- Rączka P., *Działalność prawodawcza samorządów zawodowych w Polsce*, TNOiK, Toruń 2013, pp. 432.
- Seyda B., *Dzieje medycyny w zarysie*, Państwowy Zakład Wydawnictw Lekarskich, Warszawa 1997.

- Sobczak J., *Idea samorządowa w polskiej myśli politycznej XIX i początku XX wieku*, [in:] *Edukacja samorządowa*, ed. B. Jastrzębski, Olsztyn 1997.
- Sokalska E., *Challenges of the Polish local self-government in the context of the development of the civil society*, *Studia Politologiczne* 2020, vol. 57, pp. 135-147, DOI: 10.33896/SPolit.2020.57.8.
- Sokalska E., *Searching for a new formula of a state: International discourse on deliberative democracy*, *Acta Iuridica Resoviensia* 2023, vol. 1(40), pp. 124-138, DOI: 10.15584/actaires.2023.1.8.
- Sokalska E., *The concepts of the local self-government in Poland in the first years of regaining independence*, *Studia Prawnoustrojowe* 2015, vol. 28, pp. 305-320.
- Szumowski W., *Historia medycyny filozoficznie ujęta*, Wydawnictwo Marek Derewiecki, Kęty 2008, pp. 680.
- Waligórski M.A., Pawłowski S., *Samorząd zawodowy i gospodarczy w Polsce*, Wyższa Szkoła Zarządzania i Bankowości, Poznań 2005.
- Więckowska E., *Lekarze jako grupa zawodowa w II Rzeczypospolitej*, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 2004. 292 pp.

LEGAL ACTS

- The Constitution of the Republic of Poland, *Journal of Laws* 1997, no. 78, item 483.
- The Constitution of the Republic of Poland, March 17, 1921, *Journal of Laws of the Republic of Poland* 1921, no. 44, item 267.
- Ustawa o częściowej zmianie ustroju samorządu terytorialnego [The Act on Partial Change of Local Self-Government], *Journal of Laws of the Republic of Poland* 1933, no. 35, item 294.
- Ustawa z dnia 2 grudnia 1921 r. o ustroju i zakresie działania izb lekarskich [The Act of 2 December 1921 on Organisation and Scope of Actions of Chambers of Physicians], *Journal of Laws of the Republic of Poland* 1921, no. 105, item 763.
- Ustawa z dnia 18 lipca 1950 r. o zniesieniu izb lekarskich i lekarsko-dentystycznych [The Act of 18 July 1950 on Abolition of Chambers of physicians and Dentists], *Journal of Laws* 1950, no. 36, item 326.
- Ustawa z dnia 17 maja 1989 r. o izbach lekarskich [The Act of 17 May 1989 on Chambers of Physicians], *Journal of Laws* 1989, no. 30, item 158.