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## State of Natural Disaster as an Instrument for Protecting Public Safety and Order

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Submitted 10/09/24, 1st revision 25/09/24, 2nd revision 01/10/24, accepted 30/10/24

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**Abstract:**

**Purpose:** The aim of the article is to present the institution of a state of emergency, which is a state of natural disaster, which is a legal tool intended to be used in specific political and social conditions in order to solve specific state problems.

**Design/Methodology/Approach:** The main methodology is based on the analysis of the results of own scientific research and on the synthetic description of key conclusions resulting from the review of literature describing various aspects of the analyzed issue regarding the state of natural disaster.

**Findings:** The article diagnoses the basic features of the state of natural disaster and shows the methods of action of state bodies in the event of significant threats that require special action due to their specificity. The evaluation of threats and the development of methods and means for their prevention mean that the institution of the state of natural disaster should be constantly discussed in the Polish constitutional law.

**Practical Implications:** In order to further improve legal regulations, it is necessary to continue work on raising social awareness of the importance of the institution of the state of natural disaster as set out in the Constitution of the Republic of Poland.

**Original/Value:** For the purposes of this article, a multi-aspect synthetic and critical analysis of data available in the literature and own research was conducted. The proposed solutions are to contribute to raising awareness among administrative bodies to address the subject of an emergency, which is a state of natural disaster.

**Keywords:** Institution of the state of emergency, state of natural disaster, safety of citizens, public procurement, threats.

**JEL classifications:** H56, F52, O33.

**Paper Type:** Research article.

**Acknowledgements:** The authors express their gratitude to all participants in the study.

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## **1. Introduction**

A state of emergency is a legal, time-limited departure from the normal functioning of the legal order in a country, in order to save some legally protected good. The institution of a state of emergency is characterized by the possibility of limiting certain rights and obligations of an individual, but also leads to a change in the competences of certain powers of state authorities. A state of emergency in *the Constitution of the Republic of Poland* (Journal of Laws 1997, No. 78, item 483, as amended ) occupies little space, because it consists of several provisions and constitutes a very complex and complicated institution.

The consequence of introducing a state of emergency is the limitation of human and civil rights and freedoms guaranteed by *the Constitution of the Republic of Poland* (Gołębiowska, 2021). Nevertheless, the lack of constitutional regulation in this matter may cause the use of a state of emergency to become an opportunity for abuse (Prokop, 2005). The threat resulting from the lack of a legal basis for the activities of public authorities during the introduction of a state of emergency may lead to the use of this institution in a manner inconsistent with the purposes assumed by legal regulations.

*The Constitution of the Republic of Poland* distinguishes three categories of states of emergency: a state of emergency, a state of natural disaster and martial law. The article presents only one of the listed states of emergency, i.e. a state of natural disaster, which is one of the most important regulations in Polish law, as it addresses issues related to specific threats to the state and citizens (Gołębiowska, 2017).

The hypothesis adopted in the article is that a state of natural disaster is a very important element of Polish law. For the purposes of the article, in addition to the use of commonly known theoretical research methods, such as analysis or synthesis, empirical research was conducted using the survey method using a survey questionnaire as a tool.

## **2. Definition of the Term State of Emergency**

Every state, regardless of its political system or location, is exposed to many internal and external dangers. State authorities and appropriate institutions established to protect the security and public order of citizens are obliged to take various actions aimed at preventing all threats. It is possible that situations may occur where ordinary constitutional measures may be insufficient.

The legal instrument used to combat the most serious threats to the security of the state and its citizens are states of emergency (Prokop, 2005). A breakthrough moment in the process of popularizing the concept of a state of emergency was the adoption of *the Constitution of the Republic of Poland* of April 2, 1997 (Eckhardt, 2012).

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The literature on the subject presents many definitions of the term “state of emergency”, which emphasize the circumstances accompanying its introduction, e.g., a particular threat to public safety and order. According to some authors, a state of emergency in a democratic state means a legal regime introduced in the event of a particular threat, the removal of which is possible only by means of exceptional measures (Prokop, 2005).

In the event of the introduction of one of the three states of emergency, specific principles apply, as well as restrictions on the rights and freedoms of individuals. The state authorities also exercise their prerogatives on specific principles and use special powers, which are aimed at removing the threat as quickly as possible (Socha, 2010).

The analysis of legal acts devoted to states of emergency indicates that, regardless of the type, a state of emergency is based on several structural elements (Brzeziński, 2012). The first element is the mode of introduction, known by a procedure that specifies entities with appropriate competences to introduce states of emergency and the authority to supervise or control the decision to introduce this state.

In addition, this procedure establishes requirements for publication, the procedure for entry into force and the legal form of the state of emergency. An important structural element is the purpose of introducing one of the three states of emergency. It answers several questions regarding the justification for introducing a state of emergency, the desired effects and the determination of the actions that should be applied.

Another element is the grounds for application. Their task is to indicate the conditions that allow for the introduction of a state of emergency and determine when a given state of emergency can be applied, so that the decision is not only legal, but above all justified. The next element is the scope of the territory, which indicates and subordinates a given area to one of the states of emergency and its possible change.

The structural elements of the state of emergency also include the duration of the state of emergency. This concept specifies the duration of the state of emergency and the possibility of extending it under certain conditions. An important element is also extraordinary measures, which should be understood not only as the effects that the state of emergency may cause, but also as the changes related to the state of emergency.

The last element is the procedure for lifting. It indicates the entities authorized to terminate the state of emergency, the procedure and the conditions for its lifting (Smaga, 2004). The listed structural elements of the state of emergency create a kind of normative framework for states of emergency, and their content is the starting point for further considerations (Brzeziński, 2007).

## **2.1 The Concept of a State of Natural Disaster and Its Specific Features**

The concept of a state of natural disaster can be defined as a random event that is a threat to safety, life or property of large numbers people or capable of inducing serious disruptions in the national economy, for the combat of which an organized action is required. State of natural disaster is determined, as a natural disaster causing damage and destruction in inhabited and exploited areas, which are most often difficult to predict, which makes it impossible to prepare for and limit the damage (Brzeziński, 2012).

Article 232 of the *Constitution of the Republic of Poland* states that “a state of natural disaster may be introduced in order to prevent the effects of natural disasters or technical failures that have the characteristics of a natural disaster and in order to remove them.” According to the constitutional provisions, a natural disaster is a “qualified” form of a natural cataclysm or technical failure.

In addition, Article 3, Section 2 of the *Act on the State of Natural Disaster* explains that an event caused by terrorist activities may also be considered a natural disaster or technical failure, and the amendment to the Act in question expands this provision by adding the possibility of a natural disaster or technical failure as a result of events in cyberspace.

The *Act on the State of Natural Disaster* defines the state of natural disaster as “a natural disaster or technical failure, the consequences of which threaten the life or health of a large number of people, property on a large scale or the environment over large areas, and thus assistance and protection can only be effectively undertaken with the use of extraordinary measures, in cooperation between various bodies and institutions and specialised services and formations operating under uniform management.”

The term natural disaster should be understood as “an event related to the action of natural forces, in particular atmospheric discharges, seismic shocks, strong winds, heavy atmospheric precipitation, prolonged occurrence of extreme temperatures, landslides, fires, droughts, floods, ice phenomena on rivers and the sea and lakes and reservoirs, mass occurrence of damage, plant or animal diseases or infectious diseases of people or the action of another element.”

The last of the interpreted concepts concerns the occurrence of a technical failure, which should be understood as “a sudden, unforeseen damage or destruction of a building, a technical device or a system of technical devices causing an interruption in their use or loss of their properties.”

The state of natural disaster is responsible for threats arising from the forces of nature and takes on the nature of an internal threat, but due to the specificity of the source of the danger, which are the forces of nature, it has been distinguished as a

separate legal regime. The state of natural disaster has two main goals. The first one is preventive in nature – “in order to prevent” – aimed primarily at preventing the effects of natural disasters or technical failures, having the characteristics of a natural disaster (Mażewski, 2010). The second goal refers to eliminating the effects of occurring disasters and failures through rescue operations.

## 2.2 Characteristics of a Natural Disaster Situation

The grounds for applying a state of natural disaster can be found in Article 232 of the *Constitution of the Republic of Poland*, which states that “in order to prevent the effects of natural disasters or technical failures having the characteristics of a natural disaster and in order to remove them, the Council of Ministers may introduce a state of natural disaster for a specified period of no longer than 30 days on part or on the entire territory of the country.”

When analyzing the grounds for introducing a state of natural disaster, it should be considered whether the damage is caused by the forces of nature (natural disaster) or the damage was caused by human activity using the forces of nature (technical failure). Taking into account the second case, not every technical failure should be considered a natural disaster, but only the one that poses a special threat and its removal by ordinary constitutional means is impossible.

Article 3, paragraph 2 of the *Act on the State of Natural Disasters* states that “an event caused by terrorist activities may also be a natural disaster or technical failure”. According to the definition in Article 3, paragraph 1, point 2 of the *Act on the State of Natural Disasters*, a natural disaster may be caused by a terrorist attack, excluding mass fires or the occurrence of infectious diseases of animals or humans (Prokop, 2005).

It can also be assumed that in the vast majority of cases, a natural disaster caused by terrorist activities will rather be a technical failure, rather than a natural disaster (Gołębiowska, 2021).

The state of natural disaster may be introduced by the Council of Ministers, on its own initiative or at the proposal of the relevant voivode, after making an independent assessment of the situation. The state of natural disaster is introduced in the form of a regulation, which includes: causes, area, date of introduction, restrictions on freedom and human rights, as well as duration.

The procedure for introducing the state of natural disaster can be considered specific due to the fact that the regulation of the Council of Ministers introducing this state is not subject to control by the Sejm (Gołębiowska, 2017). Referring to Article 232 of the *Constitution of the Republic of Poland*, we do not find a basis for the control function of the Sejm, as was the case in the other two states of emergency. It is difficult to say unequivocally whether such a solution is correct, but it can be

considered controversial. *The Constitution of the Republic of Poland* does not provide for control by the Sejm over the regulation introducing the state of natural disaster, therefore it should be recognized that *de lege ferenda* substitutes for such control should be created.

The duration of the state of natural disaster is indicated in Article 4, sec. 2 of the Act *on the State of Natural Disaster*. According to this provision, this state may be introduced for a period not longer than 30 days. It results from the adopted regulation that the duration of each non-extended state of natural disaster may be specified by specifying the day on which this state will be lifted, or by indicating the number of days for which this state will be in force (Brzeziński, 2007). Due to the consequences that the state of natural disaster may bring, its duration cannot be specified in months.

The extension of the state of natural disaster is possible only with the consent of the Sejm. The introduction of such a solution should be considered appropriate, because the period of thirty days may turn out to be too short to eliminate the effects of a natural disaster or technical failure, which bear the characteristics of a natural disaster, although - as it might seem - it should not be too short to prevent their effects (Prokop, 2005).

The extension of the duration of a natural disaster is based on a regulation issued by the Council of Ministers, with the reservation that the regulation may be issued no earlier than after the Sejm adopts an appropriate resolution. The Council of Ministers is obliged to submit a motion to the Sejm if it wants to extend the state of natural disaster, at the same time presenting a draft of such a resolution. Such a decision is taken by the Sejm by a simple majority of votes.

*The Constitution of the Republic of Poland* does not specify the time for which the state of natural disaster may be extended and there is no provision for the number of times the state of natural disaster may be extended. An indefinite or repeated extension of the state of natural disaster may lead to the extension of the term of office of the Sejm, the impossibility of shortening it and the extension of the term of office of the Council of Ministers (Brzeziński, 2007).

The territorial scope of the state of natural disaster may be introduced on part or all of the territory. In practice, this state will be introduced on part rather than on the entire territory of the state. It is difficult to imagine circumstances in which the state of natural disaster covers the entire country.

The method of ending the state of natural disaster has not been provided for in *the Constitution of the Republic of Poland*, similarly to the state of emergency and martial law. The lifting of the state of natural disaster should be based on a regulation of the Council of Ministers.

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According to Article 6, sec. 2 of the *Act on the State of Natural Disaster*, the Council of Ministers may, based on a regulation, lift the state of natural disaster before the expiry of the period for which it was introduced, when the reasons for its introduction cease, i.e. if the effects of the natural disaster or technical failure have been prevented and when the effects of these phenomena have been removed.

The lifting of the state of natural disaster involves issuing a regulation, which should be published in the Journal of Laws and made public by an announcement by the relevant voivode and posted in public places. The editors-in-chief of newspapers, together with broadcasters of television and radio programs, are obliged to provide the public with free and immediate information on the lifting of the state of natural disaster based on a regulation issued by the Council of Ministers (Gołębiowska, 2016).

Ending the state of natural disaster is permissible in a situation where its term for which it was introduced has expired or if the Sejm has not expressed its consent to extend it. This state cannot be ended on the basis of a resolution of the Sejm that repeals the regulation issued by the Council of Ministers introducing a state of natural disaster, because the Sejm does not have such authority.

### **2.3 The Way of Organizing Public Administration during a Natural Disaster**

Public administration entities in a commune, county or province are obliged to carry out tasks related to protection against threats resulting from a natural disaster. During a state of natural disaster, the activities of public administration constitute a much larger part of the activities of public authorities, classified as public security (Gołębiowska, 2017). The competences of public administration include taking immediate action in the event of a threat and it is natural that such actions are first taken by local authorities, which are able to gain knowledge about the threat and its effects the fastest.

An important principle of public administration functioning in a state of natural disaster is to transfer competences to higher levels of government as the range of the threat expands. The basis for taking such actions is the applicable principle of subsidiarity, which assumes that lower levels of government can transfer their tasks to higher levels only in a situation where they are unable to effectively carry them out themselves.

We note, therefore, that it would be unjustified to create a separate administration that would become active in the event of a natural disaster. Decision-making during this state of emergency should proceed in a matter-of-fact manner without unnecessary delay.

The *Act on the State of Natural Disasters* indicates that protection against natural disasters should be implemented at all levels of local government, including the

commune and the county. According to the provisions of the *Act on Local Government*, such a unit is obliged to ensure fire and flood protection, along with the proper maintenance of warehouses necessary to implement this own task (Gołębiowska, 2015).

Similarly to the commune, the county has also been entrusted with tasks aimed at ensuring the protection and safety of citizens. Moreover, the county, pursuant to Art. 4 sec. 1, item 16 of the *Act on County Self-Government*, is to prevent all other extraordinary threats to life, human health and the environment (Gołębiowska, 2016). The legislator has granted all local government units, together with the governor, the necessary powers to counteract natural disasters. They move on to the division of tasks among specific local government units, Polish law indicates in this case a single-person management (Gołębiowska, 2017).

An important pillar of protection against the effects of natural disasters are specialized formations that operate within separate systems. The first of them is the National Rescue and Firefighting System at the State Fire Service, which is not limited only to fighting fires.

Its structure has been significantly expanded to include fighting natural disasters, chemical, technical, medical and ecological rescue. It operates at three levels, including the district governor, the governor and the Chief Commandant of the State Fire Service. The scope of tasks of the individual units included in this system indicates that it is to be universal in nature, capable of reacting to prevent any threat.

Another separate system based on medical rescue is the State Medical Rescue. The main assumptions of this system are to undertake the necessary rescue actions for each person who finds themselves in a sudden situation of threat to health or life.

The third organizational structure, whose activity is aimed at combating natural disasters is civil defense. According to the *Act on the Universal Duty to Defend the Republic of Poland*, this system aims, among others, to protect the population, workplaces, and also to cooperate in combating natural disasters and environmental threats and to remove their effects. In addition, civil defense is tasked with preparing the population in the event of the occurrence of specific threats.

One of the basic formations that participate in combating natural disasters is the Police. The competences of the Police in the event of a natural disaster, catastrophe and technical failure can be divided into several elements. Police officers are obliged to raise alarms and warn about the threat (Gołębiowska, 2016). As part of this task, they obtain, process and transfer information about the threat to other cooperating services and citizens.

They are responsible for conducting order operations by providing detours for other services and preventing panic and disruption of order. The Police actively participate



in direct rescue operations by providing first aid and evacuating people from places at risk. An important element related to the activities of Police officers is taking the necessary actions to restore the state that existed before the threat occurred.

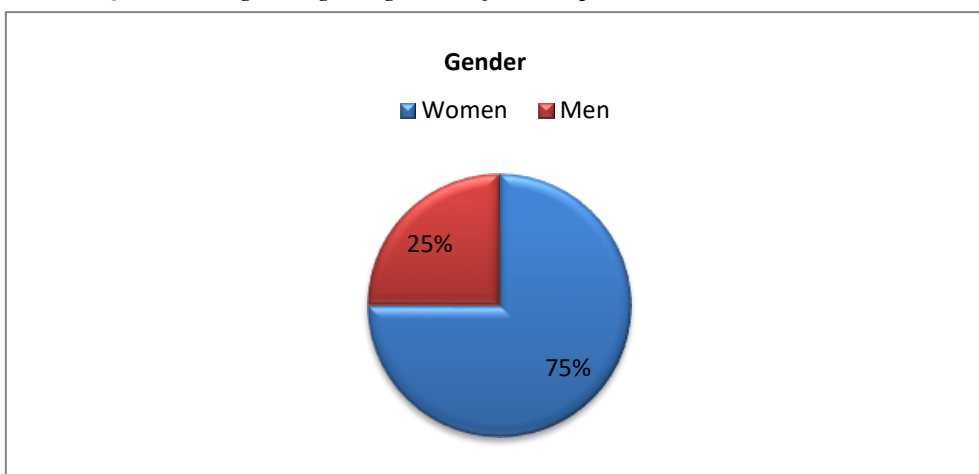
The Polish Armed Forces participate in search and rescue operations and in securing places for temporary residence of the population. As part of their duties, soldiers are responsible for monitoring threats and assessing the scope of the effects caused by a natural disaster. The bodies that perform tasks in the field of preventing the effects of natural disasters are: the Border Guard, the Maritime Search and Rescue Service and other competent agencies, offices, inspections, guards and services in this area. The bodies competent to conduct activities to counteract natural disasters are obliged to cooperate and mutually exchange the necessary information regarding the threat.

### 3. Research Overview

In order to determine the level of awareness of citizens regarding the issues of the institution of the state of emergency, which is the state of natural disaster, a survey was conducted using the survey questionnaire as a research tool. The results of the research helped to answer the question: what is the awareness of citizens regarding the state of natural disaster and whether, in their opinion, it is an important element in Polish law. The survey was conducted among people aged 18 to 50. The survey consists of 12 closed and open questions. 100 people participated in the study.

The first question referred to the gender of the person taking part in the study. The majority of the surveyed participants were women (75%), while there were 25% men.

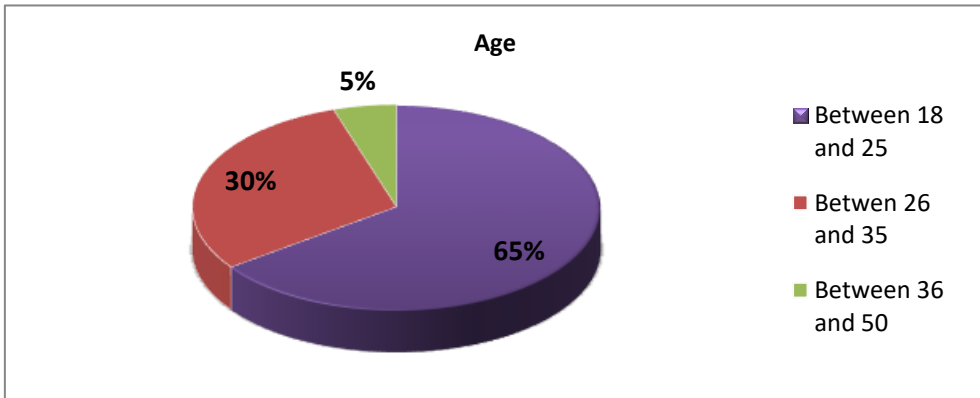
*Chart 1. Question regarding the gender of the respondents*



*Source: Own study.*

The second question showed the age group of the respondents. The form distinguished four age variants. The first age group was made up of people from 18 to 25 years of age, the next was from 26 to 35 years of age, then from 36 to 50 years of age. The largest number of respondents, as many as 65%, were from 18 to 25 years of age. People from 26 to 35 years of age made up 30%. People from 36 to 50 years of age made up 5%.

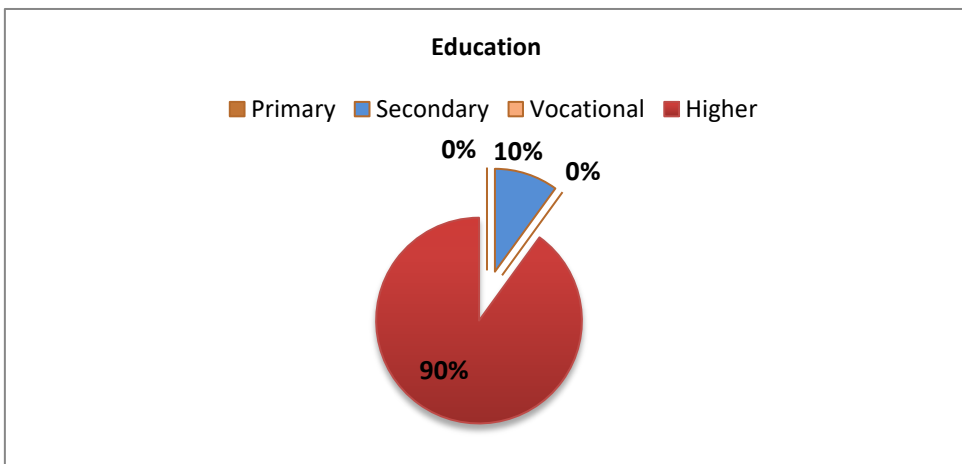
**Chart 2.** Question regarding the age of the respondents.



*Source: Own study.*

The third question included in the survey was to show the level of education of the surveyed. The surveyed persons had to choose one of four answers representing the level of education, i.e.: primary, secondary, vocational, higher. The vast majority, as much as 90% of the surveyed persons had higher education, while 10% had secondary education.

**Chart 3.** Question regarding the education of the respondents.



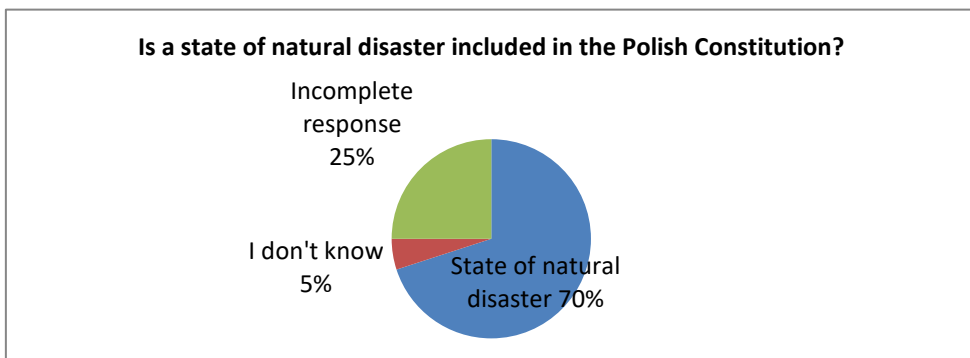
*Source: Own study.*

The fourth question was: “What do you understand by the term ‘state of emergency’?” Most respondents associated the term ‘state of emergency’ with the occurrence of a specific threat. The respondents answered this question very well. One of the best answers was as follows: “... *a state in which the implementation of standard procedures, as well as the use of ordinary forces and means, is not sufficient, hence it is necessary to take so-called ‘extraordinary measures’.*”

The remaining respondents correctly associated the institution of the state of emergency with its individual versions, indicating that it is a state of emergency, war or natural disaster. Among the answers, the necessity of using the state of emergency by the authorities due to the adoption of special security measures was also indicated. The respondents were correctly able to indicate that the state of emergency is introduced only and exclusively at the time of a specific threat, e.g. in the face of a natural disaster, and that it may introduce certain restrictions on certain civil rights and liberties.

Question five was: “Is the state of natural disaster, as a state of emergency, included in *the Constitution of the Republic of Poland of 2 April 1997*?” Only 70% of the respondents confirmed that the state of natural disaster is included in *the Constitution of the Republic of Poland*. On the other hand, 5% of the respondents answered that they did not know whether the state of natural disaster is included in *the Polish Constitution*. Another 25% were unable to correctly indicate the answer. Among them, there were answers such as “state of epidemic” or “state of threat”.

**Chart 4.** *Question regarding whether the state of natural disaster is included in the Polish Constitution.*

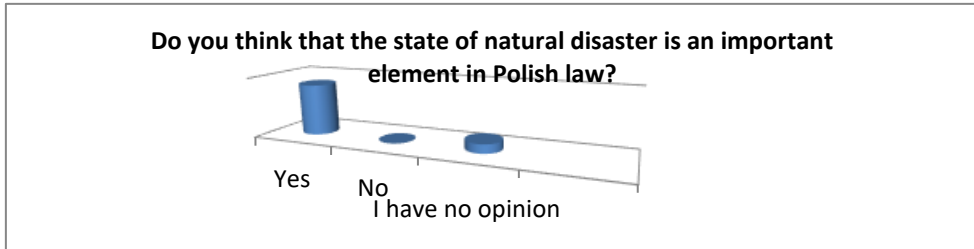


*Source: Own study.*

The next question was: “Do you think that the state of emergency, which is the state of natural disaster, is an important element in Polish law?” Each person surveyed had the opportunity to select one of three answers. The answers were yes, no, I have no opinion. The results of this question can be assessed positively, if only, because no one gave a negative answer. 85% of the people believed that the state of natural disaster was an important element in Polish law.

The remaining 15% responded that they had no opinion on the subject. This is due to a lack of knowledge about this institution and awareness of the important elements that the issue of the state of natural disaster covers.

**Chart 5.** Question regarding the validity of the state of natural disaster in Polish law.



**Source:** Own study.

The next question was a continuation of the previous answer. If the respondent answered in the affirmative, they had to briefly describe why the state of natural disaster is an important element in Polish law. The answers provided focused on the possibility of quickly combating the threat and danger. In addition, the respondents indicated the possibility of introducing special legal regulations concerning the method of functioning during the state of natural disaster and the possibility of a quick response.

A very interesting position showing the importance of the state of natural disaster was given by one of the respondents, who gave the following answer: “the state of natural disaster is introduced when the life or health of Polish citizens is at risk, hence it is also specific information for people in danger on how to proceed in order to minimize possible damage, and how to save their own life and the lives of their loved ones.

Then, some rights of citizens are limited in order to direct them and adapt them to the orders of services and authorities, which in this respect must implement specific procedures.”

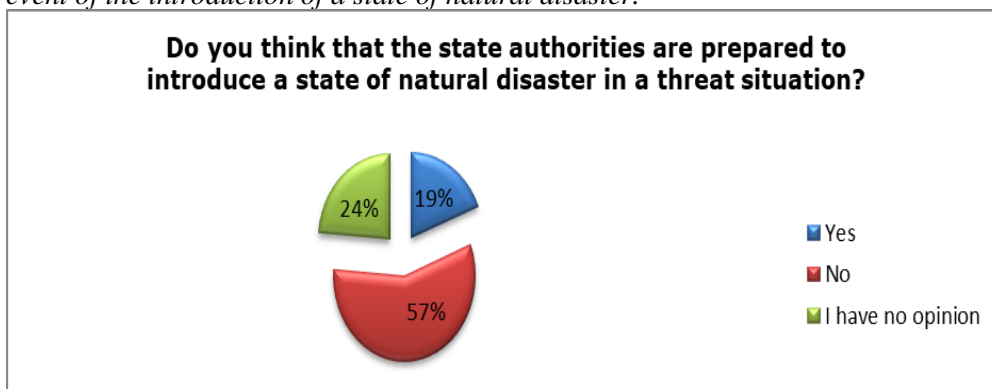
In one sentence, we received an outline of the most important elements included in the state of natural disaster, from procedures during a special threat, to minimizing damage and also the need to subordinate to specific services. The answers to this question confirm the belief that the respondents consider the institution of the state of natural disaster to be an important element of Polish law and are able to prove this by providing specific examples.

Question eight focused on indicating the level of preparation of state authorities in the event of the need to introduce a state of natural disaster. The people taking part in the survey negatively assessed the level of preparation of the Polish authorities.

As it results from the answers, as many as 57% believe that they are not prepared for this. Positive answers were given by 19%, while people who had no opinion constituted 24%. This indicates the need for state services to start a discussion on the institution of a state of natural disaster.

The authorities should make the public aware that this is an important element of Polish law and that in the event of specific threats they will be able to act quickly to eliminate the danger as soon as possible.

**Chart 6.** Question regarding the degree of preparation of state authorities in the event of the introduction of a state of natural disaster.



*Source:* Own study.

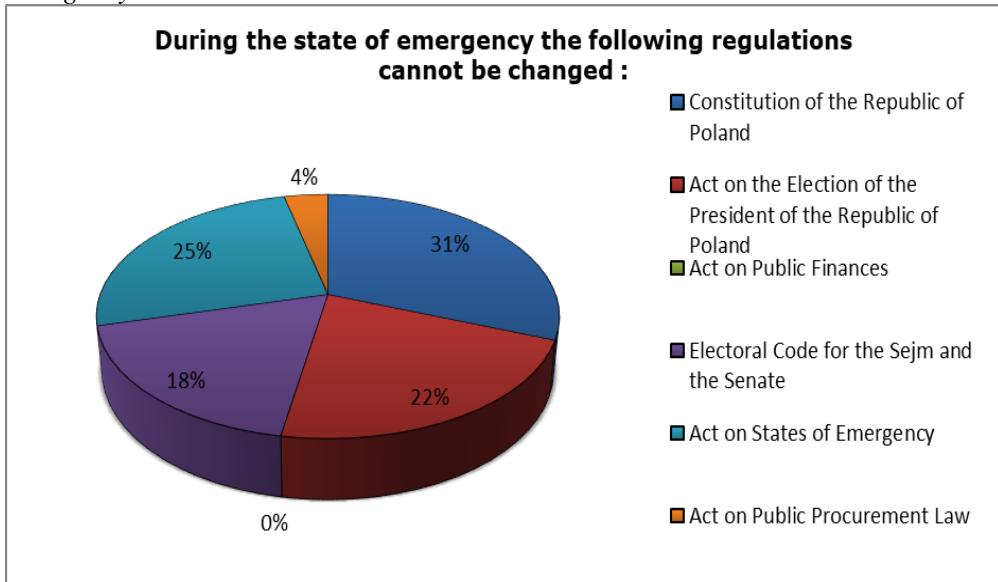
Question nine was: “What legal acts cannot be changed during the state of natural disaster?” The answers included: *the Constitution*, the *Act on the Election of the President of the Republic of Poland*, the *Act on Public Finances*, the *Electoral Code for the Sejm and Senate*, the *Act on States of Emergency* and the *Act on Public Procurement Law*.

The survey participants had the opportunity to answer this question by making multiple choices. Of the listed legal acts, the incorrect answers were the *Act on Public Finances* and the *Act on Public Procurement Law*.

The survey results indicate that 31% indicated *the Constitution of the Republic of Poland*, 22% indicated the *Act on the Election of the President of the Republic of Poland*, and 18% considered that *the Electoral Code for the Sejm and Senate* cannot be changed, and 25% indicated the *Act on States of Emergency*.

An incorrect answer was given by 4% of the people who indicated the *Act on Public Procurement Law*. The percentage differences in this question indicate that only some of the respondents were able to correctly answer this question, while the rest provided the answer, but not in full.

**Chart 7.** Question regarding legal acts that cannot be changed during a state of emergency.



*Source:* Own study.

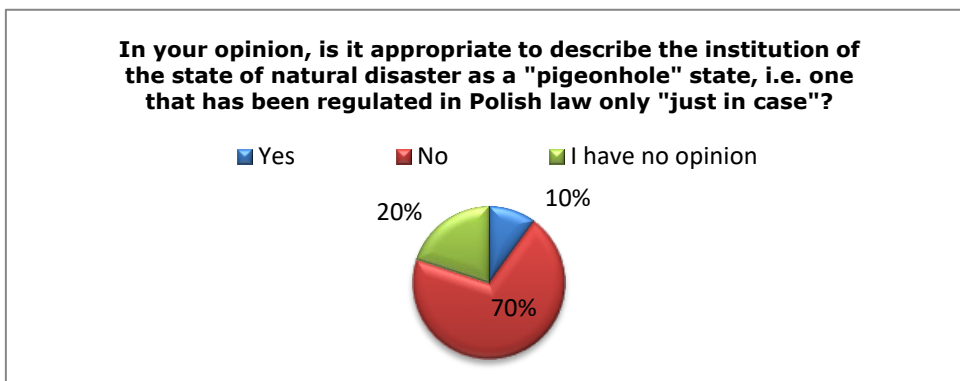
The next question addressed the issue of recognizing the state of natural disaster as a genuine element of the legal system or as an institution of little importance. The question in the survey was formulated as follows: “In your opinion, is it appropriate to describe the institution of the state of natural disaster as a ‘pigeonhole’ one, i.e. one that has been regulated in Polish law only ‘just in case’?”

The majority of the respondents, 70%, categorically stated that the institution of the state of natural disaster cannot be described in this way. The answers also included justifications for this choice. The respondents indicated that we are not able to determine when a threat to the state will occur. In addition, the respondents indicated that describing the state of natural disaster as a “pigeonhole” is a huge mistake due to the issues that this institution addresses and is closely related to our security.

The last question in the survey was to show the importance of the institution of the state of natural disaster. The question was formulated as follows: “Do you think that the issue of the state of natural disaster should be constantly addressed by the state authorities?” 70% of the respondents answered this question in the affirmative.

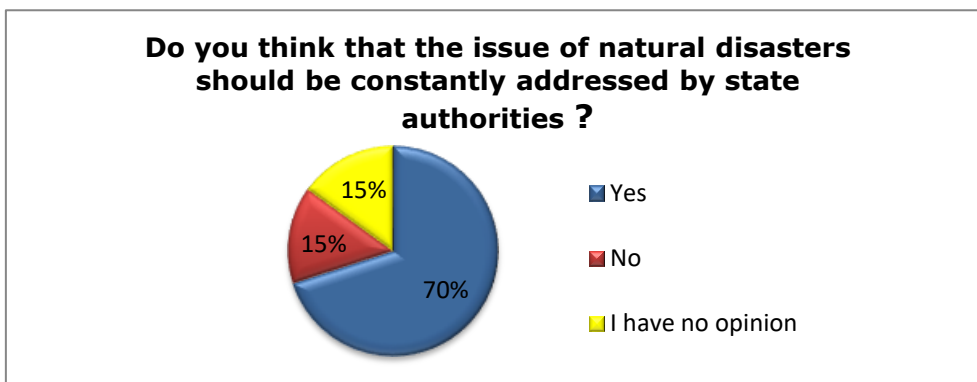
It can therefore be concluded that the institution of the state of natural disaster is a very important element of Polish legislation for these people and the issues of this institution should not be checked against the provisions in the acts. On the other hand, 15% considered that there is no need for the issue of the institution of the state of natural disaster to be constantly addressed by the authorities, and 15% did not express an opinion in this respect.

**Chart 8.** Question regarding defining the state of natural disaster as a “pigeonhole” state, i.e. one that has been regulated in Polish law “just in case”.



*Source: Own study.*

**Chart 9.** Question regarding the issue of the institution of a state of natural disaster addressed by state authorities.



*Source: Own study.*

Analyzing the obtained research results, it should be stated that the knowledge about the institution of the state of natural disaster is small. This is mainly due to the lack of taking up this subject not only by citizens, but above all by state authorities. Unfortunately, the awareness of this institution in Polish law may increase in the situation of a real threat or its possible introduction. Nevertheless, then it may be too late, if only due to certain restrictions in human and civil rights.

#### 4. Conclusion

The main problem contained in the article was to present the institution of the state of natural disaster as an important element of Polish law. Issues related to this

institution are not very often taken up in the doctrine of constitutional law. Without a doubt, the reason for this situation is the exceptional nature of this institution and the lack of whether we will ever have the opportunity to introduce this state in practice.

Literature studies and the analysis of the collected empirical material allow for the formulation of several conclusions and observations. Firstly, the regulations related to the introduction of a state of natural disaster in *the Constitution of the Republic of Poland* do not raise major doubts from the perspective of the democratic principles of the Polish state.

Another important element is the fact that the introduction of a state of natural disaster only organically affects the rights and liberties of citizens, and does not suspend them. It is worth emphasizing that on the one hand the state guards the observance of human rights and freedoms, and on the other hand it has the ability to introduce certain restrictions in this respect. The material collected during the research and the analyses performed show that knowledge about the state of natural disaster is not widely accepted.

The results of the research show that not all the respondents were able to name the three states of emergency specified in *the Constitution of the Republic of Poland*. There are serious gaps in knowledge regarding the most important legal act in the Polish legal system, and as a result, unawareness of one's own rights. The vast majority of the respondents considered the state of natural disaster to be an important element of Polish legislation because it addresses issues related to one of the most important human values, i.e. the sense of security.

The respondents also considered that the state of natural disaster should not be reduced to the level of a pigeonhole institution, i.e. one that was regulated only just in case. The level of preparation of the Polish authorities to introduce the state of natural disaster was assessed negatively. The respondents considered that the Polish authorities are not adequately prepared for this type of action. Another issue that may raise doubts is the lack of discussion related to the state of natural disaster.

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- Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws 1997, No. 78, item 483, as amended).
- Act of 8 March 1990 on local municipal government (Journal of Laws 1990, No. 16, item 95, as amended).
- Act of 5 June 1998 on local government district (Journal of Laws 1998, No. 91, item 578, as amended) .
- Act of 18 April 2002 on the state of natural disasters (Journal of Laws 2002, No. 62, item 558, as amended).