



Institutionalized Constraint of Emergency Power: From Schmitt's "state of Exception" Theory to Modern Governance Mechanisms

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Abstract. This article studies the institutional constraints of emergency power in modern governance, focusing on the limitations of Carl Schmitt's theory of the exceptional state. Although Schmitt's decision-making principle emphasizes the necessity of political authority in crises, its applicability to providing institutionalized constraints in modern governance remains limited rather than absent. For this reason, this study has developed a three-dimensional analysis framework comprising announcement standards, time limits, and supervision mechanisms. This paper uses literature analysis, institutional analysis, and case study methods to systematically evaluate whether Schmitt's theory can meet these institutional requirements. Research results show that Schmitt's theory cannot produce institutional constraints structurally, because it places the ultimate authority in the subjective decision-making of sovereignty, not in rules-based procedures. In contrast, the modern governance system tries to regulate emergency power through legal procedures, time-limited mechanisms, and multi-layered oversight structures. However, the case study of China's response to COVID-19 shows that although administrative arrangements can partially limit emergency power, they cannot eliminate the risk of expansion due to the information asymmetry and urgency inherent in crises. The article concludes that effective crisis governance lies in embedding it in the institutional framework of the system. The institutionalization of emergency power remains a continuous balance between efficiency and the rule of law, rather than a problem that can be clearly addressed.

Keywords: Emergency power; State of exception; Carl Schmitt; Institutional constraints; Crisis governance

1 Introduction

In the current social environment, the modern governance system must face various crises, such as security threats and public health incidents. Such crises are highly uncertain and urgent, so it is difficult for existing legal rules and routine administrative procedures to provide effective response mechanisms promptly. Therefore, in many cases, the Government needs to rely on some form of emergency power to act quickly under unconventional conditions in order to maintain social order and public safety. Therefore, from this level, emergency power is not an exception in the modern

governance system, but a necessary institutional tool in the process of crisis governance.

However, the crisis requires public power to break through conventional procedures to achieve rapid decision-making, but on the other hand, if such power lacks clear institutional constraints, it may break through the existing legal framework, thereby weakening the rule of law and damaging the legitimacy of political authority. Therefore, how to restrict emergency power through institutional mechanisms while recognizing the necessity has become a core issue in the modern governance system.

In the theoretical discussion of emergency power and exceptional status, the sovereignty theory of German political theorist Carl Schmitt has an important influence. Schmitt proposed in his classic discourse that "the sovereign is the one who decides the exceptional state", and emphasized that in extreme situations where legal norms cannot provide clear guidance, order must be determined through political authority. However, although Schmitt reveals the challenges posed by crises to the legal order, his theory also raises a key question: if emergency power ultimately depends on the decision of the sovereign, how should such power be limited at the institutional level?

Based on this problem, this article tries to establish a three-dimensional analysis framework of "announcement standards, time limits, and supervision mechanisms" around the core of why Schmitt's theory of sovereign and exceptional state shows limited applicability in providing institutionalized standards for emergency powers in the modern governance system. This three-dimensional framework will act as a unified analytical coordinate of the whole text, transforming the core question into a specific analytical proposition: Can Schmitt's theory provide clear institutionalized rules for emergency power in these three dimensions? This article believes that the fundamental flaw of Schmitt's theory is that its ultimate political power depends on the decision of the sovereign, rather than being based on regular institutional procedures. This shortcoming makes it difficult for Schmitt's theory to provide a viable institutional framework for the modern governance system, although it can reveal the problem of power in crisis governance. Therefore, institutional constraints on emergency power cannot be generated structurally. And this constraint needs to be realized through the regular design of the above three-dimensional framework.

To address this research question, this paper adopts a mixed methodological approach, including literature analysis, institutional analysis, and a case study. Specifically, literature analysis is used to examine Schmitt's theoretical framework and its critiques; institutional analysis is applied to construct the three-dimensional model of emergency power constraints; and a case study of China's COVID-19 governance is employed to evaluate the practical applicability of this framework.

2 Carl Schmitt's theory and its importance

In the theoretical discussion of sovereignty, law and crisis governance, Carl Schmitt's ideas had an important influence and had a wide influence on later political philosophy and jurisprudence research.

First of all, Schmitt defines the core of political power from the perspective of sovereignty. He put forward a famous proposition: "The sovereign is the one who decides the exceptional state" [1]. In Schmitt's view, sovereignty is not mainly reflected in daily administrative affairs or law, but in the ability to make decisions in sudden, exceptional situations. And in his theory, the legal system is usually designed for the conventional state, and it relies on a relatively stable and predictable social environment. When the country faces a serious emergency, there will be possible responses that legal norms cannot predict in advance. Therefore, the importance of political authority is highlighted. Political authority must temporarily transcend the existing legal framework to maintain the overall order. This logic means that the law cannot set constraints on exceptional status and emergency powers. The exception is ultimately determined by the sovereign, not pre-stipulated by law. This will lead to the suspension of the normative role of the law on emergency power, with neither stable legal standards to define the boundaries of power nor institutionalized procedures to constrain them. In the end, emergency power may be removed from the control of the rule of law.

Secondly, some studies point out that Schmitt's theory shows a clear decision-making tendency, that is, the political order ultimately depends on the decisions of sovereigns at critical moments [2]. In other words, Schmitt's decision-making means that in situations where the law cannot provide answers, the political order ultimately depends on the authority that can make decisions, not the rules themselves. There are also different understandings in the academic community around this point. On the one hand, some scholars believe that this emphasis on "determination" precisely reveals the true logic of modern political operation. For example, Giorgio Agamben pointed out that the exceptional state is not an occasional phenomenon, but a gradual normalization trend in modern national governance [3]. Sovereign power closely links political decision-making with the legal order through the continuous expansion of the exceptional state. On the other hand, some scholars have criticized Schmitt's theory of putting political decision above the law and tried to reconstruct the constraining mechanism of emergency power within the rule of law framework. David Dyzenhaus believes that even in a state of emergency, the law can still impose internal restrictions on power through principled norms [4]. At the same time, Oren Gross [5] proposed the "extra-legal measures model", which advocates that breaking through the existing law can be allowed in extreme cases, but it must be constrained by post-examination accountability and public review, so as to meet the actual needs of the rule of law. A certain institutional balance is formed between them. On this basis, the decisive characteristics embodied in Schmitt's theory mean to a certain extent that the definition of sovereignty lacks objective and quantifiable standards. There is no clear sovereign authority to exercise boundaries and unified sovereign recognition procedures. This will lead sovereigns to judge the exceptional state and activate emergency power only by their own will. It is very easy to cause the arbitrary identification of the exceptional state and the infinite expansion of emergency power, which eventually makes the emergency power completely out of the institutionalized track.

Schmitt's theory has an important influence on the history of political thought precisely because Schmitt's theory reflects the institutional dilemma that the modern

rule of law system may occur in the face of extreme crises. This analysis provides an important theoretical perspective for understanding the role of emergency power, crisis management, and political authority. It also paves the way for the later discussion of the shortcomings of its theory's inability to realize the institutionalization of emergency power, and paves the way for the core theory.

3 Three basic dimensions of institutionalized emergency power

In the modern governance system, the country inevitably needs to face various crises. These crises are often highly uncertain and urgent, and often difficult to fully foresee through existing legal rules. In this situation, relying only on conventional legal procedures may lead to slow decision-making. Therefore, emergency power is a governance tool that must be institutionalized. However, once the emergency power is activated, it is expansive and uncertain and may have an impact on the rule of law and civil rights. Therefore, the core task of modern governance is not whether to give the government emergency power, but how to build a normative, operable, and restrainable institutionalized framework so that it can not only cope with crises without transcending the normal rule of law. This article puts forward a three-dimensional ideal institutional model of institutionalized emergency power, including the three core dimensions of emergency declaration standards, time constraints, and multiple supervision mechanisms. This model will also be the basic ruler for judging whether Schmitt's exceptional state theory can provide effective institutional constraints.

First, in the case of the declaration of a state of emergency, power should not be determined entirely by a single executive entity, but should adopt a dual structure of emergency initiation and prompt legislative confirmation. In the practice of most countries, the executive branch is allowed to act quickly at the beginning of the crisis, but it must be confirmed by the legislature within a short time. For example, this mechanism is often called 'emergency affirmative procedure' in the UK. The specific rules depend on the legal basis for triggering emergency powers. For example, the Civil Contingencies Act 2004 stipulates that emergency regulations must be approved by parliament within 7 days, otherwise they will be automatically invalidated [6]. There is also a similar German Basic Law [7]. Although there is no general "state of emergency" to suspend the Constitution, the Government may take emergency action when it comes to a state of defense (Article 115a and the following) or when authorized by ordinary law. Article 16 of the French Constitution and the "State of Emergency" system (Article 16 of the French Constitution & State of Emergency) are also controlled by post-ratification [8]. These systems together show that the standardized emergency power declaration mechanism must have three key elements: first, objective trigger conditions, that is, the law clearly lists the specific types of crisis and severity standards that can activate emergency power, to avoid subjective arbitrary identification; second, the statutory initiation procedure, that is, strictly stipulate the subject of the announcement, The hierarchy of authority, the form of announcement and the scope of implementation ensure that the emergency measures are initiated within the preset; the third is the legislative post-recognition requirement, that is, the emergency measures taken first by

the administration must be reviewed and approved by the parliament within the statutory period, otherwise they will be automatically invalidated, to achieve legality.

Secondly, in terms of time limit, it is specifically reflected in the three core rules of "short-term review mechanism constraint, strict extension of restrictions, and statutory automatic termination". Its core requirement is to limit the duration of the exercise of emergency power through clear legal time rules, standardize the procedures for extending the period, and prevent the abuse and normalization of emergency power from the time dimension, which is also an important criterion for judging whether emergency power is institutionalized. For example, British law stipulates that emergency measures usually automatically expire within 30 days, unless they are re-approved [6]. South Africa, on the other hand, stipulates that the initial state of emergency is 21 days, after which it must be extended with the consent of parliament [9]. Together, these institutional arrangements reflect the principle of "short-term and re-authorization", that is, emergency powers should not be automatically extended, but must be reviewed repeatedly in a relatively short period of time. Based on these experiences, a more robust institutional model can be further derived, that is, emergency power should be subject to legislative review about every 30 days, which can be extended to 60 days under special circumstances, but must be re-authorized. In terms of the overall period, many countries have generally introduced the "sunset clause", which stipulates that emergency legislation automatically expires after a certain period of time. For example, the British Coronavirus Act 2020 clearly stipulates that the bill will be automatically terminated after two years and subject to regular parliamentary review [10]. In addition, international studies have also pointed out that emergency powers must have a clear time limit and be subject to continuous review, otherwise there will be a risk of being normalized [11]. Therefore, "automatic termination and periodic review" has become an important consensus in the design of modern emergency power systems. In summary, these three rules together constitute a complete system of time limits, which is not only the consensus of the design of the modern emergency power system but also one of the core measures for judging whether Schmitt's theory can provide institutional constraints.

Finally, in terms of the supervision mechanism, the modern governance system usually relies on multifaceted constraint structures. Including legislative supervision, judicial review, and information disclosure. The core function of these mechanisms is to ensure that emergency powers are always in a revocable state, rather than becoming unfettered exceptional powers. Specifically, the core of legislative supervision is to build not a simple post-recognition mechanism, but to supervise the whole process of the exercise of emergency power, including not only the objective condition review of whether the launch of emergency measures meets the statutory trigger conditions, but also the normalized consideration of the scope of the exercise of power and the compliance of the time limit. Through special investigations, emergency hearings, and other forms of legislative organs, the administrative organs are forced to explain the rationality of the exercise of power, exercise the right of veto on emergency measures that do not meet the requirements of the system in accordance with the law, and ensure that the power always operates within the boundaries of legislative authorization. Judicial review needs to break through the single limitation of error correction after the

fact and build a dual model of intervention in the event. In view of the possible breach of power and infringement in the exercise of emergency power, judicial organs are allowed to review limited matters during the crisis, and emergency measures that obviously violate the Constitution and laws and infringe on the basic rights of citizens are stopped promptly. At the same time, it provides efficient judicial relief channels for victims of rights, and regulates the power behavior of administrative organs. The information disclosure mechanism emphasizes the two key points of accurate disclosure and public participation. It is not a simple disclosure of information, but requires the government to disclose the legal basis of crisis-level emergency measures, implementation scope, implementation effect, and specific data on the exercise of power. And establish a public feedback channel to transform public supervision into an achievable constraining force.

4 Application of the emergency power mechanism during COVID-19

The three-dimensional ideal model of institutionalized emergency power constructed above can be specifically tested through the practice of emergency power during the COVID-19 epidemic in China. Judge whether China's practical mechanism makes up for the core shortcoming of Schmitt's exceptional state theory, that is, the fundamental problem of Schmitt's leaving emergency power to the sovereign for subjective decision and lack of institutionalized constraints. Specifically combined with the three-dimensional analysis, one by one, the theory can be tested through cases.

In terms of the standards for the declaration of a state of emergency, China mainly relies on legal systems such as the Emergency Response Law and the Law on the Prevention and Control of Infectious Diseases [12,13]. These laws do not establish a system similar to the "parliamentary declaration of a state of emergency" in the West, but form a graded governance structure with the administrative system as the core. According to the law, people's governments at or above the county level may initiate emergency response according to the severity of emergencies and report to higher-level governments at a higher level. This mechanism of graded start-up and hierarchical management enables local governments to respond quickly and form internal constraints through the coordination of higher-level governments. From the perspective of classical administrative theory, this hierarchical governance structure can be further interpreted through Fayol's scalar chain principle, which emphasizes a clear and continuous line of authority across different administrative levels [14]. Such a structured chain of command enhances organizational efficiency and ensures rapid transmission of policy directives during crisis situations. At the same time, the flexibility observed in China's cross-regional and cross-departmental coordination during COVID-19 can be understood through Fayol's gangplank principle, which permits direct communication across hierarchical levels under urgent conditions [14]. This combination of hierarchical order and flexible coordination provides an important organizational explanation for the efficiency of China's emergency response, suggesting that governance performance is shaped not only by legal-institutional design

but also by underlying administrative principles. At the same time, in terms of the criteria for identifying states of emergency, Chinese law classifies sudden public events, such as "especially significant" and "major", and uses the degree of its impact on public health or social order as the basis for judgment [15]. This clear, graded start-up mechanism and classification standard respond to the core problem of "the subjective decision-making exception state of the sovereign" in Schmitt's theory, so that the identification of the state of emergency has institutionalized standards, rather than relying entirely on the subjective judgment of a single subject, which is part of Schmitt's shortcomings. Compared with the United States, France, and other countries that usually need to authorize or confirm the state of emergency through the legislature, China places more emphasis on rapid decision-making and graded response within the administrative system. Although it has improved efficiency, it is relatively insufficient in terms of external power checks and balances. However, in terms of adequacy, the mechanism still takes the administrative system as the core and lacks the rigid confirmation and checks and balances of the legislative organs. The final right of interpretation of the identification standard is still biased towards the administrative subject and fails to completely get rid of the dominance of power. Therefore, it failed to fully make up for the lack of objective and pluralistic constraints of Schmitt's theory.

In terms of time constraints, China does not generally adopt a fixed-term "sunset clause" but adopts a dynamic adjustment mechanism based on risk changes. Specifically, emergency measures are usually gradually adjusted according to the change of the risk level of the epidemic and end after the risk is reduced. Compared with the periodic parliamentary review mechanism stipulated in the United Kingdom's Coronavirus Act 2020, China's dynamic adjustment mechanism has higher policy flexibility, but lacks a clear time limit and periodic external review [10]. Judging from the shortcomings of Schmitt's theory, it does not set any time constraints on emergency power, which leads to sovereigns indefinitely continuing the state of exception and abusing emergency power. Although China's dynamic adjustment mechanism can realize the flexible end of emergency power, due to the lack of a clear time limit, the continuation of emergency power still mainly relies on the subjective judgment of the administrative subject on risk, which is still in line with the logic of the sovereign to decide the survival of dominant power in Schmitt's theory. It fails to solve the risk of the normalization of emergency power from the system, so it cannot make up for the core shortcomings of Schmitt's theory in terms of time constraints.

In terms of the supervision mechanism, China's system mainly relies on internal supervision of the administrative system, supplemented by a certain degree of legal and information disclosure mechanisms. For example, higher-level governments can review and correct the measures of lower-level governments. Legally, it is allowed to challenge through administrative reconsideration or litigation. At the same time, the epidemic information reporting and disclosure system has been continuously strengthened in recent years [16]. Compared with the multi-system of checks and balances that EU countries generally emphasize, the combination of parliamentary supervision, independent judicial review, and media supervision, China's supervision mechanism is more inclined to operate within the administrative system, and the degree of institutionalization of external independent supervision is relatively limited. Judging

from the three-dimensional ideal institutional model, administrative supervision is an internal constraint and is easily weakened by hierarchical interests. Judicial review is lagging, and it is difficult to intervene in the exercise of emergency power promptly. The effect of information disclosure also depends on the specific implementation situation and fails to form a pluralistic, independent, and enforceable three-dimensional supervision system. Therefore, although these institutional arrangements constitute formal constraints, they cannot completely prevent the expansion of emergency power.

In general, China's experience of the epidemic shows that emergency power can be incorporated into the governance framework through legal authorization, grading mechanism, and information system, so as to achieve a certain degree of institutionalization. Compared with the institutional design of Europe and the United States, with power checks and balances as the core, the Chinese model places more emphasis on governance efficiency and administrative coordination ability. However, these mechanisms are more reflected in limited constraints than in complete control. Therefore, modern governance does not completely solve the problem of emergency power, but maintains a balance between efficiency and constraints. It also further confirms the normative nature of the previous three-dimensional ideal model. Only by realizing a complete system of clear standards, time limits, and effective and pluralistic supervision can be truly made up for the shortcomings of Schmitt's theory and achieve a higher institutionalization of emergency power. The COVID-19 case not only tests the framework but also suggests that institutional constraints remain contingent and context-dependent.

5 Research limitations and revelations

This chapter focuses on the institutional limitations of this research and combines the limitations of research with practical inspiration. Based on the three-dimensional institutional framework, through the direct comparison structure between the modern governance system and Schmitt's theory, it systematically proves the errors of Schmitt's theory of emergency power in the three core dimensions. At the same time, combined with the previous case test conclusions, the targeted inspiration of modern crisis management can be further derived.

First of all, the comparative analysis of modern governance and Schmitt's theory based on the three-dimensional framework clearly presents the fundamental conflict between theoretical logic and institutional practice, which is also the core basis for this study to prove the failure of Schmitt's theory. In terms of announcing standards, modern governance has established clear and objective statutory trigger conditions, statutory start-up procedures, and legislative post-recognition requirements, realizing the institutionalization of state of emergency recognition and eliminating subjective and arbitrary judgment. In stark contrast, although Schmitt's theory emphasizes that "the sovereign determines the state of exception", it does not provide any objective and operable standards for the definition of the state of exception. The determination of the state of exception depends entirely on the subjective decision of the sovereign and lacks any institutional constraints. In terms of time constraints, modern governance has formed a systematic time restraint system including short-cycle review, strict extension

of restrictions, and statutory automatic termination, which effectively prevents the normalization of emergency power. Schmitt's theory does not set any time limit for emergency power, allowing sovereigns to extend the exception indefinitely, which poses a fundamental hidden danger for the abuse of power. In the dimension of the supervision mechanism, modern governance has built a pluralistic supervision structure consisting of legislative supervision, judicial review, and information disclosure to ensure that emergency power is always within control. Schmitt's theory completely ignores the supervision of emergency power. The decision of the sovereign is not bound by any external constraints, which makes it easy for emergency power to break through the legal framework and expand.

Against the background of the above-mentioned comparative conflict, the institutional limitations of this study are mainly reflected in three aspects. First, this study mainly takes the practice of emergency power during COVID-19 in China and the typical practice of some countries in Europe and the United States as research samples. The scope of case selection is relatively limited, which may lead to the lack of universality of the conclusion that "Schmitt's theory fails under the three-dimensional framework". Second, this study focuses on the normative analysis of the three-dimensional framework and the comparative study of theory and practice, and lacks quantitative research on the actual effect of the three-dimensional institutional mechanism to restrain emergency power. For example, it is difficult to verify the practical value of the three-dimensional framework more accurately without a statistical analysis of the implementation effect of time-limited supervision and supervision mechanisms. Third, this study mainly explores the limitations of Schmitt's theory at the level of institutional design. It does not deeply explore the impact of cultural differences and political system differences on the application of the three-dimensional framework and the improvement of Schmitt's theory, so that there is still room for improvement in the research depth of institutionalization constraints of emergency power.

Based on the above research limitations and the comparative conclusion of the three-dimensional framework, this study puts forward the following three revelations for the institutionalization and improvement of modern crisis management and emergency power. First, crisis management must rely on systematic institutional design. Comparative analysis shows that the fundamental reason for the failure of Schmitt's theory in practice is that it breaks away from institutional constraints and leaves emergency power entirely to the sovereign for subjective decision. Modern governance can regulate emergency power to a certain extent. The core is to build a complete institutional system by relying on the three-dimensional framework. In particular, a clear time limit is an important institutional tool to prevent the normalization of emergency power. This reveals to us that the core of crisis management is not to give the government emergency power, but to include emergency power in a controllable range through a clear institutional design. Second, decisiveness lacks practical operability and cannot be transformed into specific administrative rules and institutional design. Schmitt's decisiveness relies on the exercise of emergency power on the personal decision of the sovereign and lacks an implementable institutional carrier, which is the key to his theory's inability to meet the needs of modern crisis management. This enlightens us that if any crisis governance theory is to have practical

value, it must be able to be transformed into a specific and operable institutional design, rather than staying at the abstract theoretical level. Third, a pluralistic and independent supervision mechanism is a necessary guarantee for the institutionalization of emergency power. Schmitt's theory ignores the importance of the supervision mechanism, resulting in the lack of restraint of emergency power. The practice of modern governance proves that it is difficult to achieve effective constraints on emergency power by a single supervision method alone. It is necessary to build a pluralistic supervision system that combines legislation, justice, and information disclosure to ensure that emergency power is always under supervision, correction, and revocation.

6 Conclusion

Through the three-dimensional institutional analysis framework, this paper systematically evaluates the institutional applicability of Schmitt's exceptional state theory in modern governance and provides a new analytical path for the study of the institutionalization of emergency power. This article reveals that although Schmitt's theory deeply reveals the vulnerability of the legal order in crisis, its decisive logic puts political authority above the rules and cannot provide any institutionalized restrictions for emergency power in structure, so it is difficult to apply to the modern governance system. In the modern governance system, whether it is the post-parliamentary post-recognition and judicial review mechanism represented by Britain, Germany, and France, or China's governance model with administrative level response and dynamic adjustment as the core, they all try to respond to the problems left by Schmitt through procedural authorization, time limit, and multiple supervision. However, the case of COVID-19 shows that although these institutional arrangements can effectively restrain emergency power, they cannot eliminate the risk of its expansion. The fundamental reason is the information advantage and time pressure on which emergency power depends, which makes any external supervision naturally lag. Therefore, modern governance is to transform it into a balance between efficiency and the rule of law. The institutionalized constraint of emergency power will be a lasting proposition that needs to be constantly adjusted, rather than adopting a one-off, permanent institutional design.

References

1. Schmitt, C.: *Political Theology: Four Chapters on the Concept of Sovereignty*. University of Chicago Press, Chicago (2005)
2. Liew, Y.K.: Carl Schmitt's Sovereign: A Critique. *Ratio Juris*, vol. 25, no. 2, pp. 263–269 (2012)
3. Agamben, G.: *State of Exception*. University of Chicago Press, Chicago (2005)
4. Dyzenhaus, D.: Schmitt v. Dicey: Are States of Emergency Inside or Outside the Legal Order? *Cardozo Law Review*, vol. 27, pp. 2005–2006 (2008)
5. Gross, O.: Chaos and Rules: Should Responses to Violent Crises Always Be Constitutional? *Yale Law Journal*, vol. 112, pp. 1011–1134 (2003)

6. UK Government: Civil Contingencies Act 2004.
<https://www.legislation.gov.uk/ukpga/2004/36/contents>, last accessed 2026/03/2
7. Federal Republic of Germany: Basic Law for the Federal Republic of Germany.
https://www.gesetze-im-internet.de/englisch_gg/, last accessed 2026/03/07
8. French Republic: Constitution of the French Republic. <https://www.conseil-constitutionnel.fr/en/constitution-of-4-october-1958>, last accessed 2026/03/23
9. Government of South Africa: State of Emergency Act 64 of 1997.
<https://www.gov.za/documents/state-emergency-act>, last accessed 2026/04/10
10. UK Government: Coronavirus Act 2020.
<https://www.legislation.gov.uk/ukpga/2020/7/contents>, last accessed 2026/04/12
11. International Center for Not-for-Profit Law: Emergency Powers and Civic Freedoms.
<https://www.icnl.org/wp-content/uploads/Emergency-Powers-Final.pdf>, last accessed 2026/04/12
12. Standing Committee of the National People's Congress: Law of the People's Republic of China on Prevention and Treatment of Infectious Diseases.
<https://policy.mofcom.gov.cn/claw/clawContent.shtml?id=48259>, last accessed 2026/04/14
13. Standing Committee of the National People's Congress: Law of the People's Republic of China on Emergency Response.
<https://www.chinalaw.org.cn/portal/article/index/id/27586/cid/10.html>, last accessed 2026/04/14
14. Fayol, H.: General and Industrial Management. Pitman, London (1949)
15. People's Daily: China's Classification System for Public Emergencies.
<https://en.people.cn/n3/2024/0911/c90000-20217745.html>, last accessed 2026/04/14
16. Xinhua News Agency: China Improves Public Health Emergency Information Reporting System. <https://english.news.cn/20250912/7c17b0e10e3a40a3a43242a2783fcb1f/c.html>, last accessed 2026/04/14

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