On the Current Situation of Basic-level Administrative Law Enforcement in China

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Abstract

With the development of economy and society, our country is on the road of rule by law, the legal system is progressing constantly. At the same time, we should also see that the administration according to law is not perfect, and its shortcomings exist in different degrees and need to be further improved. Based on the analysis of the status quo of grass-roots administrative law enforcement in China, this paper tries to put forward corresponding countermeasures, so as to promote the work of law-based administration for the corresponding study.

Keywords: grass-roots level; administrative law enforcement; present situation

1. INTRODUCTION

At present, China's grass-roots administrative law enforcement has made some progress, performance for the relevant laws and regulations continue to improve, strengthen law enforcement, law enforcement supervision and management mechanism of continuous innovation. However, there are still problems in the administrative enforcement of grass-roots level: the concept of law-based administration is relatively weak, a number of grass-roots law enforcement officers do not regulate the law enforcement behavior occurs, the lack of sense of urgency and lack of sense of urgency and "fine" consciousness. The administrative supervision according to law is not perfect, some illegal or improper administrative acts cannot be timely and effective to stop or correct, the relative rights and interests of the administration of the legitimate rights and interests are not timely relief. Administrative law enforcement departments function cross, in the process of administrative law enforcement, due to institutional, legislative and other reasons, resulting in some law enforcement functions are cross-cutting, power and responsibility division is unknown, leading to law enforcement wrangling or crash phenomenon occurs. Administrative law enforcement force is relatively weak, the administrative law enforcement personnel as a result of the establishment of restrictions, the general shortage of personnel, power is weak, resulting in some law enforcement tasks heavier departments to employ temporary staff to participate in administrative law enforcement phenomenon often exists. Administrative discretion discretion, many administrative law enforcement officers in the exercise of administrative discretion, only taking into account the legitimacy of their actions, but the rationality of their actions did not pay attention or even do not pay attention.

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2. THE BASIC ADMINISTRATIVE LAW ENFORCEMENT DIFFICULTIES

Administrative law enforcement is a comprehensive and strong work, it is necessary to properly handle cases of administrative law, not only requires law enforcement officers have a high legal quality, but also have strong coordination skills, and to be familiar with other relevant knowledge, and even emphasize insight human nature. Due to the limitations of the formal law enforcement personnel, many grass-roots administrative law enforcement departments to recruit a large number of recruited staff to act as assistant law enforcement, resulting in a large proportion of recruited staff, and most of the recruits did not systematically study the relevant laws and regulations. Law awareness is weak, law enforcement is not known the phenomenon is very common, improper law enforcement, law enforcement phenomenon has occurred, and even appeared in the course of their duties in the implementation of the crime situation. In the hiring management of the lack of uniform and effective system constraints, operation arbitrary, so that many of the coordinators through a variety of relationships through the abnormal channels into the auxiliary law enforcement team, the basic quality is low, the lack of basic legal concepts and professional ethics, And even a criminal record, integrated law enforcement team had appeared in a street was expelled from the candidates to another street to continue to work examples. These factors not only are not conducive to the improvement of grass-roots law enforcement level, but also greatly weakened the credibility of grass-roots law enforcement agencies. 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At present, the administrative departments in charge of law-based administration are the legal institutions of governments at all levels, and assume the important responsibility of formulating, organizing and implementing the work plans of administration according to law. Practice has proved that
which local and regional government legal institutions to engage in a good, according to the law will engage in a relatively good, the development of social and economic undertakings is also relatively smooth. At present, China’s administrative work in accordance with the law and the requirements of administrative work there are incompatible. From the institutional settings, the government legal institutions set for the national, provincial, city, county four, township government does not set a special institution; this situation is bound to affect the grassroots administrative work carried out. The internal structure of government legal institutions is not reasonable. From the knowledge structure, at present, part of the staff of the government legal system is from the administrative jobs from the job, without a systematic, professional legal education, legal theory, legal concepts and legal knowledge cannot fully adapt to the law Requirements. At present, the pace of construction of the rule of law is accelerating. New laws and regulations have been promulgated constantly. Many of the government's rule-of-law personnel are not in the scientific and professional ranks, and the staff turnover is relatively large. The rule of law is generally not high. The Government's legal work in some grass-roots government seems to have to set up a department, in carrying out the total are often subject to local "development" of the impact of local "development" services, for law enforcement personnel handling only. And it has a negative impact on the work of administration according to law, which seriously affects the effect of supervision and the authority of governmental legal institutions. This has resulted in the legal review of the document, the legitimacy of the agency and the legality and intensity of law enforcement review or indeed sometimes offside.

3. RELEVANT COUNTERMEASURES AND SUGGESTIONS

Strengthen the publicity and education of administrative legal system. Without education there is no change in thinking; no change in thinking there is no improvement in behavior. First of all, we must strengthen the propaganda and education of the administrative staff, especially the grass-roots cadres at the grassroots level, and urge the administrative staff, especially the leading cadres, to change their ideas. Starting with the general trend of the development of the times, the relationship between power and law, the relationship between the rule of law and reform, the relationship between the rule of law and the development of the relationship between the rule of law and the development of the relationship between the rule of law and development. The law is greater than the power, the power to obey the law, there is no rule of law there is no great development, contrary to the concept of the rule of law will be punished concept, the only way, according to the law, strict law enforcement will have a solid foundation.

4. CONCLUSION

To formulate accurate supervision standards and enhance the effectiveness of administrative law enforcement supervision, such as the progressive development and improvement of party discipline, political and quantitative supervision standards, as soon as possible the introduction and improvement of relevant laws and regulations on the supervision of organs, powers, scope, methods and procedures to be clearly defined, So that the supervision itself has laws to follow.
REFERENCES

