

# Review of Colleges Independent Risk Control Mechanism

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**ABSTRACT:** After the review and assessment of existing research results found, research on risk control mechanism of the independent Commission against corruption in colleges and universities at home and abroad development overall, but there are also the following problems: for the Commission in the field of risk prevention and control mechanism in colleges and universities in foreign countries mostly focused on lessons learned and analysis, university is not different from other public institutions overall as a separate object of study and research; National College risk prevention mechanism of the ICAC building internal research is less, especially with regard to empirical research. Thus, future research needs to focus on the independent Commission against corruption empirical research in colleges and universities and study on the need to strengthen the system, so that effectively combines theory and policy practice.

With the further reform of China's higher education system, the Ministry of education has issued a college enrollment, College merging secondary colleges, University City construction, construction policy. These policies are almost always involves "infrastructure, recruitment, procurement" and other areas of concentration of power, coupled with the current colleges and expanding, but lack of proper restraint and oversight system, which the independent Commission against corruption a growing risk, possibility of corruption is also growing. Throughout the history of the world, a country in economic and social transition, and high incidence of corruption. Achieve the construction of risk control mechanism of the ICAC is a solid foundation for creating the world first-class universities in China, this paper intends to circle around the University concerning the research on the risk control mechanism of the system, considerable analysis and assessment, and identify existing research results achieved, and at what level, solid theoretical basis.

## 1 A REVIEW OF RELEVANT FOREIGN RESEARCHES

Research of western scholars on the prevention of corruption problems, as can be traced back to ancient Greece Socrates, Aristotle, and others[1], they think the government have the function that prevent and correct the corruption is the important measure of its good, thinks the role of the need to rely on system to curb corruption. This period research on corruption prevention is still the

advocacy of enlightened sage. In the 18th century during the Renaissance and bourgeois ideas of the Enlightenment, with the liberation of imprisoned, thinkers and academics studies the research on how to prevent corruption, and proposed far-reaching doctrines, ideas, theories, etc. Scholars of the most representative are as follows: British rock[2] in the book "theory of government", the power of the country is divided into three kinds, respectively is the legislative power, external power and executive power, and emphasizes the three power need to perform different organ, embodies the thoughts of power restriction, he advocated using a power restriction of another kind of power supervision and restraint of power theory had a great influence on America and the bourgeois state power, from the reality sense, Locke's claim be the beginning of the theory of separation of powers; Rousseau in France[3] of the people's sovereignty theory thinks that "any officials, no matter how high position, are carried out with the sovereign names alone by the sovereign giving to their power, officials enforce the law, at the same time also must obey the law, if the fraud malfeasance, the people have the right to immediately replace them", Rousseau, so to speak on the control of corruption punishment put forward feasible countermeasures; Montesquieu also from France[4] has a similar point of view, and he thinks that all have the executor of the public power abuse their power is not difficult, it is the eternal truth of "practice". At the same time, he stressed that people to use his power with public power will never give up, unless is limited. So montesquieu on the spirit of law think that if this Angle is from the nature of things is analyzed, to prevent the abuse of power,

must be "to the power constraint power", so he is the famous "separation of powers" theory of the legislative power, judicial power and administrative power constraint each other, so you can avoid when administrative power and legislative power concentrated in a single individual or department, there is lose the freedom of space; In the same way, after the judicial power and administrative power, the judge will increase the likelihood of an authoritarian, then civil liberty and even life cannot be guaranteed; When the legislative power and judicial power together, the judge is both athletes and referees, this time the judges also ACTS as the role of legislators. They can be the most self dominated the most comfortable way freely. So Montesquieu's separation of powers and checks and balances has become an important theoretical basis for preventing corruption. As Hamilton[5], one of the drafters of the constitution of the United States, Locke, Montesquieu, France and other people in the UK's thought under the influence, the functions of state power and how to supervise and restrain each other between the agencies put forward the principle of separation of powers, democratic regimes to consolidate the foundation of practice.

In the 1960s after the development of modern capitalism period, western scholars on the prevention of corruption problem into the deep, multiple points of view, studies in a wide range of areas, to deal with the political reform, the transformation of economic development in serious corruption[6]. Such as the United States Samuel Huntington's "the transformation of social political order in western representative theories of the academic research of corruption, Huntington believes in U.S. history to explain current challenges encountered in the process of political democratization in the developing world are not suitable. Because he thinks the U.S. experience lies in how to limit the government's authority, and the newly independent countries of Asia, Africa and Latin America the question is how to establish the authority of the government ". So for modernization construction is still not mature in developing countries, corruption is the main form of use power to wealth, and in the field of personal ambition can't cast with economic situation, political became the only way to acquire wealth. As a result, he thinks modern intensified and fuelling corruption; If Samuel Huntington's theory explains the root causes of corruption, and then another American scholar Arnold J. Hayden Hammer[7] to the form of corruption and corrupt practices are classified and theoretical exploration. He according to the severity of the corruption and public tolerance of corruption can be divided into three categories, respectively is "black corruption", "gray corruption" and "white corruption", not only such, Hayden Hammer is the corruption and the matching is divided into three

categories, divided into "serious corruption", "see more corruption" and "corruption". And America's two other scholar John C. Bollen and Henry J.[8] ShiMan prefers a corruption from the Angle of empirical research on the theory of analysis, the journal of the American political corruption, power, money, beauty, a book that is the emergence of the national government, will lead to corruption. When the "government officials to beyond its financial way of life and society to enjoy the pursuit of more intense, the more they tend to use illegal behavior to meet their hope", also consider whether the election or appointment and who has political opportunities, than the professional administrators are more likely to corruption, therefore, they through the election system and the reform of the civil servants has made the positive exploration, to control and prevent the occurrence of corruption; In addition, the American scholar Hu Gewei's[9] from the process of social development, the developing state power department extortion and bribery and corruption and make probes into, think people desire for the privileges and services as the main body of bribery, and powerful political groups add to the bribery, combined with social evolution in developing countries for providing opportunities for corruption, the interaction of these three factors together to reveal the relationship between corruption and social development; Moreover, there are many scholars studied the anti-corruption issue. Liew proposed mathematical model of economic crime and corruption, that priority should be to combat bribery; American scholar Bowles and Garoupa (1997) to build a correlation model between punishing corruption punishment and expected earnings, thinks "the higher the penalties for bribery, the briber believe power corruption more scarce, thus provide the bribe will be a rising tide lifts all boats, it enhances the official corruption"[10]; Kaufman[11] research anti-corruption mechanism design problem is is from system transition angle starting, think "transition process in the of design rough and power processing configuration improper is corruption of important source", so Kaufman think national of economic limit to full release, and is completely release, implemented full of liberalization policy measures, while focused on canceled administrative control, especially macroeconomic field of bound, and set permeability of accounting standard; Tanz[12] will work as a battle against corruption, so that needed to build integrated systems strategy against corruption, and the need to increase the monitoring and punishment of acts of corruption.

Comb from the research on corruption prevention can be seen, western scholars research on corruption prevention gradually from a theoretical probe into practice to explore, to analyze the specific corruption or corruption, but the lack of overall consideration and systemic research, such as

integrity, risk prevention and control mechanism of lesser involvement. And integrity, risk prevention and control mechanism as an important part of preventing corruption, much attention has been paid to the foreign development status of the same.

Overseas for integrity, risk prevention and control mechanism of the research tendency in the field of integrity, risk assessment, such as the United Nations anti-corruption and management research center, transparency international institutions such as clean index is mainly through public opinion survey to explore and evaluate the integrity, risk prevention and control of the country or region, reflecting the investigation of a state organ or risk of integrity of enterprises and institutions and risk level, so as to establish integrity, risk evaluation system, for effective support corruption prevention work, and points out that government governance reform need to build a set of practical integrity, risk prevention and control mechanism and fusion in the government system, in order to get the best effect. At the same time, to promote governance activities are divided into limited number of links to take risk management as well as the uncertainty of loss of control, such as decision-making, implementation, operation, monitoring, and other links, in order to achieve the purpose of preventing corruption.[13] The foreign successful experience to China's integrity, risk prevention and control research has reference value and significance.

In governing the issue of corruption in colleges and universities, many foreign countries also provides a very useful experience more, mainly to improve on the system design and gradually carrying out the education system of corruption in the management and the honest cultural construction. Such as the UK, in dealing with the recruitment fair problem is forbidden to parents for the school's ability to provide sponsor or provide other support as admission consideration factors; The duma in order to avoid the school authorities through controls the students test scores corruption and bribery, so the Russian authorities in 2008 passed a resolution to the college entrance exam to change, such as all the topics in the current college entrance examination questions to objective choice to replace the existing artificial can manipulate space; The Gambia will introduce a set of the country "the modernization of education management information system", and effective to reduce the teacher's groups and the possible space rent-seeking.

Generally speaking, western society a in-depth research on corruption prevention, research was the front not only at the theoretical level, and also in the practice of the times. Abroad, however, to integrity, risk prevention and control mechanism, as a new move of preventing corruption remains a matter of system research, especially in colleges and universities in the field of integrity, risk prevention

and control mechanism research mostly focused on the experience summary and analysis, there is no difference between the colleges and universities in other public institutions as the research object of independent whole, system research.

## 2 A REVIEW OF RELEVANT DOMESTIC RESEARCHES

China began only in 20th century and late 80 early 90's to study the issues related to anti-corruption, so the West late, also not perfect, is still exploring aspects of the study [14]. Corruption in the public service sector in recent years and frequent and complicated, the Communist Party of China and the Central Government's commitment to punishing and preventing corruption, without parallel, Chinese scholars to study focused on preventing corruption, and from different perspectives, different areas made useful explorations, has conducted extensive and in-depth research, certain results have been achieved.

In the perspective of power, Chinese scholars Wang Huning[15] put forward "corruption is public power non-public use" theory; Cheng Wenhao[16] argues that "corruption is the abuse of public power for personal gain behavior", namely is taking; Zeng-ke He[17] argues that "corruption refers to public office for private purposes and the behavior of abusing public power and public resources". Li Chengyan corruption [18] is regarded as "national public officials use public power not profited the behavior of the local". The scholars from the perspective of power, this paper expounds the definition of corruption in, is widely used in the academic circles and practice and identity.

In the perspective of economic interests, Chinese scholars Mr. Wu [19] for the first time to use "rent-seeking theory" to explain the frequent corruption in our country, analysis the mechanism of the corruption of the Chinese society and to find ways to eliminate rent-seeking environment, put forward "is derived from the power and the reason of the corruption of the currency exchange". Hu Angang [20] follow up study of rent-seeking and corruption, corruption prevention through system construction, and proposes the important system mode of fundamentally curb corruption, make corruption "high risk, low income", "symbol" in addition, also carefully constructed the comprehensive reform of architecture and system architecture; Then, Huang Wei town, Zou Wei, He Wei scholars also to prevent problems in the perspective of the research.

In the perspective of law, Chinese scholars qiong [21], from the perspective of the law of anti-corruption countermeasure research, and puts forward six strategic priorities to cope with the

corruption of the 21st century; Colton, Xiao-mao Zhou[22], and other scholars "corruption in violation of the law" has made the research, believed that corruption is the performance for embezzlement, bribery[23].

And integrity, innovation, risk prevention and control mechanism for preventing corruption practice in its domestic development is rapid. Such as scholars Xu Yi theory[24] summarizes the integrity, risk prevention and control the work of construction for China to prevent corruption. Denise liu [25], analyzes the key sticking point of the mechanism construction of risk; Guang-hui liu [26] is pointed out that the current integrity, risk prevention and control need to solve the problem. In practice, the Chinese communist party official for the first time to use the concept of "corruption prevention" was in 2005 the establishing and perfecting the equal emphasis on education, system and supervision system of punishing and preventing corruption implementation outline; Then, in the congress of the communist party of China emphasizes "pay more attention to the symptoms, pay more attention to prevention, pay more attention to the system construction". Then, since 2008, with "establish a sound system for punishing and preventing corruption 2008-2012 work plan, promoting the construction of integrity system of the CPC central committee clearly. Since then, the CPC has pointed out in 2010 to promote integrity, risk prevention and control mechanism construction and in 2011 issued a "about strengthening the management of the integrity, risk prevention and control guidelines" (JiFa [2011] no. 42), think of the risk prevention and control is an important way to build a system of punishing and preventing, and specification of power operation and the objective requirement of the construction of the rule of law government. And with the January 12, 2015, secretary of the CPC wang "governing the country according to law In accordance with the regulations party Unswervingly promote the party's style to build a clean government and combat corruption, work report, the cultivation of clean government will be moving towards a new height.

In colleges and universities of the construction of risk prevention and control mechanism, Chinese scholars have studied from different perspectives. Such as Hong XingWen, Yan Feng[27] put forward constructing the external and internal self-discipline mechanism combined corruption struggle against the system of checks and balances; Xu Qingfang, to the clever, infrastructure, the recruitment of students in colleges and universities, the academic activities of prevention and control of corruption has the original opinion, Zhi-ping Xia, NiMinLing[28], etc., are successively from the aspects of university spirit, university culture, system and so on to analyze the causes of corruption in colleges and universities and

puts forward corresponding countermeasures.

In the prevention of corruption in our country, on the whole, the study also made a thorough inquiry, but in the construction of integrity, risk prevention and control mechanism of the domestic study is less, especially in the area of empirical research. In hownet (CNKI) advanced retrieval in China, to the "integrity, risk control and prevention" and with "college" for precise retrieval, as of March 20, 2016, can search to 134 results (minus 6 newspaper, actually only 128), including 2, 2010, 2011, 2012, 26, 32, 2013, 2014, 35, 2015, 31, 2016, 2 show the overall upward trend, but in the library so far without direction of this dissertation, and only 3 master's theses, other are journal articles, that is still lack of systematic study.

### 3 CONCLUSION

Research the integrity risk control mechanism in colleges and universities has obvious policy aims and practical guidance, therefore, how to make the theory and policy practice effectively, thus promoting the development of theory and practice of reform, is the key to the research in this field.

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