

Exploring Public Participation in Anti-corruption Reporting System

-- Based on the Framework of "General will - Particular wills" Theory

Yuxiu Shen

Wuhan University of Technology, Wuhan, Hubei, China

shenyuxiu2001@163.com

Abstract. In China, the Party and the government have always regarded Anti-corruption work as the main content of Party building, but as corruption activities become more and more hidden and complicated, public participation has become an indispensable part of Anti-corruption work. In view of this, we analyze the current situation and problems of public participation in the Anti-corruption reporting system based on the theoretical analysis framework of "general will and particular wills" in political science, and propose countermeasures to improve the public participation in the Anti-corruption reporting system on this basis.

Keywords: Public Participation; General Will; Particular Wills.

1. Introduction

General Secretary Xi Jinping made it clear at the fifth plenary session of the 19th Central Commission for Discipline Inspection that "our Party, as a century-old party, must promote the construction of the Party's clean government and the fight against corruption at all times if it is to maintain its advanced and pure nature and its vitality." [1] Corruption is currently one of the biggest stumbling blocks on the road to building a clean government in China. The Party and the State have made significant progress in cracking down on corruption and maintaining the image of a clean government, with the Party's style of government gradually improving and the problem of corruption being effectively controlled. [2] However, we must be soberly aware that, with the increasing complexity of corruption, relying solely on the power of the Party and the State is not enough to fully cope with it, which requires the extensive participation of the public in the Anti-corruption reporting system, and the Party and the State to form a joint effort to fight corruption and enhance the effect of fighting corruption.

2. Current Status of Public Participation in Anti-corruption Reporting Systems

2.1 The Party and Government are Gradually Paying Attention to Public Participation in the Fight Against Corruption

Since the 18th National Congress, the Party and the State have paid more and more attention to the construction of Anti-corruption and integrity promotion, and have investigated and dealt with a series of major cases, which greatly encouraged the public to participate in the construction of Anti-corruption and integrity promotion, and strongly achieved and implemented the public will. According to statistics, by the first half of 2019, the city's discipline inspection and supervision departments had received 1.69 million letters and complaints, handled 819,000 clues, talked to and inquired about 168,000 cases, investigated and filed 315,000 cases, and punished 254,000 people. From January to September 2020, the city's discipline inspection and supervision departments received 237,100 complaints, handled 123,000 clues, talked and inquired about 267,000 cases, investigated and filed 443,000 cases, and punished 390,000 people. [3]

2.2 Enthusiasm and Awareness of Democratic Supervision has Increased

With the vigorous development of higher education in China, the legal concept and fairness consciousness of Chinese citizens have been improved, and the majority of citizens abhor corruption and take increasing initiative to fight against corrupt activities directly or indirectly. In Anti-corruption, the public is paying more and more attention, participating in more and more extensive fields, and tolerating less and less corruption, and the public participation environment in Anti-corruption will be further optimized.

2.3 Public Participation in Anti-corruption Channels Continues to Broaden

With the rapid development of mobile Internet, it has created the advantages of time and interactivity for the citizens to participate in political Anti-corruption activities, and built a more open, transparent and fast complaint supervision platform. In Shandong Province, for example, the Shandong Provincial Discipline Inspection Commission and Supervision Department has launched an official public account of WeChat "Shandong Provincial Discipline Inspection Commission and Supervision Department Website", which timely publishes information on the Party's clean government construction projects and discipline regulations responsibility audits, sets "micro-release" "Micro report" "micro database" and other columns, under the authority of public, Qilu bell, around the dynamic, online test, party discipline regulations and micro letter hall and many other sections, to provide online access to party rules and regulations, understanding, assessment, etc.. Moreover, it can also use "micro-reporting" to inform the surrounding "four winds" issues with one click, which enhances the publicity effect of the party style and clean government construction system, and also smooths the way for mass comments.[4]

Since the 18th Party Congress, the Party and the government have explored and designed at the institutional level, continuously increased Anti-corruption efforts, and done a lot of work on institutional Anti-corruption. The Central Committee has attached great importance to the construction of the Party's internal regulations system, from the formulation of the Eight Provisions of the Central Committee to the revision of the Regulations on Inspection Work of the Communist Party of China, from the revision of the Regulations on Disciplinary Punishment of the Communist Party of China to the introduction of the Regulations on Accountability of the Communist Party of China, from the formulation of the Regulations on Supervision within the Communist Party of China to the issuance of the Opinions on Strengthening the Construction of the Party's Regulations System, etc. More than fifty Party regulations have been introduced or revised in five years. [5] Therefore, it must be fully affirmed that China's institutional Anti-corruption system has formed a certain system, and the Anti-corruption has a law to follow and has played a certain role. However, it is undeniable that China's Anti-corruption system is not yet sound and there are loopholes in some fields and key links, and the legislation of relevant provisions is not timely and the law enforcement is not strict, so that corrupt elements can take advantage of the situation, especially because the law is light in punishing corrupt acts and the cost of breaking the law is also low, which leads to certain corrupt elements to take advantage of the situation and causes corruption to occur continuously. Therefore, I believe that the achievements of the Anti-corruption are not without merit, but the Anti-corruption efforts still need to be strengthened.

3. Public Participation: Concepts and Needs

This paper also introduces a more general concept of public participation as defined by Professor Yu Keping, "Public participation is all activities in which citizens try to influence public policy and public life." [6] Here, the ordinary resident masses participate in social activities in the following ways: voting, election, referendum, association, petition, gathering, protest, parade, demonstration, protest, preaching, mobilization, cascade, prosecution, talk, reply, negotiation, lobbying, hearing, petition, etc.

However, in the construction of clean government in China, public participation is more emphasized: the public must implement supervision and inspection of public power in the work of the government and report and expose corrupt activities of the government in the process of managing public affairs and implementing public management. The most crucial thing to do is to give full play to the practical effects of public participation and strive to achieve an organic combination of Anti-corruption and Anti-corruption forces.[7]

The enthusiasm of the public to participate in the fight against corruption has an impact that cannot be ignored on the success or failure of the whole integrity building. General Secretary Xi Jinping mentioned in his speech at the opening ceremony of the Party School of the CPC Central Committee that where there is power, there should be supervision, and where there is a lack of supervision, corruption is bound to occur. It should be said that the current supervision system in China is relatively sound, there is internal supervision, democratic supervision, legal supervision and public opinion supervision, and the Standing Committee of the National People's Congress has also issued a special "Supervision Law" to supervise the "one government and two chambers", although all kinds of supervision mechanisms have played a certain effect, but the government supervision is not in place is also an indisputable fact. In particular, the ability of all people to participate in the fight against corruption is seriously lagging behind. If the country's Anti-corruption relies solely on the power of specialized agencies and lacks the participation of the general public, it is difficult to achieve prevention beforehand and perfection afterwards. Although the public is involved as an amateur, it spreads across all levels of society and has a broad level, profound influence and powerful penetration. Therefore, objectively speaking, the public and the State Supervisory Commission play an equal interactive role, and both sides are indispensable mainstays in the fight against corruption and the promotion of integrity. At the same time, only by making the State Supervisory Commission and the public form a joint force can we lay a heavenly net to achieve Anti-corruption and promote integrity, so that the corrupt elements have nowhere to hide and can fundamentally curb the occurrence of corruption.

4. The Framework of "Public will-Individual will" Theory

The central concept in Rousseau's Social Contract is "public will", which is the thread of the whole book. So, what is "public will"? For Rousseau, the public will be different from both the individual will, which fosters self-interest, and the collective will, which inevitably degenerates into a narrow gang concept, as well as from the individual will of the simple majority (i.e., the will of the many).[8] In this regard, Rousseau distinguishes that "in fact, as an individual, every man has an individual will that is completely contrary to, or inconsistent with, the public will of which he is a citizen. The influence of his individual interest on his conduct is quite different from the influence of the common good on his conduct." [9] "The public will be always just and always aims at the common good, but do not conclude from this that the opinion of the people is always just. Everyone wants to be happy, but never understands how to be happy. The people have always been uncorrupted, and the people will always be deceived. It is for this reason that the people always seem to be willing to accept bad things as good." [9].

Rousseau's discussion of public will and individual will bring enlightenment to how citizens can effectively participate in integrity building. In general, there are three key aspects of the achievement and implementation of public will: first, the distinction between public will and individual will in citizen participation. "In fact, while it is not impossible for individual will to be consistent with public will in some respects, such consistency is always unsustainable and infrequent, because individual will by its nature always tends to favor selfishness, while citizens always favor justice." [9] The difference between private public demands and public public demands will inevitably affect the ultimate effect of public will. Secondly, whether individual will can be "raised" to public will. Third, whether the public will can be implemented after it is formed.

5. Problems of Public Participation in Anti-corruption Construction

5.1 The Distinction between Public Will and Individual Will

Some social groups use the state apparatus to attack others in an attempt to better themselves. They often falsely accuse and frame others, make repeated reports with malice, and form individual wills that do not correspond to the public will. As we all know, this practice is itself an extremely serious violation of law and discipline, a crime that harms both others and themselves. [10] Such as the public Yuan Moumou reported Miaoqian town Changchun village party branch secretary, village director Cao Guangyi false claims fraudulent arable land subsidies, indiscriminate charges and other issues. But by the provincial party committee's eleventh inspection group, the central second inspection group investigation found that: since the 2017 year, Yuan Moumou because of personal interests many times to the relevant departments petition, but all failed to get satisfactory results, Yuan Moumou then unwarranted speculation, fabrication Cao Guangyi false claims fraudulent arable land subsidies, arbitrary charges and other issues. Finally, Yuan Moumou was given a legal talk by the police station. [11]

5.2 Transformation of Public Will and Individual Will

Inevitably, a lot of public participation in integrity building is also driven by interests. In short, it means that the public participates in the act of fighting corruption in order to get a certain amount of reward. Whenever there is a general tendency for the people to focus only on their own personal interests without regard or concern for the fact that he is a part of the total national gain, good government cannot emerge under such circumstances. The political machine does not work automatically, nor does it require the simple acquiescence of people, but rather the active participation of people. [12] Realistically, the public often reports corruption around them that is closely related to their rights and interests, or, it is this corruption that directly and strongly affects the public's rights and interests. Only a relatively small number of people are concerned about and report some corruption issues that do not have a direct relationship with their own interests. Because the whistleblower is located in a large space, there are many public and he is in a similar or the same geographical location and social environment, so that the individual will has the possibility of transforming into the general public will of society. However, individual will be not necessarily transformed into social public will, but only the public social "private will" of some specific areas will have the opportunity to be transformed if it is collected. [13]

5.3 Concrete Implementation of the Public Will

Objectively speaking, for some reports, due to a variety of reasons, the relevant departments did not really do a case will be investigated, there will be reported back. Some because the report involves a larger official cadres, unwilling to investigate, fear of investigation, can not be investigated, so be bound to the cabinet; some because the report involves some cadres of their own problems, so pretend not to receive, so that the report sinks in the sea; there are also reports of clues are not true, or even suspected of evidence falsification, false accusations, etc., so that many reports do not really do a timely response.

6. Countermeasures and Analysis

6.1 The Government Correctly Distinguishes the Nature of Reporting

Relevant government agencies in the process of receiving and handling reporting duties, not only to seriously accept letters and visits, but also to give full play to the subjective initiative, strengthen the objective analysis, improve the ability to study and judge whether the problems reflected in the specific, real and credible to come up with a preliminary opinion, not simply, mechanically perform their duties.

Generally speaking, in reporting the same problem, the more specific the content of the report, the more complete the time, place, people and events, the higher the credibility. On the contrary, if only the general content or the final conclusion, it will give the impression that it is simply catching wind or private revenge, lacking credibility. For example, when you receive a report letter, the content must be contained in the time, place, people and now the reality of the master one by one, the credibility of the truth is high, the basic elements are inconsistent credibility is relatively low. For example, in addition to a problem of reporting clues for classification research judgment, should also be based on the time frame of the event to make a classification research determination, and constantly enrich the "trees" and "forest" connotation, for the next link of the contractor authorities on the issue of clues Provide processing suggestions, provide specific basis, etc. [14]

In short, the relevant government departments to seriously do a good job in the work of the letter and report, in addition to conscientiously perform the legal basis of the function, but also open-minded, proactive, continuous learning and improvement, learning and practice, with positive measures to strive to improve the ability to perform their duties and level, and effectively enhance the effectiveness of their duties.[14]

6.2 Raising Public Awareness of Anti-corruption Initiatives

The degree of understanding of Anti-corruption work is directly related to the public's willingness to fight corruption. Most of the public always feel that if corruption harms other people's interests rather than their own, they will turn a blind eye to corruption with the idea of protecting their own lives, but this wrong "public will" phenomenon will affect the public's willingness to participate in the fight against corruption and even lead to further expansion of the harm caused by corruption.

In general, the public is well aware that corruption strongly harms the interests of our society and the common interests of groups, but many people are not clearly aware that corruption directly harms the rights and interests of the state and groups while indirectly affecting the fundamental rights and interests of the public. Therefore, it is necessary to make the whole public truly and deeply aware of how corruption harms national and collective rights and interests and indirectly affects the public's own rights and interests by means of propaganda and education; to make the public realize that corruption disturbs social morality, harms community harmony, increases the difference between the rich and the poor, etc. And in fact, the Anti-corruption campaign is also closely related to every citizen's rights and interests. To cultivate citizens' awareness of integrity with "zero tolerance" for corruption, everyone has the responsibility to report and expose corruption, and to know the procedures for handling complaints and to clarify the consequences of corrupt activities being discovered. Only by making the public aware of the dangers of corruption can the public be motivated to participate in the fight against corruption: not only to pay attention to corruption that concerns them, but also to corruption that has nothing to do with them but deeply damages the interests of the country, so that individual will can be transformed into public will.

6.3 The Government Effectively Implements Public Reporting

Government departments must be problem-oriented and carry out serious rectification to answer the public's concerns. So that the public's reported demands can be effectively solved, handled and fed back. In fact, many reports seem to be sesquicentennial, but for the public is already intolerable, and it is difficult to achieve through the normal channels of help, so they can only defend their rights by reporting. Of course, there are also some unsuspecting people who want to achieve their own illegal private sexual purposes by means of false accusations and frame-ups. In any case, for the public to report can not cope with the past, there are problems with timely investigation and evidence, to return the public a fair. If the report is false, it should be quickly clarified for the person being reported. In addition, for those who are falsely accused of frame-up also must not be easily let go, to timely, appropriate legal responsibility, but also a good social climate.

For the public's report, the relevant departments to do "everything has an answer". Regardless of the nature of the report, as long as there are reported incidents and clues, should be serious

investigation and evidence, not to let go of any clues. In particular, the public strongly reflected, several times, more than one reported a problem with the phenomenon, more can not choose to ignore, but should spend more time and effort to report the matter clearly, understand, report what the problem on the investigation of what the problem. One of the reasons why there is a cross-reporting, repeated reporting, is that some departments in the receipt of reported clues, did not dig deep and thorough investigation, resulting in the public can not see hope, not to hear back, so they had to cross-reporting, repeated reporting. Then, the report ignored the situation, should also be properly investigated and dealt with some of the responsibility of the receiver does not investigate deeply, the only way to give the public a truth and response, but also a fair and just society.

References

- [1] Wu Guihan. A moment to promote the party wind and clean government construction and Anti-corruption struggle [N]. *Yingtan Daily*.2021.05.21.
- [2] Zhou Wei. Strengthening and promoting public participation in local government Anti-corruption and integrity building [J]. *Journal of Shaanxi Administrative College*,2017, 31(03): 115-119.
- [3] Wang Haokui. National discipline inspection and supervision organs disciplined 10,25.4000 people in the first half of this year [N]. *Guangming Daily*, 2019-07-24(002).
- [4] Li Liangke, Zhang Xiaoming. Shandong Provincial Discipline Inspection Commission's official WeChat public number goes online [N]. *China Discipline Inspection and Supervision News*.2016.05.26.
- [5] Fan Manli. Anti-corruption is always on the way future Anti-corruption and positive wind [M]. Beijing: Research Press,2018.04 .
- [6] Yu Keping and Jia Xijin, eds. *Citizen Participation in China - Cases and Models*. Beijing: Social Science Literature Press, 2008.
- [7] Ma Jieqiong. Research on public participation in the construction of Anti-corruption and corruption advocacy in China [D]. Lanzhou University.2016.
- [8] Du Wenli. On the "public will" in Rousseau's social contract[J]. *Academic Communication*, 2007(06):19-22.
- [9] Rousseau. *The Social Contract* [M]. Translated by Li Ping Compost. Beijing: The Commercial Press.2011.
- [10] Yang Liping. "False" "add oil and vinegar" report shall be responsible [N]. *Shenzhen Special Zone Newspaper*.2019.06.21.
- [11] Sun Xiaoling, Yi Jixuan. The Municipal Commission for Discipline Inspection and Supervision informed eight typical cases of clarification and false accusations [N]. *Sanxia Daily*.2021.07.30.
- [12] Deng Wenquan. Research on public participation in Anti-corruption in the new era [D]. South China University of Technology, 2017.
- [13] Chen Yulin, Zhao Juan. Research on the effect of public participation on urban governance line and its influencing mechanism--based on the perspective of public will-crowd analysis[J]. *Urban Development Research*,2021, 28(08): 107-113+121.
- [14] Beijing Doukot Law Firm. *Legal Exploration of Private Equity LPs* [M]. Beijing: CITIC Press,2018.09.