

The Rationale and Practical Path for the Professional Capacity Building of Inspectors

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Abstract: The "Inspector Law" clearly stipulates that we should promote the construction of a high-quality and professional team of inspectors. Effectively strengthening the professional capacity building of inspectors is an important prerequisite and guarantee for promoting the discipline inspection and supervision work in the new era and new journey. The professional capacity building of inspectors not only highlights the unique value of inspectors, but also has feasibility. On the basis of analyzing the current administrative personnel management system of inspectors, the rationality of the professional capacity building of inspectors is demonstrated from multiple perspectives such as norms and practices, and the space for strengthening the professional capacity building of inspectors is explored to propose a specific implementation plan: the parallel system of positions and ranks can be set up and used more flexibly to provide development space for inspectors who prefer professional capacity building. On this basis, we should continuously strengthen the concept of "professionalism" to stimulate the subjective initiative of the majority of inspectors. At the same time, we should take advantage of the opportunity of discipline inspection and supervision discipline construction to build a discipline inspection and supervision professional talent training system to strengthen the professional ability of inspectors.

Keywords: Professional Capacity Building, Supervision System, Personnel Management, Parallel System of Ranks, Discipline inspection and Supervision Discipline.

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1 INTRODUCTION

Professional ability is an important prerequisite for the efficient performance of duties by discipline inspection and supervision cadres. The Law of the People's Republic of China on Supervisors (hereinafter referred to as the "Supervisory Law") provides a legal basis and direction for promoting the construction of a high-quality and professional supervisory team. At present, with the in-depth development of anti-corruption work, it is particularly important to improve the professional ability of supervisors. However, at the current stage of the national supervision system reform, how to create space to effectively promote the professional ability construction of supervisors is still a topic that needs in-depth research. This article will start from three aspects: current situation analysis, reasoning and practical path, and deeply explore the necessity and feasibility of professional ability construction of supervisors.

2 CURRENT STATUS OF THE PROFESSIONAL CAPACITY BUILDING SYSTEM FOR INSPECTORS

2.1 THE CURRENT STATUS OF PERSONNEL

MANAGEMENT MODE OF SUPERVISORS IN MY COUNTRY

The Ombudsman Law establishes an Ombudsman rank system and proposes the corresponding basis for establishing the ranks. However, "the establishment of Ombudsman ranks does not mean that Ombudsmen will be managed in a separate job series. Ombudsmen will continue to use the existing cadre management series." [1] It can be seen that the current personnel management system for Ombudsmen in my country is still mainly based on the "administrative model". This management model makes civil servants, including Ombudsmen, focus on administrative positions, especially leadership positions, and regard official promotion as the most important career pursuit. At the same time, it creates an atmosphere where people are not very clear about the professional knowledge and abilities required to complete their work, and lack due respect for professional talents and professional abilities, thereby inhibiting the construction of professional capabilities. Under the administrative model, there is a shortage of non-leadership positions, and promotion opportunities are few and difficult. There is little room for salary and benefits to be increased based on seniority and

years of service, and there is insufficient incentive, so it is difficult to stimulate the motivation for professional capacity building. This may lead to many Ombudsmen only pursuing the height of their positions, but not caring about the improvement of their personal professional abilities.

2.2 CURRENT STATUS OF GRASSROOTS

SUPERVISORS' ABILITY TO PERFORM THEIR DUTIES

The in-depth development of anti-corruption work has put forward higher requirements on the professional ability of supervisors, but due to the lack of systematic training, in the actual performance of their duties, many supervisors often fail to accurately grasp the essential issues of the case when handling specific matters, resulting in low efficiency in handling specific cases. For example, many discipline inspection cadres pointed out the specific manifestations of the supervisors' inadequate performance of their duties in current practical work: lack of ability to unravel case clues, inability to keenly perceive the key issues of the case; lack of ability to write documents, and the format and wording of the documents are not professional enough, etc.

2.3 POSSIBILITIES FOR PROFESSIONAL CAPACITY BUILDING OF OMBUDSMEN

"Professional capabilities are unable to meet the actual needs of anti-corruption work, human resource advantages are difficult to fully utilize, and the anti-corruption effect is significantly restricted." [2] It can be seen that the professional capabilities of inspectors are of great significance to the development of the inspector system. Many scholars have put forward suggestions on the professionalization or professional capacity building of inspectors. Scholars such as Ren proposed that a professional-oriented supervisory officer system should be established. By drawing on the experience of my country's judge quota system reform, they believed that "the adoption of a professional model in personnel management is a basic system to promote the improvement of personnel professional capabilities." [3] Xu proposed that "a professional community system for supervisory officers should be established, a standardized, professional and professional supervisory personnel classification management system should be established, and a supervisory officer quota management system should be established." [4] Zhou Lei proposed in the specific construction of the supervisory officer system that "the emphasis on the professionalization of the case handling team requires not only legal knowledge, but also professional knowledge in auditing, economics, accounting, computers, etc." [5]

In short, whether the construction of the supervisory officer system chooses a professional model or an administrative model, the professional ability of the supervisory officer is in a pivotal position. Therefore, it is

necessary to fully demonstrate the necessity of building the professional capacity of inspectors based on the current administrative management model, and on this basis put forward feasible and effective ideas and suggestions for strengthening the professional capacity building of inspectors.

3 THE CASE FOR BUILDING PROFESSIONAL CAPACITY OF OMBUDSMEN

3.1 PAYING ATTENTION TO THE PROFESSIONAL CAPACITY BUILDING OF INSPECTORS IS A LEGAL REQUIREMENT

Regarding the professional capacity building of inspectors, it must first be consistent with the evolving supervision system. From the provisions of the Supervision Law of the People's Republic of China (hereinafter referred to as the Supervision Law) and the Inspector Law, the legislators have a clear and positive attitude towards the professional capacity building of inspectors. Therefore, effectively strengthening the professional capacity building of inspectors is not only a beautiful concept for the future development of the inspector system, but the current effective legal norms have actually listed it as a legal obligation requirement.

Based on the reality of the reform of the supervision system, the current members of the Supervision Committee have different professional backgrounds, so they have differences in knowledge structure and ability level, and have their own advantages and disadvantages when handling specific supervision business. Specifically, the quota prosecutors from the procuratorate are more familiar with the constituent elements of duty crimes and the procedural process of criminal proceedings, so they are more adept at investigating cases suspected of duty crimes. However, those who have been engaged in administrative supervision and supervision may not have sufficient knowledge reserves of criminal law. After becoming inspectors, they are often more adept at handling daily supervision affairs such as disciplinary supervision. In short, due to historical reasons, the current professional ability levels of inspectors vary, which is not conducive to the smooth development of supervision work. Legislators have already noticed the importance of building the professional capacity of inspectors. The first article of the "Inspector Law" points out that the goal is to build a high-quality and professional team of inspectors. Legal norms also put forward requirements on how to promote the professional capacity building of inspectors. The "Supervision Law" clearly stipulates that inspectors must have a certain degree of familiarity with supervision business, applicable laws, and investigation and evidence collection. However, this provision is only a principle provision. On the basis of this principle standard, the "Inspector Law" defines the scope of duties of inspectors by enumeration, divides

inspectors into three business directions: supervision, investigation, and disposal, and emphasizes that inspectors should have the necessary professional knowledge and capabilities to perform the above three functions. It can be seen that the current normative requirements for the professional capabilities of inspectors focus more on legal capabilities, emphasizing that inspectors correctly understand and accurately apply national laws and regulations to ensure the completion of supervision work.

3.2 PROFESSIONAL CAPACITY BUILDING FOR INSPECTORS IS A PRACTICAL REQUIREMENT FOR ANTI-CORRUPTION WORK

To effectively strengthen the professional capacity building of supervisors is not only a requirement of legal norms, but also a practical need for the smooth progress of anti-corruption work. With the development of society and the changes of the times, the means of corruption crimes by various entities have become more diverse, and the forms of corruption have become more concealed and confusing, which has brought many difficulties to supervisors in completing their supervisory work. In view of this, the in-depth development of anti-corruption work must be based on the professional ability of supervisors.

First of all, in recent years, the means of corruption subjects to commit crimes have become more and more concealed. Taking bribery as an example, traditional bribery is mostly in the form of handing over money and doing things with one hand, which is direct and immediate. But today's power-for-money transactions are more long-term and latent. For example, the duty crime of embezzling state-owned assets has added a new method of adding a "futures trading" link. Therefore, in order to verify the control and use of the accounts involved, the supervisory authority must rely on big data means to seize the computers, mobile phones and other equipment involved in the case and conduct electronic data identification. It can be seen that for such cases involving network and electronic data processing, it is not feasible to follow the traditional case handling method. Only through big data screening and other means can we lock clues and find a breakthrough in the case. This means that the new anti-corruption practice has put forward requirements for the construction of a big data anti-corruption talent team. "Only by making a detailed description of the integrity data can we accurately reveal the valuable information hidden in the integrity data and effectively empower corruption governance." [6]

In addition, there are extremely high professional barriers to corruption crimes in the financial industry, which brings many challenges to the supervisors to successfully complete the investigation. Specifically, supervisors who do not have relevant professional knowledge may not be able to accurately collect key evidence in financial corruption cases, and thus cannot transfer them for prosecution, causing the criminal subject to easily escape legal prosecution. As shown

in the No. 190 Guiding Case issued by the Supreme People's Procuratorate, if the supervisor does not have relevant professional knowledge, it may not be possible to find out the "reverse procedure operation" behind the seemingly legal and compliant process. After all, in corruption crimes in the financial industry, the means by which the corrupt subject evades supervision and inspection are more sophisticated than those of ordinary lawbreakers, which puts forward wider requirements on the specific professional ability of the supervisors to handle cases. In addition, corruption crimes in the modern financial industry are closely related to computer technology, big data, etc. The supervisors who handle such cases must have a high level of legal professional ability, and on this basis, they must also have professional skills such as finance and accounting.

"Although the high-pressure anti-corruption efforts have not been reduced and the comprehensive and strict governance of the party has been on the way, some corrupt elements have persisted in their own way and have not stopped, and have even intensified their corruption." [7] The new forms of corruption that continue to emerge in practice have continuously strengthened the professional ability requirements of supervisors, highlighting the urgency and necessity of supervisors' professional capacity building.

3.3 THE PROFESSIONAL CAPACITY BUILDING OF INSPECTORS HAS ITS UNIQUE VALUE

Taking the professional ability of inspectors as one of the important criteria for promotion and salary level is not only an important means to promote the establishment of an authoritative and efficient anti-corruption system, but also an effective way for inspectors to realize their own unique value.

In terms of the conduct of supervision work, inspectors who prefer professional capacity building can exercise their powers more prudently. Inspectors with legal and other relevant professional knowledge will be more targeted in carrying out daily supervision work, and can find out the subtle problems of the supervised objects in the exercise of their powers as early as possible, and take corresponding disposal measures. In the investigation stage, inspectors with professional ability can more accurately perceive the main problems of the case, actively apply corresponding investigation measures, and achieve efficient completion of anti-corruption investigation work. For example, inspectors who are proficient in big data skills can use big data technology to find out the potential interest network of the people involved in the case, so as to obtain key evidence accurately and efficiently. In the disposal stage, the professional ability of inspectors is the basic guarantee for "discipline-law connection" and "law-law connection". Inspectors with strong professional ability can define the corruption involved in individual cases in accordance with legal procedures, accurately apply the disciplinary and legal norms corresponding to violations of discipline, violations of duty, and duty crimes, and promote the standardization of

anti-corruption work. It can be seen that strengthening the professional capacity building of inspectors can maximize the development of human resources within the supervisory organs, while improving the operating efficiency of the supervisory organs, and maintaining the authority of the supervisory system and inspectors in the minds of the public.

For the personal development of inspectors, emphasizing professional capacity building can inspire them to continuously improve their professional ability and enthusiasm for supervisory work, thereby ensuring the efficient completion of work tasks. Specifically, if inspectors with professional capabilities are the leaders in conducting case investigations, the subjective initiative of inspectors can be fully exerted. Secondly, in the context of strengthening professional capacity building, inspectors with high professional levels guide subordinate inspectors to carry out supervisory business work, which is conducive to forming an atmosphere where inspectors take the initiative to improve their personal abilities. Finally, emphasizing the importance of professional capacity building can help those inspectors who focus on business work and have strong professional capabilities to realize their dreams and self-value when they join the job. It can be seen that effectively strengthening the professional capacity building of inspectors can attract more and more outstanding talents who are obsessed with professional skills to join the ranks of inspectors, which will be very beneficial to the construction of the country's anti-corruption cause.

4 PRACTICAL PATH TO EFFECTIVELY STRENGTHEN THE PROFESSIONAL CAPACITY BUILDING OF SUPERVISORS

4.1 FLEXIBLE SETTING AND APPLICATION OF

PARALLEL SYSTEM OF POSITIONS AND RANKS

To strengthen the professional capacity building of inspectors, we can rely on the parallel system of civil servant positions and ranks, set up a certain number of professional inspector positions, and apply the rank promotion management system to inspectors who choose professional and technical positions, so as to stimulate the professional needs and work enthusiasm of these inspectors who prefer professional capacity building, which will greatly help maintain the stability of the inspector team and improve the efficiency of supervision work.

For inspectors who prefer professional ability, professional ability and business level must be used as the basis for their promotion. "People-job matching" is the most basic principle, that is, different positions require people with different qualities and abilities." [8] Therefore, the first task of applying rank management to inspectors who choose professional ability is to classify inspectors. First, according

to Article 9 of the "Inspector Law", inspectors can be divided into three job series: supervision, investigation and disposal, and then different detailed rules and requirements for the management and promotion methods of each job series can be issued. "Different types of positions require the incumbent to have different core competences and qualities, including professional ability, to match." [9] In principle, inspectors should have the most basic knowledge of laws and party regulations when conducting daily supervision. Under this job system, the supervisors of this job system should be regularly assessed based on basic legal ability, and their professional level, salary, and benefits should be determined based on the comprehensive assessment results. The professional ability requirements of the investigation job system for supervisors are relatively complex. In practice, it involves multiple fields and covers a large and complex amount of professional knowledge. When supervisors conduct investigations in related fields, they must have the basic knowledge of the relevant industry as a background. Therefore, under the investigation job system, it can be further subdivided into party and government agencies, enterprises, and social fields based on differences in departments or fields. Different professional groups are set up in different fields, and the supervisors in the same group are subject to a unified job level evaluation standard. For example, those with a financial knowledge background will work in the financial corruption case investigation team, specializing in the investigation of such cases, and will be judged based on their financial professional knowledge, case closure rate, and other performance. The work content of the disposal job system involves more supervision and procuratorial power connection business, including the directness of the application of supervisory evidence. The completion of this part of the work puts forward certain requirements for the legal professional ability of the supervisors, especially the understanding of legal norms such as the Criminal Procedure Law and the Supervision Law, as well as the ability to apply and transform relevant legal professional knowledge. Therefore, it is legitimate to use legal professional ability as the evaluation and promotion criteria for this position.

4.2 CONTINUOUSLY STRENGTHEN THE VALUE

CONCEPT OF "PROFESSIONALISM"

The Hong Kong Independent Commission Against Corruption pays full attention to the professional ability of its members and has set up a strict promotion channel based on professional ability. "Promotion mainly examines personal professional ability and work performance. In addition, necessary training and assessment are required to obtain promotion qualifications. All promoted members must pass background checks." [10] Under the guidance of the value concept of "professionalism", the Hong Kong Independent Commission Against Corruption has achieved a highly professional anti-corruption team.

For inspectors who prefer professional ability building,

they can learn from the effective experience of the Hong Kong Independent Commission Against Corruption, establish the value concept of "professionalism", and use the level of professional skills as the basic basis for judgment. Under the job level management system based on professional ability, inspectors can enrich themselves to gain career development, which provides positive incentives for the realization of their personal professional values while ensuring the efficient operation of the supervision work. In terms of honor incentives, the management system of inspectors should strictly follow the incentive mechanism oriented to professional skills, conduct assessments based on professional ability and supervision performance, and finally determine the honorary rewards that match the personal ability of inspectors according to the level of assessment results.

To effectively strengthen the professional ability building of inspectors, it is necessary to let inspectors truly feel the value of professional ability building. To achieve this goal, we must do a good job in the professional protection of inspectors. We must "scientifically and systematically design the professional protection system for inspectors, and make provisions for the job protection, performance protection, personal protection, salary and welfare, and rights relief of inspectors." [11] In addition, under the professional system, if inspectors only deal with anti-corruption work passively, then the professional skills or investigation methods they apply to individual cases will be fragmented, which will not be beneficial to their own professional development in the long run. Therefore, in the practice of strengthening the professional capacity building of inspectors, inspectors should be made aware of their sense of responsibility, so as to strengthen their determination to engage in this cause, consciously and voluntarily make efforts to strengthen their professional skills, and have high expectations for this. Therefore, it is necessary to ensure that inspectors actively participate in the supervision work, and rely on their own professional capabilities to be responsible for the investigation conclusions and work tasks they have completed. Let inspectors establish the value concept of "professionalism", pursue good professional development plans and development paths, and let inspectors continue to grow while completing supervision work efficiently. This has important practical significance for effectively strengthening the professional capacity building of inspectors.

4.3 ACTIVELY BUILD A TRAINING SYSTEM FOR ANTI-CORRUPTION PROFESSIONALS

The professional capacity building of supervisors is inevitably inseparable from the support of the anti-corruption professional talent training system. Only supervisors with comprehensive professional knowledge background can cope with the increasingly complex corruption phenomenon. Article 23 of the Supervisor Law emphasizes the importance of supervisory discipline construction, "which establishes the status and role of supervisory discipline construction from a

legal perspective." [12] In 2022, the State Council Academic Degrees Committee and the Ministry of Education jointly issued a new version of the "Catalogue of Postgraduate Education Disciplines and Majors", setting discipline inspection and supervision as a first-level discipline and clean government as a second-level discipline, supporting colleges and universities to train and deliver specialized talents for the discipline inspection and supervision system. "The important goal of discipline inspection and supervision is to meet the country's great demand for professional discipline inspection and supervision talents. The design of the discipline inspection and supervision talent training model is the inherent meaning of discipline inspection and supervision discipline construction with Chinese characteristics." [13]

"As a practice-driven discipline, discipline inspection and supervision is a typical practical science. It is committed to serving the needs of discipline inspection and supervision practice." [14] In recent years, anti-corruption practice has shown a strong demand for professional and compound supervisors. "Various professional talents are playing a unique role in my country's anti-corruption and integrity promotion by using their professional knowledge and abilities." [15] For example, supervisors who have knowledge of accounting and auditing can discover corruption in related economic activities; supervisors who are proficient in the use of big data and other related technical means are the backbone of discovering corrupt elements in daily supervision; supervisors who have basic legal capabilities such as criminal prosecution can apply party discipline and national laws to effectively investigate and deal with corruption; supervisors with professional knowledge of psychology have sufficient advantages in conversation and questioning. Therefore, discipline inspection and supervision should be interdisciplinary. The discipline of discipline inspection and supervision should aim to cultivate senior anti-corruption professionals, and determine the training model accordingly, and set up corresponding basic and professional courses. Specifically, the training of senior discipline inspection and supervision professionals should be based on graduate education, and graduate enrollment should be open to multiple undergraduate majors. In terms of course design, it can be divided into basic compulsory courses, professional elective courses, case study courses, etc. Basic compulsory courses should focus on the shaping of correct values and the study of basic theories, with the goal of promoting students to be aware of the basic connotation of anti-corruption work. Professional elective courses are more about mastering skills, including but not limited to big data management and application capabilities, basic financial concepts, and investigation skills. Students can choose one direction for in-depth study according to their own interests and undergraduate majors, so as to integrate anti-corruption knowledge with professional knowledge of other industries, and provide sufficient professional knowledge reserves and selection space for the training of anti-corruption talents. Case study courses take the imparting of practical experience

as the teaching goal, and are guided by practical hotspots. Through the teaching and analysis of typical cases, students are trained to be sensitive and insightful to corruption phenomena.

5 CONCLUSION

Although the personnel management of supervisors in my country currently adopts an "administrative" model, this management model does not exclude the professional capacity building of supervisors. The professional capacity building of supervisors is of great significance to the completion of supervisory work and anti-corruption tasks. Therefore, it is necessary to flexibly use the parallel system of positions and ranks, strengthen the concept of "professionalism", and build a professional anti-corruption talent training system to effectively improve the professional capabilities of supervisors. With the changes of the times, the professionalism of supervisory work and the complexity of anti-corruption work will continue to increase, and the requirements for the professional capabilities of supervisors will only become higher and higher. Therefore, in the future, we can study the specific systems and detailed work process arrangements for the professional capacity building of supervisors, and explore more methods and ways to improve the professional capabilities of supervisors.

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