Research on the Chinese Government's Administrative Law Enforcement Supervision Issues in the Chinese Government

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Abstract. Overall, the legal basis for the Chinese government's administrative law enforcement, procuratorial and supervisory work is far from sufficient. Currently, there are no laws and regulations that clearly stipulate the functions and supervision procedures of the government's administrative law enforcement, procuratorial and supervisory work. There are also no specific case-handling procedures within law enforcement agencies for accepting and handling administrative supervision cases, making it difficult to fully carry out government administrative law enforcement supervision cases. In addition, due to the lack of legal provisions, the authority and effectiveness of supervision have been weakened. Only the coordination between the procuratorial organs and administrative agencies can effectively solve the existing problems. On the basis of analyzing the existing problems and causes of administrative law enforcement supervision by the Chinese government, this paper puts forward corresponding countermeasures in order to play an effective role.

Keywords: China's administrative law enforcement, regulatory law enforcement, legal basis, and regulatory procedures.

1. Introduction

China's administrative law enforcement supervision mainly includes the implementation of laws, regulations and rules, the legality of administrative normative documents, the legality of the qualifications of administrative law enforcement subjects and administrative law enforcement personnel, and the legality of specific administrative actions. It also includes the implementation status of administrative reconsideration, administrative compensation, administrative law enforcement responsibility system, administrative law enforcement complaint system, etc. The legality and administrative supervision of the law enforcement actions of administrative law enforcement personnel of the Chinese government refer to the internal supervision and supervision of administrative agencies on the bad administrative behaviors of their own agencies and their civil servants. China's administrative law enforcement supervision refers to law enforcement assurance activities that check whether law enforcement work is consistent with laws and administrative law enforcement instructors, deny aspects that are inconsistent, and deal with corresponding law enforcement work and related law enforcement organizations and law enforcement personnel. China's urban management law enforcement system has become a complex system.

Therefore, we can understand urban management in this way. It not only requires urban management agencies to rely on investigation power, penalty power, coercive power, etc. to implement law enforcement, but also relies on public sanctions and coercive measures to achieve the administrative goals of urban management. Law enforcement departments must also face more complex urban social relationships, so that urban management agencies have strong relationship and conflict mediation capabilities, and have primary refereeing power over disputes that occur in urban management [1].
2. Causes of administrative law enforcement and supervision problems of the Chinese government

2.1 The quality of administrative law enforcement personnel is relatively low

It can be seen from the frequent violent conflicts between administrative staff and law enforcement officers in recent years that the current composition of administrative staff is relatively complex. They mainly include state civil servants and non-state civil servants. The latter accounts for the majority. Most of them are temporary workers or hired workers\(^3\). Generally speaking, the particularity of law enforcement officers has high cultural requirements for law enforcement officers. However, most temporary workers and hired workers do not have high professional quality. Some employees even have substandard cultural standards and poor political concepts. Law enforcement officers have greater potential risks in the process of law enforcement and may suffer from poor law enforcement \(^3\).

2.2 Law enforcement officers need to deal with a more mobile workforce

As far as the current status of law enforcement is concerned, the persons subject to law enforcement are mostly migrant workers, unemployed persons, unemployed persons, etc. Most of them have limited knowledge and culture, and lack the ability to make a living. Most of them respond negatively to law enforcement officers, such as hiding. As the conflicts between the law enforcement officers and the persons being enforced continue to escalate, the persons being enforced realize that their livelihood may be impacted by the law enforcement officers, even before they are completely banned and no new way out is found. They believed that they had been violated and began to actively fight against law enforcement officers, and their attitudes began to change \(^4\). The officers being enforced often act very roughly, become emotional, and conflicts escalate, forming a vicious cycle.

3. Analysis of the causes of administrative law enforcement problems of the Chinese government

3.1 The management of law enforcement agencies does not pay enough attention to the use and management of fixed assets.

The items and properties owned by law enforcement administrative institutions are all unit assets and are essentially the same, but differ in form. Since the cost of fixed assets is a one-time amortization when purchased, government law enforcement agencies no longer accrue depreciation during use. This inevitably creates the illusion that monetary assets are more important than real assets. Therefore, management does not pay much attention to the use and management of fixed assets.

3.2 The internal control system of the law enforcement agencies of the Chinese government is not perfect enough.

Due to the imperfect internal control system of fixed assets of law enforcement units, most units have not established relevant systems for the purchase, custody, use, maintenance, financing, scrapping and inventory of fixed assets. This causes management chaos.

3.3 Personnel factors of China’s law enforcement agencies

The management of state-owned assets in most administrative institutions in China is also managed by financial accounting agencies. Due to professional restrictions and poor management by law enforcement departments, financial personnel do not understand the properties of fixed assets, which limits the improvement of fixed asset management systems and the improvement of management effects. In addition, some financial personnel in the law enforcement department have low professional quality, and it is difficult to distinguish whether some items need to be filled in as
4. **Countermeasures to improve the Chinese government’s administrative law enforcement**

With the accelerating urban development process, the urban floating population is also increasing, and the scale of many cities is also expanding. This has put forward higher requirements and new positioning for urban management work. Only by reforming administrative management as soon as possible can government departments adapt to the new situation and meet new challenges. The management department organizes special surveys to standardize the administrative law enforcement of the Chinese government, find out the real situation of various regions and departments, identify the problems, and propose solutions and suggestions.

![Figure. 1 Countermeasures to improve administrative law enforcement](image)

**4.1 Strengthening the selection system for law enforcement personnel**

At present, there are large differences in the quality of law enforcement personnel, so it is necessary to optimize their selection physical examination. Specifically, we need to strengthen the professionalism and cultural level of law enforcement personnel, especially training in ethics and law, so that they can correctly understand national policies and play a role in easing social conflicts [5]. In the process of hiring law enforcement personnel, the Chinese government must use an appropriate hiring system and use unified examinations and simulated work situations to inspect them to ensure that the law enforcement team has high professional quality. Personnel in law enforcement departments who engage in uncivilized behavior during law enforcement must be punished immediately and severely removed.

**4.2 Strengthen the construction of social security system**

Most of the people subject to law enforcement are workers at the bottom of society, and most of them are poorer groups that are not protected by the social insurance system. If the government provides them with a system that meets their basic needs in terms of social policies, social conflicts can be alleviated to a greater extent. For example, Shanghai has designated an area to provide business opportunities for mobile merchants, rather than driving them away unconditionally. The Chinese government should promote the application of the Chinese government's comprehensive management and supervision work platform for administrative law enforcement throughout the country, and use informatization to help standardize the Chinese government's administrative law enforcement work. The construction of the Chinese government's administrative law enforcement
supervision and criticism suggestion platform needs to be established as soon as possible. Among the opinions and suggestions on the platform, government departments select major representative issues or outstanding issues that the people have strongly expressed, and urge relevant localities and departments to deal with them.

4.3 Establish relevant legal norms

The Chinese government's administrative law enforcement units and the National People's Congress must provide a specialized legislative system for the Chinese government's administrative law enforcement as soon as possible to ensure that relevant departments receive clear legal reference. While determining the responsibilities and scope of work of urban management law enforcement personnel, we need to emphasize the importance of work procedures to ensure the fairness and rationality of the Chinese government's administrative law enforcement while protecting the legitimate rights and interests of administrative personnel.

This can ensure that urban management and law enforcement personnel can abide by their duties and contribute to the management and development of the city while maintaining legality. Only by eliminating confusion in theoretical knowledge can the administrative law enforcement work of the Chinese government be recognized and promoted on a wider scale.

5. Conclusion

The law enforcement agencies of the Chinese government must establish the concept of the rule of law, deeply root the concept of the rule of law in the actual trial work, establish the concept of governing the country according to the law, safeguard the authority of the law, act strictly in accordance with the law, consciously accept supervision, study and summarize in depth, be full of enthusiasm, and have the people's greatest concern, the most direct and direct way to help solve real problems of vital interests. Law enforcement agencies safeguard the legitimate rights and interests of the people in accordance with the law. Establish the concept of fairness and justice, and establish the concepts of legality, reasonableness, timeliness, efficiency, openness and justice. Law enforcement departments need to always insist on acting in accordance with the law, insist on "relevant cases" and "identified cases" to eliminate the "Administrative Licensing Law", conscientiously and strictly enforce the law, but at the same time consciously carry out persuasive education to help the masses understand the problem, which can coordinate the relationship between cadres and the masses and achieve legal effects and social benefits.

References