Problems and Causes of Land Corruption in China

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Abstract In recent years, the land corruption in China is very serious. The amount of corruption cases is high, the links involved are various, harbor cases and fraud cases are many, the corruption subjects are mainly concentrated in government officials with high administrative level. The causes for land corruption include objective corruption opportunities and subjective corruption motivations. Only when information on land transfer is made public and accepted by the public, can it play a role in preventing land corruption.

Key words China, Land corruption, Characteristics, Causes

1 Introduction
Land is an invaluable resource and asset. It is an important foundation for the development of the national economy and a precious resource that cannot be regenerated. In recent years, with the acceleration of industrialization and urbanization in China, the demand for land has increased and the land resources have increased substantially. However, due to the backward land management system and imperfect related systems, land corruption cases are of frequent occurrence. Land field has become a hotbed of corruption in China. In many corruption cases, most cases have certain connection with the land.

2 Existing problems in land corruption in China
2.1 Big amount of land corruption cases The land field is a capital-intensive area. Developers often spend a lot of money to corrode people involved in the management of land and resources. Some public officials who manage land are also tempted to accept bribery due to the temptation to huge amount of money, leading to frequent occurrence of corruption. According to a survey conducted by the National Anti-Corruption Bureau of China, the amount of corruption involved in the national land and resources department was up to millions or billions of yuan [1].

2.2 Various links of corruption cases The entire cycle of real estate development has the circumstance of power-money deal, including project approval, planning approval, project site selection, project bidding, land acquisition and demolition, land transfer, house demolition, property registration, equipment and materials procurement, project supervision and quality inspection, budget addition and fund settlement, water and electricity support, fee collection and deduction, bank credit, commercial housing pre-sale licenses, and property rights management and property management.

2.3 Many harbor cases and fraud cases Various links of the development of land and real estate involve the interests of many departments. Besides, the chain of land and real estate development is long, there are many handling people. It is difficult for one administrative official to complete the entire process. Therefore, to seek illegal profits, developers will pay bribes to many public officials and departments responsible for land management. In consequence, the "collective corruption" conspired by officials and "family corruption" in which officials and relatives of relatives and friends join hands accounted for a large proportion of land corruption cases. When the relevant agencies investigate such corruption cases, the results are often as follows; a briber brings in multiple bribes, and a person who accepts bribes brings in many bribers.

2.4 Main corruption subjects being government officials with higher administrative levels Among corruption subjects in the corruption of land field, officials at leading position account for a large proportion, and the personnel involved are not limited to public officials in the land resources system. From the land corruption in recent years in Province J, since 2006, a number of high officials were investigated and prosecuted, including three deputy directors of the Department of Land and Resources, six directors of department of the cities, and a county secretary of County N [2].

3 Causes of land corruption in China
The occurrence of corruption has very complicated practical causes and social and historical causes. Land corruption is one of the general phenomena of corruption. Its occurrence not only has similar causes to the general phenomenon of corruption, but also has unique objective causes.

3.1 Objective causes for land corruption in China
3.1.1 Lack of laws and regulations presents hidden danger for land corruption. On the one hand, there is no special laws and regulations about anti-corruption. Although China has formulated a series of regulations and normative documents concerning the construction of a clean and honest government, preventing and punishing corruption, there is still no Anti-Corruption Law for regulating honesty of public officials and prevention and control of cor-
ruption acts. As a result, anti-corruption lacks basis for special laws and regulations, and it greatly reduces the deterrent effect of laws on anti-corruption. On the other hand, the existing provisions of relevant laws and regulations have many prohibitive provisions, but there are few behavioral regulations. In recent years, although China has gradually established relevant laws, regulations, and systems in the field of land, there are still some outstanding problems; some laws and regulations lag behind the practice, some focus on principles and lack operation. The inadequacy of laws, regulations, and systems leave certain room for rent seeking of power.

3.1.2 The government serves as "referee" and also "sportsman". At present, the primary market for land use rights is monopolistic in China. Government formulates public policies and acts as "referee". Besides, government often participates in economic activities as economic entities, like "sportsman". In this case, government serves as "referee" and "sportsman". The relevant officials have too high and concentrated power, but lack effective supervision and restriction. Then, the corruption seizes the opportunity and appears.

3.1.3 Weak law enforcement supervision gives corruption an opportunity. Unsupervised power inevitably leads to corruption, and an effective supervision mechanism will increase the corruption anticipation costs of lawless people while reducing the expected benefits of corruption. As far as the supervision of the land field in China is concerned, it seems to be exhaustive and in fact there are many problems. The intensity of law enforcement supervision is not enough, and the coordination between the supervision systems is not in place, the function of external supervision mechanism is not significant, and the function of public opinion and supervision of the masses is difficult to play.

3.1.4 Excessive punishment leads to low corruption costs. At present, China's disciplinary efforts in the corruption of the land field are still far from enough, mainly manifested in several aspects. (i) The probability of investigation and punishment of land corruption cases is low and not timely. (ii) The punishment of land corruption is not heavy. (iii) The punishment for corruption is mainly political, and the economic punishment is seriously inadequate.

3.2 Subjective causes for land corruption in China

3.2.1 Weak legal awareness. Many corrupt officials held high position before the cases have happened. They had strong political awareness but weak legal awareness, some officials could even be called people ignorant of laws. They thought that China is a "state of etiquette" and they helped others to get things done, so it is natural for them to get returns such as gifts or money. Although some corrupt elements understood the law, they did not have a strong concept of law-abiding. In the beginning, they may observe laws and regulations, but due to influence of lawless people, they became degenerated. They even thought that China is a country where human relationship is more important than law. Even their crime was exposed, as long as there is protection umbrella, they would be punished by legal sanctions.

3.2.2 Distortion of value concept. The semi-perpendicular land management system in China limits the advancement of state-level system cadres, making some cadres vulnerable to repressed emotions, resulting in distortion of personality, resulting in a wrong value orientation, then they satisfy themselves and repay themselves through monetary benefits, such as corruption, bribery, etc. In addition, in the land system, cadres often stay in a post for a longer period of time. This also gives plenty of people sufficient time to commit crimes and forms a large network of criminals, which in turn makes a silent approval and protects each other.

3.2.3 Psychological imbalance of officials. At present, government officials have tremendous pressure and pay more. However, their wage income is not much higher than that of ordinary workers. In particular, officials in the national land department often deal with real estate developers and investors. Seeing these businessmen are spending billions of dollars, officials will generate imbalanced psychology, then they will use their power at hands to seek illegal profits, increase their income, and make up for their losses, so as to reach the psychological balance.

3.2.4 Psychology of luck. The psychology of luck is a common psychology of most corrupt people. In fact, corrupt people not only know that they cannot be corrupt, but also know the serious consequences of their corruption. They committed corruption because they believed that their corruption may not be discovered, and they have a very strong psychology of luck. They always believe that money is sent by bribers, and as long as the bribers do not speak, other people will not know. Corrupt people are also very cautious when they commit crimes. After a period of time, when it was still safe, they would become bold and eventually embarked on the road of crime [13].

3.2.5 Blind conformability psychology. The degeneration of some public officials in the land system is caused by the long-term influence and stimulation of the surrounding unfavorable environment. In actual situation, many harbor cases and fraud cases are consequences of conformability psychology. This kind of phenomenon is called in psychology as "responsibility spreading group crimes". The criminal members feel that everyone is mutually opposed and that the law does not condemn people. From the land corruption crimes in Province J, the harbor cases and fraud cases were more and more, and the amount of associated crimes was higher and higher. This is because the corrupt people involved in harbor cases and fraud cases have a common collective safety psychology.

3.2.6 Loss of public ethics. Greed and lust are important causes why many officials commit corruption. The lost public ethics bring negative influence on many officials for a long term. Once corrupt officials are dictated by lust, they will be crazy to collect money to pay for huge expenses. "Pornographic corruption" has become an "epidemic" of land corruption.

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4 Establishing a legal mechanism to prevent land corruption

For a long time, the focus of China’s corruption control has been based on the "anticorruption". Because of the loopholes in the system and the huge income from corruption, the control work is still very difficult. The focus of anti-corruption should be placed on strengthening the public control mechanism of the society, institutional constraints imposed on government officials at all levels should be shifted to the prevention. It is recommended to take the prevention as an effective means of controlling the corruption. Besides, the introduction of the information disclosure mechanism will leave a profound impact on the prevention and control of land corruption.

4.1 Clearly specifying the land transfer information disclosure

It is recommended to disclose the entire information of the transfer of state-owned land use rights regularly and irregularly. Specifically, the land transfer information of land competent authorities should be annually or quarterly disclosed to the whole society. Besides, key projects should be disclosed from the establishment. In the future legislative actions, these should be given special attention, to make them become a statutory obligation of the executive authorities. Only in this way can the image of the government be protected to the maximum extent possible, the national interest and the individual interests of the citizens can be protected, and the economy can be promoted, and the construction of a harmonious society be promoted.

4.2 Establishing the system of "expert fixing price" for the land

It is recommended to establish a land value evaluation organization that is independent of the executive agency. For its members, we can refer to the arbitration system, elect talented people in relevant colleges and universities, make evaluation of state-owned land value of the land use right, and disclose the information before land transfer, for public inquiries.

References