

课程详述

COURSE SPECIFICATION

以下课程信息可能根据实际授课需要或在课程检讨之后产生变动。如对课程有任何疑问，请联系授课教师。

The course information as follows may be subject to change, either during the session because of unforeseen circumstances, or following review of the course at the end of the session. Queries about the course should be directed to the course instructor.

1.	课程名称 Course Title	反腐败前沿理论及监察法原理 Advanced Theories of Anti-Corruption and Principles of Supervisory Law
2.	授课院系 Originating Department	社会科学中心 Center for Social Sciences
3.	课程编号 Course Code	SS172
4.	课程学分 Credit Value	2
5.	课程类别 Course Type	通识选修课程 General Education (GE) Elective Courses
6.	授课学期 Semester	秋季 Fall
7.	授课语言 Teaching Language	中文 Chinese
8.	授课教师、所属学系、联系方式 (For team teaching, please list all instructors)	姚文胜 南科大廉洁研究院教授 电话: 15002083133 邮箱: yaows@sustech.edu.cn Yao Wensheng, Professor, Institute for Integrity, SUSTech Tel:15002083133 Email: yaows@sustech.edu.cn 张静 南科大廉洁研究院高级研究学者 电话: 15811325944 邮箱: zhangjing@mail.sustech.edu.cn Zhang Jing, Advanced Researcher, Institute for Integrity, SUSTech Tel:15811325944 Email: zhangjing@mail.sustech.edu.cn
9.	实验员/助教、所属学系、联系方式 Tutor/TA(s), Contact	助教: 张静 廉洁研究院 电话: 15811325944 邮箱: zhangjing@mail.sustech.edu.cn (请保留相应选项 Please only keep the relevant information)
10.	选课人数限额(可不填) Maximum Enrolment (Optional)	

11. 授课方式 Delivery Method	讲授 Lectures	习题/辅导/讨论 Tutorials	实验/实习 Lab/Practical	其它(请具体注明) Other (Please specify)	总学时 Total
	32				32
学时数 Credit Hours					
12. 先修课程、其它学习要求 Pre-requisites or Other Academic Requirements	无 NA				
13. 后续课程、其它学习规划 Courses for which this course is a pre-requisite	无 NA				
14. 其它要求修读本课程的学系 Cross-listing Dept.	无 NA				

教学大纲及教学日历 SYLLABUS

15. 教学目标 Course Objectives

<p>从古今对比、全球视角进行切入，引导学生深入掌握与反腐败和监察法相关的理论和实践，从纪检监察学、法学等多学科维度帮助学生系统地熟悉和掌握反腐败与监察法的基本理论和专业知识，了解反腐败与监察法学的学理和实务层面的前沿动态。具体教学目标：</p> <p>第一，使学生深入了解古今中外有关反腐败源流、制度和思想，了解监察法的基本概念和内涵、主要理论及热点前沿问题。</p> <p>第二，使学生充分意识到国家监察体制改革的重要性和伟大性，充分认识监察机关的性质、组织体系、职能与权限、责任与监督，掌握监察程序及相关的证据证明标准等。</p> <p>第三，使学生理解反腐败国际合作的现状及未来发展，深度解读中国反腐败国际执法合作实践中的问题、现象及对策。</p> <p>This course is starting from a historical comparison and a global perspective to guide students to deeply understand the theories and practices related to anti-corruption and supervisory law. And help students systematically become familiar with and master the basic theories and professional knowledge of anti-corruption and supervisory law from multidisciplinary dimensions such as disciplinary inspection studies and law. And also help them understand the cutting-edge developments in the theoretical and practical aspects of anti-corruption and supervisory law studies. Specific teaching objectives :</p> <p>Firstly, it aims to provide students with an in-depth understanding of the origins, systems, and ideologies related to anti-corruption from both ancient and modern times, as well as from various parts of the world. Students will learn about the basic concepts and connotations of supervisory law, its main theories, and the current hot topics and frontier issues.</p> <p>Secondly, it seeks to make students fully aware of the importance and greatness of the reform of the national supervisory system. They will gain a thorough understanding of the nature, organizational structure, functions and powers, responsibilities, and supervision of supervisory organs, as well as mastering the supervisory procedures and related evidentiary standards.</p> <p>Thirdly, it intends to help students comprehend the current state and future development of international cooperation in anti-corruption, and to deeply interpret the issues, phenomena, and strategies in China's practical cooperation with international law enforcement in the fight against corruption.</p>

16. 预达学习成果 Learning Outcomes

<p>本课程预期成果包括：</p> <p>1、通过反腐败和监察法学基础知识和前沿主题的分析，让学生系统地熟悉和掌握反腐败和监察法学的基本理论和专</p>
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业知识，了解学理与实务层面的前沿动态。

2、在引导学生综合运用纪检监察学、法学等学科知识和技能的同时，能够润物无声般培养学生廉洁诚信的道德品质和遵纪守法的法治思维，引导学生综合运用相关知识和技能，分析和解决本专业或相关领域的争议问题，提出具有可行性的对策或方案。

3、培养学生具备坚定的政治信念，引导学生树立正确的世界观、人生观、价值观，督促学生自觉践行社会主义核心价值观，鼓励学生积极投身纪检监察事业建设。

4、将党内法规和监察法律规范的讲授内容结合，引导学生提高政治素质并培养廉洁和反腐意识。

5、以宏观理论与微观研究方法相结合的方式，通过案例剖析、数据分析、社会调查等引导学生对社会问题的关注，提升认识和分析社会现实问题的能力。

The expected outcomes of this course include:

1.Through the analysis of the basic knowledge and cutting-edge topics in anti-corruption and supervisory law, students will systematically become familiar with and master the basic theories and professional knowledge of anti-corruption and supervisory law, and understand the cutting-edge dynamics at the theoretical and practical levels.

2.While guiding students to integrate knowledge and skills from disciplines such as disciplinary inspection studies and law, the course aims to subtly cultivate students' moral qualities of integrity and honesty, and a legal mindset of abiding by rules and laws. It guides students to use relevant knowledge and skills to analyze and solve disputes in their field or related areas, proposing feasible strategies or plans.

3.The course aims to foster students with firm political beliefs, guide them to establish correct worldviews, life views, and values, and encourage them to practice the core socialist values consciously, and to engage in the construction of disciplinary inspection and supervision endeavors actively.

4.By integrating the teaching of party regulations and supervisory legal norms, the course guides students to improve their political quality and cultivate awareness of integrity and anti-corruption.

5.Combining macro-theoretical approaches with micro-research methods, the course guides students to pay attention to social issues through case analysis, data analysis, and social surveys, enhancing their ability to recognize and analyze social reality problems.

17. 课程内容及教学日历（如授课语言以英文为主，则课程内容介绍可以用英文；如团队教学或模块教学，教学日历须注明主讲人）

Course Contents (in Parts/Chapters/Sections/Weeks. Please notify name of instructor for course section(s), if this is a team teaching or module course.)

本课程共 16 课，计划 16 周完成，每周 2 学时

第一课：课程简介

第二课：反腐败体制机制的国际比较

亚太、欧洲、美洲反腐败体制比较

国(境)外创新反腐败体制机制的有益做法及其借鉴

第三课：中国历史上的腐败与反腐败

历史上的反腐倡廉思想

历史上的反腐败制度建设

历史上的监察体制独立性的发展

第四课：改革开放以来中国反腐败的实践路径

端正党风、加强党风建设阶段

标本兼治、综合治理、逐步加大治本力度阶段

标本兼治、综合治理、惩防并举、注重预防阶段

一体推进不敢腐、不能腐、不想腐阶段

第五课：新时代我国反腐败斗争的成果、经验和不足

丰硕成果

重要经验

存在的问题与不足

第六课：如何打赢反腐败攻坚战持久战

战略目标

基本原则

应对措施

第七课：监察制度和监察法概述

国家监察体制改革

监察法的立法目的与指导思想

监察法的基本原则



监察法律关系

第八课：监察机关和监察官

监察机关的性质、组织体系和工作原则

监察机关的监督、调查和处置职责

监察官制度概述

监察官制度的基本内容

第九课：监察范围和管辖

监察对象

监察事项

管辖原则和权限

第十课：监察权限

监察职权行使原则

谈话、讯问与询问

留置

查询、冻结等八项措施

第十一课：监察证据、证明与监察程序

监察证据的收集、固定、审查与运用

监察证据标准

受理报案和举报、问题线索处置

调查程序、审理与处置

移送审查起诉、特别程序

第十二课：反腐败国际合作

工作职责

领导机制

合作的主要内容

第十三课：对监察机关和监察人员的监督

外部监督



内部监督

第十四课：监察法律责任与监察救济

监察法律责任概念与法律责任体系

监察救济的机制

第十五课：监察法与党纪法规的贯通衔接

衔接的基本原则

贯通的主要内容

监察法与其他法律的衔接

第十六课：课程总结和答疑

（讲课的题目和顺序在实际执行中可能有微调）

The course consists of 16 lessons, planned to be completed in 16 weeks, with 2 hours of instruction per week.

Lesson 1: Course Introduction

Lesson 2: International Comparison of Anti-Corruption Systems and Mechanisms

Comparison of anti-corruption systems in Asia-Pacific, Europe, and the Americas

Beneficial practices and lessons from innovative anti-corruption systems abroad

Lesson 3: Corruption and Anti-Corruption in Chinese History

Historical thoughts on anti-corruption and integrity

Historical construction of anti-corruption systems

Development of the independence of supervisory systems in history

Lesson 4: Practical Paths of Anti-Corruption in China Since the Reform and Opening Up

Stage of rectifying party conduct and strengthening party conduct construction

Stage of treating both symptoms and root causes, comprehensive management, and gradually increasing efforts to address root causes

Stage of treating both symptoms and root causes, comprehensive management, simultaneous punishment and prevention, and focusing on prevention

Stage of promoting the approach of not daring to be corrupt, not being able to be corrupt, and not wanting to be corrupt integrately

Lesson 5: Achievements, Experiences, and Shortcomings of the Anti-Corruption Struggle in the New Era

Significant achievements

Important experiences

Existing problems and shortcomings

Lesson 6: How to Win the Tough and Protracted Battle Against Corruption

Strategic goals

Basic principles

Response measures

Lesson 7: Overview of the Supervision System and Supervision Law

National supervision system reform

Legislative purposes and guiding ideologies of the Supervision Law

Basic principles of the Supervision Law

Relationships between supervision & legal

Lesson 8: Supervision Organs and Supervisors

Nature, organizational system, and working principles of supervision organs

Supervisory, investigative, and disposal responsibilities of supervision organs

Overview of the supervisory system

Basic content of the supervisory system

Lesson 9: Scope and Jurisdiction of Supervision

Subjects of supervision

Matters of supervision

Principles and powers of jurisdiction

Lesson 10: Supervisory Powers

Principles for exercising supervisory powers

Talks, questioning, and interrogation

Retention in custody

Eight measures including inquiries and freezing assets

Lesson 11: Supervisory Evidence, Proof, and Procedures

Collection, fixation, review, and use of supervisory evidence

Standards of supervisory evidence

Acceptance of reports and complaints, handling of problem clues

Investigation procedures, review, and disposal

Transfer for prosecution, special procedures

Lesson 12: International Cooperation Against Corruption

Work responsibilities

Leadership mechanisms

Main contents of cooperation

Lesson 13: Supervision of Supervision Organs and Supervisors

External supervision

Internal supervision

Lesson 14: Legal Responsibilities and Remedies in Supervision

Concepts and system of legal responsibilities in supervision

Mechanisms for supervisory remedies

Lesson 15: Integration and Connection of the Supervision Law and Party Regulations

Basic principles of integration and connection

Main contents of integration

Connection between the Supervision Law and other laws

Lesson 16: Course Summary and Q&A

(The topics and order of lectures may be slightly adjusted in actual implementation)

18. 教材及其它参考资料 Textbook and Supplementary Readings

教材:

莫纪宏、姚文胜：《监察法学原理》，中国社会科学出版社，2022年

其他参考资料:

公婷：《腐败治理：概念、路径和方法》，中国方正出版社，2023年

中央纪委国家监委研究室：《中国共产党党风廉政建设百年纪事》，中国方正出版社。2021年

李雪勤：《清廉中国——反腐败国家战略》，浙江人民出版社，2021年

杜兴洋：《国家监察概论》，武汉大学出版社，2019年

姚文胜：《国家监察体制改革研究》，中国社会科学出版社，2019年

《习近平谈治国理政（第1卷）》，外文出版社，2018年

田坤：《国际反腐新趋势》，中国社会科学出版社，2017年

何增科：《廉洁政治与国家治理》，中央编译出版社，2017年

Gans-Morse, J., Borges, M., Makarin, A., Mannah-Blankson, T., Nickow, A. and Zhang, D. (2018). "Reducing Bureaucratic Corruption: Interdisciplinary Perspectives on What Works", *World Development*, 105: 171-188.

Rose-Ackerman, S. and Palifka, B. J. (2016). *Corruption and Government: Causes, Consequences, and Reform* (2nd Ed). Cambridge, UK: Cambridge University Press

课程评估 ASSESSMENT

19. 评估形式 Type of Assessment	评估时间 Time	占考试总成绩百分比 % of final score	违纪处罚 Penalty	备注 Notes
出勤 Attendance		10%		无故缺席 5 次及以上为不通过
课堂表现 Class Performance		10%		课堂参与
小测验 Quiz				
课程项目 Projects		30%		社会调查/案例分析
		10%		小组辩论
平时作业 Assignments				
期中考试 Mid-Term Test				
期末考试 Final Exam				
期末报告 Final Presentation		40%		学生选择自己最感兴趣且课堂上所涉及的理论问题，写一篇有创造性的文章。要求批判性地运用现有的文献，基于实证研究，阐述自己的观点，并用逻辑清晰的语言表达出来。不得抄袭。
其它（可根据需要 改写以上评估方式） Others (The above may be modified as				

necessary)

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20. 记分方式 **GRADING SYSTEM**

- A. 十三级等级制 **Letter Grading**
 B. 二级记分制 (通过/不通过) **Pass/Fail Grading**

课程审批 **REVIEW AND APPROVAL**

21. 本课程设置已经过以下责任人/委员会审议通过
This Course has been approved by the following person or committee of authority

相关内容及文献未发现敏感信息。同意开设。

教学负责人签字：
日期：

