

# 中国银行业廉洁治理研究

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## 摘 要

党的二十大以来，金融反腐保持常态化高压态势。中国内地银行业作为金融腐败的重灾区，大案要案持续高发多发，引起了社会各界广泛关注与讨论。银行业腐败极易引发金融风险，危害人民群众的切身利益，严重影响国家金融安全和政权稳定。银行业腐败何以屡禁不止，如何破解这一难题，成为当前亟待研究的重要课题。

本研究基于中国内地裁判文书网披露的 2,955 份关于银行业腐败的刑事判决书，建立了中国内地银行业腐败案件数据库 ( 2011—2024 )，结合委托代理理论和扎根理论等，采用大数据分析、案例分析和实证分析等研究方法，构建了“现象事实—样态特征—系统机制—治理回应”的递进式分析框架，首次对中国内地银行业腐败进行了较为全面系统的画像分析，并建立计量模型实证检验了银行业腐败特征与腐败程度的影响关系，深入揭示了银行业腐败的主要成因。通过调研考察香港廉政公署、香港金融管理局和代表性商业银行获得的一手数据资料，提炼分析了香港银行业廉洁治理的实践经验与制度化策略，提出了推进中国内地银行业廉洁治理的实践路径及政策建议。

主要研究发现如下：

( 1 ) 中国内地银行业腐败在地域分化上呈现“西低东高”的空间格局，在时间演变上呈现“倒 U 型”的发展趋势，腐败主体以“一把手”和关键岗位为主，腐败案件高发且隐匿于业务熟练和权力集中期，腐败涉案资金规模通常特别巨大，农信系统是腐败频发的重灾区，受

贿、贪污、欺诈及违法放贷是银行业腐败的主要形式，但腐败刑事处罚的力度总体较为有限。

(2) 银行业腐败人员的文化程度、党员身份、职务层级与腐败程度具有显著的正相关关系。具体来说，更高的文化程度、具有党员身份、担任更高行政职务的银行业涉腐员工的腐败程度更严重。

(3) 引发银行业腐败屡禁不止的主要原因是银行机构的公司治理结构缺陷、内外部监督机制薄弱、激励和考核机制扭曲、金融腐败亚文化侵蚀和腐败惩治力度疲软等因素共同造成的，这为当前深化银行业反腐败工作和推进清廉银行建设提供了重要思路与方向。

(4) 香港银行业廉洁治理的成功经验主要表现在：在香港廉政公署、香港金融管理局、香港银行公会等的共同推动下，香港银行业通过形成有效制衡的银行业公司治理架构、强化由上至下的银行内部监督机制、建立激励相容的薪酬支付与考核机制、协同推进银行廉洁文化建设、坚持零容忍的腐败惩治和预防策略等制度化实践，持续营建廉洁高效的发展环境，巩固了香港作为世界领先国际金融中心的地位。

(5) 基于香港银行业腐败案例的研究进一步表明，私营部门廉洁治理需要差异化的治理工具：贿赂型腐败与个人裁量权和社会容忍度相关，更需法律惩戒与廉洁教育；欺诈型腐败因组织化程度更高，则更需辅之以流程规范、协同监督和技术手段，以提升治理效能。

最后，本研究从推动各类银行业机构完善公司治理结构、建立健全银行业内外部协同监督机制、优化银行业薪酬激励与考核晋升机制、三管齐下纵深推进清廉银行文化建设、提升银行业反腐败标本兼治综合效应等方面，系统阐述了推进中国内地银行业廉洁治理的实践路径和政策建议。同时，指出了本研究的局限性与未来研究方向。

**关键词：**银行业腐败，银行业腐败成因，银行业腐败特征，银行业廉洁治理，香港银行业廉洁治理经验

# **Research on Integrity Governance in China's Banking Sector**

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## **Abstract**

Since the 20th National Congress of the Communist Party of China (CPC), the anti-corruption campaign within the financial sector in the Chinese Mainland has remained in a state of normalized high-pressure enforcement. As a major hotspot for financial corruption, the banking sector has seen a persistent high incidence of major cases, sparking widespread attention and discussion. The banking sector corruption is highly prone to triggering financial risks; it jeopardizes the vital interests of the general public and poses a grave threat to national financial security and political stability. Why the banking corruption persists despite repeated crackdowns, and how to solve this problem, have become important issues that urgently need to be studied.

Based on 2,955 criminal judgments regarding banking corruption disclosed on China Judgements Online, this study established a comprehensive database of banking corruption cases in Chinese Mainland spanning the years 2011 to 2024. Drawing upon Principal-Agent Theory and Grounded Theory, and employing a comprehensive methodology that big data analytics, case analysis and empirical analysis, the study constructed a progressive analytical framework: “Objective Facts—Behavioral Characteristics—Systemic Mechanisms—Governance Responses”. This framework facilitates the first comprehensive and systematic “profiling analysis” of corruption across the Chinese Mainland’s entire banking sector. Furthermore, the study constructs econometric models to empirically examine the impact of specific corruption characteristics on the degree of corruption and offers profound insights into the root causes of banking corruption. Additionally, through field survey involving the Independent Commission Against Corruption (ICAC) of Hong Kong, the Hong Kong Monetary Authority (HKMA), and representative commercial banks, the study gathered firsthand data to analyze the institutionalized practices regarding integrity governance within Hong Kong’s banking sector. Based on these findings, the study proposes practical pathways and policy recommendations for promoting integrity governance within the banking sector of Chinese Mainland.

The key findings are summarized as follows:

(1) In terms of geographical distribution, the banking corruption exhibits a spatial pattern characterized by “low incidence in the West and

high incidence in the East”. Regarding temporal evolution, it follows an “inverted U-shaped” developmental trend. The primary perpetrators of corruption are predominantly top leaders and key personnel. Corruption cases mainly occur during periods when corrupt employees are highly skilled, and their power is concentrated. The monetary sums involved in these corruption cases are typically massive. The Credit Cooperative System stands out as a major epicenter where corruption occurs with particular frequency. The principal forms of banking corruption include accepting bribes, embezzlement, fraud, and illegal lending. However, the severity of criminal penalties imposed for banking corruption remains relatively lenient.

(2) The education level, party membership, and position level have a significant positive correlation with the degree of banking corruption. Specifically, banking employees with higher education levels, party membership, and higher positions are more likely to be involved in corruption.

(3) The main reasons for the persistent corruption in the banking sector are the combined effects of factors such as deficiencies in the corporate governance structure of banking institutions, weak internal and external oversight mechanisms, distorted incentive and assessment mechanisms, the erosion of a financial corruption subculture, and weakness in the punishment of corruption. This provides important reform ideas and directions for deepening anti-corruption work and promoting integrity governance in the banking sector in the future.

(4) The successful experience of Hong Kong’s banking sector in integrity governance is primarily manifested in the following areas: driven by the concerted efforts of HKMA, ICAC, and the Hong Kong Association of Banks, the banking sector has established a robust environment for integrity and efficiency, consolidating Hong Kong’s status as a leading international financial center. This has been achieved through a series of institutionalized practices—including the formation of corporate governance structures featuring effective checks and balances, the reinforcement of top-down internal supervisory mechanisms, the implementation of incentive-compatible remuneration and appraisal systems, the collaborative promotion of an organizational culture of integrity, and a steadfast adherence to a “zero-tolerance” strategy for the punishment and prevention of corruption.

(5) Research based on corruption cases within Hong Kong’s banking sector indicates that integrity governance in the private sector requires a differentiated toolkit of governance instruments: corruption involving bribery—which is closely linked to individual discretion and societal tolerance—necessitates a greater emphasis on legal sanctions and integrity education; conversely, corruption involving fraud—given its typically

higher degree of organizational complexity—requires supplementary measures such as standardized operational procedures, collaborative oversight, and technological interventions to enhance governance effectiveness.

Finally, this study systematically elaborates on the practical paths and policy recommendations for promoting integrity governance in Chinese Mainland’s banking sector, focusing on aspects such as improving corporate governance structures in various banking institutions, establishing and improving internal and external collaborative supervision mechanisms, optimizing compensation incentives and performance evaluation mechanisms, comprehensively advancing the construction of an integrity banking culture through a three-pronged approach, and enhancing the comprehensive effectiveness of anti-corruption efforts in the banking sector. It also points out the limitations of this study and suggests the future research directions.

**Keywords:** Banking Sector Corruption, Causes of Corruption in the Banking Sector, Characteristics of Corruption in the Banking Sector, Integrity governance in the Banking Sector, Hong Kong Banking Sector’s Experience in Integrity governance