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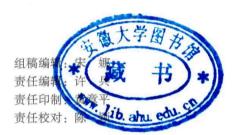


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博士后制度是19世纪下半叶首先在若干发达国家逐渐形成的一种培养高级优秀专业人才的制度,至今已有一百多年历史。

20 世纪80 年代初,由著名物理学家李政道先生积极倡导,在 邓小平同志大力支持下,中国开始酝酿实施博士后制度。1985 年, 首批博士后研究人员进站。

中国的博士后制度最初仅覆盖了自然科学诸领域。经过若干年 实践,为了适应国家加快改革开放和建设社会主义市场经济制度的 需要,全国博士后管理委员会决定,将设站领域拓展至社会科学。 1992年,首批社会科学博士后人员进站,至今已整整20年。

20世纪90年代初期,正是中国经济社会发展和改革开放突飞猛进之时。理论突破和实践跨越的双重需求,使中国的社会科学工作者们获得了前所未有的发展空间。毋庸讳言,与发达国家相比,中国的社会科学在理论体系、研究方法乃至研究手段上均存在较大的差距。正是这种差距,激励中国的社会科学界正视国外,大量引进,兼收并蓄,同时,不忘植根本土,深究国情,开拓创新,从而开创了中国社会科学发展历史上最为繁荣的时期。在短短20余年内,随着学术交流渠道的拓宽、交流方式的创新和交流频率的提高,中国的社会科学不仅基本完成了理论上从传统体制向社会主义市场经济体制的转换,而且在中国丰富实践的基础上展开了自己的伟大创造。中国的社会科学和社会科学工作者们在改革开放和现代化建设事业中发挥了不可替代的重要作用。在这

个波澜壮阔的历史进程中, 中国社会科学博士后制度功不可没。

值此中国实施社会科学博士后制度 20 周年之际,为了充分展示中国社会科学博士后的研究成果,推动中国社会科学博士后制度进一步发展,全国博士后管理委员会和中国社会科学院经反复磋商,并征求了多家设站单位的意见,决定推出《中国社会科学博士后文库》(以下简称《文库》)。作为一个集中、系统、全面展示社会科学领域博士后优秀成果的学术平台,《文库》将成为展示中国社会科学博士后学术风采、扩大博士后群体的学术影响力和社会影响力的园地,成为调动广大博士后科研人员的积极性和创造力的加速器,成为培养中国社会科学领域各学科领军人才的孵化器。

创新、影响和规范,是《文库》的基本追求。

我们提倡创新,首先就是要求,入选的著作应能提供经过严密论证的新结论,或者提供有助于对所述论题进一步深入研究的新材料、新方法和新思路。与当前社会上一些机构对学术成果的要求不同,我们不提倡在一部著作中提出多少观点,一般地,我们甚至也不追求观点之"新"。我们需要的是有翔实的资料支撑,经过科学论证,而且能够被证实或证伪的论点。对于那些缺少严格的前提设定,没有充分的资料支撑,缺乏合乎逻辑的推理过程,仅仅凭借少数来路模糊的资料和数据,便一下子导出几个很"强"的结论的论著,我们概不收录。因为,在我们看来,提出一种观点和论证一种观点相比较,后者可能更为重要:观点未经论证,至多只是天才的猜测;经过论证的观点,才能成为科学。

我们提倡创新,还表现在研究方法之新上。这里所说的方法,显然不是指那种在时下的课题论证书中常见的老调重弹,诸如"历史与逻辑并重"、"演绎与归纳统一"之类;也不是我们在很多论文中见到的那种敷衍塞责的表述,诸如"理论研究与实证分析的统一"等等。我们所说的方法,就理论研究而论,指的是在某一研究领域中确定或建立基本事实以及这些事实之间关系的假

设、模型、推论及其检验;就应用研究而言,则指的是根据某一理论假设,为了完成一个既定目标,所使用的具体模型、技术、工具或程序。众所周知,在方法上求新如同在理论上创新一样,殊非易事。因此,我们亦不强求提出全新的理论方法,我们的最低要求,是要按照现代社会科学的研究规范来展开研究并构造论著。

我们支持那些有影响力的著述入选。这里说的影响力,既包括学术影响力,也包括社会影响力和国际影响力。就学术影响力而言,入选的成果应达到公认的学科高水平,要在本学科领域得到学术界的普遍认可,还要经得起历史和时间的检验,若干年后仍然能够为学者引用或参考。就社会影响力而言,入选的成果应能向正在进行着的社会经济进程转化。哲学社会科学与自然科学一样,也有一个转化问题。其研究成果要向现实生产力转化,要向现实政策转化,要向和谐社会建设转化,要向文化产业转化,要向人才培养转化。就国际影响力而言,中国哲学社会科学要想发挥巨大影响,就要瞄准国际一流水平,站在学术高峰,为世界文明的发展作出贡献。

我们尊奉严谨治学、实事求是的学风。我们强调恪守学术规范,尊重知识产权,坚决抵制各种学术不端之风,自觉维护哲学社会科学工作者的良好形象。当此学术界世风日下之时,我们希望本《文库》能通过自己良好的学术形象,为整肃不良学风贡献力量。



中国社会科学院副院长 中国社会科学院博士后管理委员会主任 2012 年 9 月

在21世纪的全球化时代,人才已成为国家的核心竞争力之一。从人才培养和学科发展的历史来看,哲学社会科学的发展水平体现着一个国家或民族的思维能力、精神状况和文明素质。

培养优秀的哲学社会科学人才,是我国可持续发展战略的重要内容之一。哲学社会科学的人才队伍、科研能力和研究成果作为国家的"软实力",在综合国力体系中占据越来越重要的地位。在全面建设小康社会、加快推进社会主义现代化、实现中华民族伟大复兴的历史进程中,哲学社会科学具有不可替代的重大作用。胡锦涛同志强调,一定要从党和国家事业发展全局的战略高度,把繁荣发展哲学社会科学作为一项重大而紧迫的战略任务切实抓紧抓好,推动我国哲学社会科学新的更大的发展,为中国特色社会主义事业提供强有力的思想保证、精神动力和智力支持。因此,国家与社会要实现可持续健康发展,必须切实重视哲学社会科学,"努力建设具有中国特色、中国风格、中国气派的哲学社会科学",充分展示当代中国哲学社会科学的本土情怀与世界眼光,力争在当代世界思想与学术的舞台上赢得应有的尊严与地位。

在培养和造就哲学社会科学人才的战略与实践上,博士后制度发挥了重要作用。我国的博士后制度是在世界著名物理学家、诺贝尔奖获得者李政道先生的建议下,由邓小平同志亲自决策,经国务院批准于1985年开始实施的。这也是我国有计划、有目的

地培养高层次青年人才的一项重要制度。二十多年来,在党中央、 国务院的领导下,经过各方共同努力,我国已建立了科学、完备 的博士后制度体系,同时,形成了培养和使用相结合,产学研相 结合,政府调控和社会参与相结合,服务物质文明与精神文明建 设的鲜明特色。通过实施博士后制度,我国培养了一支优秀的高 素质哲学社会科学人才队伍。他们在科研机构或高等院校依托自 身优势和兴趣,自主从事开拓性、创新性研究工作,从而具有宽 广的学术视野、突出的研究能力和强烈的探索精神。其中,一些 出站博士后已成为哲学社会科学领域的科研骨干和学术带头人, 在"长江学者"、"新世纪百千万人才工程"等国家重大科研人才 梯队中占据越来越大的比重。可以说,博士后制度已成为国家培 养哲学社会科学拔尖人才的重要途径,而且为哲学社会科学的发 展造就了一支新的生力军。

哲学社会科学领域部分博士后的优秀研究成果不仅具有重要的学术价值,而且具有解决当前社会问题的现实意义,但往往因为一些客观因素,这些成果不能尽快问世,不能发挥其应有的现实作用,着实令人痛惜。

可喜的是,今天我们在支持哲学社会科学领域博士后研究成果出版方面迈出了坚实的一步。全国博士后管理委员会与中国社会科学院共同设立了《中国社会科学博士后文库》,每年在全国范围内择优出版哲学社会科学博士后的科研成果,并为其提供出版资助。这一举措不仅在建立以质量为导向的人才培养机制上具有积极的示范作用,而且有益于提升博士后青年科研人才的学术地位,扩大其学术影响力和社会影响力,更有益于人才强国战略的实施。

今天,借《中国社会科学博士后文库》出版之际,我衷心地希望更多的人、更多的部门与机构能够了解和关心哲学社会科学领域博士后及其研究成果,积极支持博士后工作。可以预见,我

国的博士后事业也将取得新的更大的发展。让我们携起手来,共同努力,推动实现社会主义现代化事业的可持续发展与中华民族的伟大复兴。

是多数

人力资源和社会保障部副部长 全国博士后管理委员会主任 2012年9月

摘 要

金融市场存在垄断和市场失灵现象,有负的外部性,各类主体之间存在严重的信息不对称性,这些问题的存在会导致金融市场的不稳定和低效率,造成金融资源的不合理配置,加大市场风险,为此引入了政府的金融监管。然而,对美国评级发展的研究可以从另一个角度考察金融监管理论,因为,从历史资料来看,美国评级的发展与依赖评级的监管规则(RDRs)的产生和发展密切相关。

1909 年穆迪(Moody's)开始债券评级业务,信用评级的出现回应了资本市场的信息需求,评级机构借助专业、高效、规模化的信息处理技术,促进了信息不对称情况下资本市场的发展。诞生之初的评级机构只是资本市场中的一个小角色,它们完全依赖对债券风险揭示的准确性,而赢得投资者的信任,赚取评级订阅费。这一时期,评级业在信誉支撑下生存,并缓慢发展。"大萧条"中评级机构因一系列债券降级而信誉受损,但 20 世纪 30 年代货币监理署(OCC)等金融监管者们启用的 RDRs 为评级创造了巨大的需求,极大地提升了它们在资本市场中的地位,推动评级业在逆境中进入第一个快速发展阶段。借助 30 年代的 RDRs 授予的"监管许可",评级机构将其对债券评级的时点,从债券发行后转向债券发行前,评级也从只对二级市场有效,开始转向影响债券发行市场。

然而,评级的这一个快速发展阶段非常短暂。20 世纪 30 年代结束之后,随着美国经济的复苏,经济因素弱化了 RDRs 监管对评级业务的影响,如高等级债券发展规模相对于受监管机构可投资资金规模的严重滞后,驱使众多资金游离受 RDRs 监管的债券市场;无需信用评级的直募债券规模的增长,直接减少了评级业务量; RDRs 监管驱逐了垃圾债券,而这一市场的萎缩、消失,则在一定程度上架空了 RDRs 监管;低违约时代的来临,资本市场参与者的风险意识降低,也淡化了市场对评级的关注。在此情况下,

RDRs 驻足不前, 评级业也进入停滞发展阶段。

由于越南战争耗资巨大,加上长期赤字政策的负面影响,20世纪70年代初美国国际收支恶化,布雷顿森林体系解体。随之而来的石油危机更将美国经济拖入滞胀的泥潭。宾州中央铁路公司破产再次激起了各方对风险的关注,美国证券交易委员会(SEC)对Rule 15c3-1的修订,再次激起了RDRs的发展高峰。与20世纪30年代的RDRs相比,SEC还创立了一个全新的监管分类——国家认可统计评级机构(NRSRO)。此后,这一术语被植人无数的金融监管规则之中。这些监管规则授予了国家认可统计评级机构(NRSRO)数以百计的"监管许可"。评级业在新兴RDRs支持下,成功实现了发行人付费模式的转换,进入第二个长达30多年的迅速发展阶段。

然而,2007年美国次级住房按揭贷款(RMBSs)引发的次贷危机,不仅席卷美国、欧盟和日本等世界主要金融市场,给金融机构造成惨重损失,更进而演化成一场全球蔓延的金融危机。由于在次贷危机中的拙劣表现,评级再次成为全球瞩目的焦点。面对危机后一系列的批评,美国的金融监管者们不得不沉痛反思 RDRs 监管的问题和风险。危机后对 RDRs 调整,甚至可以说是一场针对 RDRs 的革命,主题自然是在一定程度上削弱,甚至消除 RDRs 监管。

本书的研究认为,为纠正金融市场失灵而建立的金融监管体系,在引入 RDRs 之后,授予了评级机构"监管许可",加剧了评级利益冲突,削弱了评级机构努力提高评级质量的激励;打破了支撑评级发展的信誉资本规则,助长了评级的道德风险,使评级变得更不准确;增长了评级风险,从而加大了整个金融体系的风险。由此说明,金融监管非但未能降低经济的系统性风险,反而增加了金融系统的内在不稳定性。同时,RDRs 人为地将资本市场划分为投资级和投机级,人为地扩大了"BBB"级与"BB"级债券的信用价差,限制了投资级以下等级证券的市场空间。不仅如此,在RDRs 引导下,更多资本流入到高风险的结构性金融领域。RDRs 引导的资源不当配置,非但没能提高金融资源配置效率,反而降低了资本市场的资源配置效率,加大了金融风险。此外,金融监管的目标之一是消除市场垄断,而 SEC 的 NRSRO 指定,通过授予特定评级机构"监管许可",却助成了评级业的寡头垄断。对 RDRs 监管下评级发展的研究还发现,致力于控制金融风险的 RDRs 监管,极大地推动了评级行业的发展,促进了评级业务模式的重要转换。将金融监管权委托给市场化的私主体行使,而又缺乏必要

的责任机制和监管机制,难以避免这些私主体履行委托义务时的寻租。

虽然 21 世纪初的经济危机,促使美国的金融监管者们意识到 RDRs 监管的风险,欲在金融监管中去评级化,但是经过这么多年的发展,评级基准已经渗入各个金融监管领域,被内在化了。即使 RDRs 监管存在诸多风险,恐怕这种状态也已是积重难返。通过立法限制发行人对评级机构的选择权,干预评级机构的评级前咨询服务,鼓励投资人付费模式的应用,在一定程度上有助于缓解 RDRs 监管存在的问题,但却难以治本。在充分体味过 RDRs 监管之痛的美国金融监管者们开始觉醒、开始去 RDRs 时,笔者认为,美国的教训值得我国在金融监管中借鉴。

关键词: 信用评级 评级机构 金融监管 金融风险

Abstract

To some extent, financial institutions is a kind of public goods, it has great negative externality. There is market failure in the Financial Market, such as monopoly. Another problem is that there is also severely information asymmetric between financial participants. All these will lead to the instability and inefficiency of the financial market and cause unreasonable configuration of financial resources, and increase economic risk. This is why the theory of financial regulation was founded. However, since the history of the credit rating industry development was so closely related with the rating – dependent regulations (RDRs), the research on the development of credit rating industry gives us another perspective to test the theory of financial regulation.

Moody's issued his first bond rating in 1909, this responded to the financial market's request for more and more convenient, publicly available information about the quality of investments by credit rating. Rating agencies help piercing the fog of information asymmetric through quickly, professionally and effectively processing the flow of information, and distilling it into ratings. Ratings increase the efficiency of the capital markets, and enhance the capital markets' infrastructure. In the early years, credit rating agencies were just a pack of small participants in the capital market. And during that period, rating agencies were financed entirely by subscription fees paid by investors. They served as an information intermediary, and depended highly on how their ratings can predict the bonds' quality. So they competed to acquire their respective reputations for independence, integrity and reliability. Reputational capital would have been especially acute to rating agencies in such an environment. On the other hand, as the accumulation of reputational capital was a long run, the rating agencies developed slowly.

② 评级与监管

Rating agencies suffered a loss of reputational capital because of a series of down grade during the depression in the 1930s. But their role in the capital market was greatly improved after the financial crisis, because of the supervisors such as the Office of the Comptroller of the Currency etc., which began to incorporate rating in their regulation by a miracle.

The rating – dependent regulations pushed the credit rating industry entered it's first rapid development phase, in an adverse circumstances. Under the influence of the rating – dependent regulations, credit rating agencies began to rating bond before issuing, although they never did like this before. Ratings which used to be effective only in the second market began to use in the issuing market.

However, the first rapid development phase of rating was short lived. After the end of the 1930s, the influence of the rating - dependent regulations was weakened by the economic elements emerged after the recovery of the U.S. economy. Since the amount of corporate bonds rated for high grades by the agencies has failed to keep pace with the volume of funds seeking for high - grade investment outlets, to an appreciable extent such funds began to flow away from the bond market which was regulated by rating - dependent regulations, and find their way into the government bond markets, and mortgage markets, and direct placements. Another element is that the amount of straight placement bonds which did not need agencies ratings grow greatly, this directly decreased the rating business. The rating - dependent regulations drove the junk bonds away; this diminished the scale of the bonds that rating - dependent regulations restrict the institutions to invest. And third reason is that the default rate was low after the economic resurgence, and investors began to ignore credit risks. They paid little attention on ratings. Under this circumstance, the rating - dependent regulations came to halt, and the credit rating industry got into stagnation too.

In the early 1970s, the bankrupt of Penn Central aroused the attention to the risks. The credit rating agencies began to charge the issuer for rating. Since the Vietnam War assumed a lot of money, and the adverse impact of the deficit policy that U. S. has implemented for a long time, the U. S. international balance deteriorated, which lead to the collapse of the Bretton Woods System. The following Oil Crisis pushes the American economic into stagflation further. In 1975, the Securities and Ex-



change Committee (SEC) adopt Rule 15c3 - 1 in net capital rules under the Security and Exchange Act of 1934, for the purpose of regulating the broke - dealers. They not only incorporated rating into the net capital rule, but also created a brand new regulatory category—Nationally Recognized Statistical Rating Organization (NRSRO). This greatly stimulates the increase of rating - dependent regulations. After the term NRSRO was created by SEC, it was embedded into numerous regulations. The new rating - dependent regulations grant the NRSROs hundreds of regulatory licenses, and pushed the credit rating agencies into another rapid development phrase for more than thirty years.

Whereas, the subprime crisis triggered by the residential mortgage - backed securities, influenced all the major financial market, such as U.S., EU and Japan etc., and caused great losses to the main financial institutions. The subprime crisis further became a grievous global financial crisis. This made credit rating agencies became the focus of the global attention once again, because of their important role in the subprime crisis. Faced with the serious criticism, the U.S. financial regulators had to rethink the problem and risk caused by rating - dependent regulations painfully. The amendment of rating - dependent regulations after the crisis essentially eliminate some of the rating - dependent regulations, the regulators want to decrease their reliance on rating - dependent regulations in the financial regulation system.

According to this book, the author setting argue that the financial regulatory system setting up to correct market failure exacerbated the conflict interest of credit rating agencies, after the rating - dependent regulations were brought in. The use of rating - dependent regulations decreased the incentive for rating agencies to prove their quality of rating, and ruined the reputational capital rule which incents rating agencies to provide accurate rating, and increased moral hazard of rating agencies. All these factors lead to inaccurate rating and financial risks. This suggests that financial regulation did not decrease the system risk of economic, but increased the instability of financial system.

At the same time, instead of improving the efficiency of financial resources allocation, the financial regulation system of rating - dependent regulations decreased. The use of rating - dependent regulations in financial regulation had artificially segmented the market into two parts: investment grades and speculative grades, and factitiously enlarged the credit spread between BBB rated bonds and BB rated bonds, and greatly limited the market space of bonds under investment grades. Furthermore, under the guiding of rating – dependent regulations, more and more capital flowed into the structured finance markets, and resulted in an improper resources allocation. All these lead to great financial risks.

One of the targets of financial regulation is to eliminate monopoly in the market. However, when SEC designated ratings of the NRSROs could be used in financial regulation, it granted regulation licenses to particular rating agencies as NRSRO, and facilitated the moligopoly of rating industry. This study on rating industry under rating – dependent regulations also shows us the truth that the rating – dependent regulations which was designed to control financial risks had tremendously promoted the development of rating agencies by stimulating the demands of rating, and assisting the new rating business patterns construction.

Based on the theory of financial regulation, financial regulating activities are of public interest nature. When the private factors has been incorporated into financial regulations, like ratings which are products of rating agencies whose target is always go after maximization their profits, the regulators has authorized some financial supervision rights to the private subjects. In the absence of perfect monitoring, it is unavoidable that the proxy will seek rents when fulfill the fiduciary obligations. As influenced by the moral hazards of the private subjects, the truth is more likely to be that this kind of rent – seeking is supported by the public authorities. This means that averting granting financial supervision rights to private subjects will help to avoid regulation failure.

Though, after the crisis of the early 21st century, the U. S. financial regulators are conscious of the risks of using rating – dependent regulations in financial regulation, and they begin take action to remove ratings in their financial regulation, it will still be a piece of very hard work. Rating standards in numerous financial regulations have been internalized as an institution used for so many years. Even there are lots of risks, the author argue that this is some kinds of ingrained habits that cannot be cast off overnight. Nonetheless they still can remit the negative effect of rating – dependent regulations by limiting the issuer's rights of rating