

## The Influence of The Institution of Public Control on The Economic Development of The State

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### Abstract

*The article is devoted to the analysis of the influence of the institution of public control on the economic development of the state. The role and place of this institution of civil society in the system of legal guarantees for the implementation, protection and defense of both constitutional principles and the system of human and civil rights and freedoms, the rights and legitimate interests of public associations and other non-governmental non-profit organizations is substantiated. The system of factors influencing the economic development of the state is investigated. The place of public control in this system of factors is analyzed. The main directions of the impact of this institution of civil society on the economic development of Russia are being studied. The main problems that hinder the optimization of the processes of the impact of public control on the economic development of Russia are formalized and analyzed, in particular: the lack of formalization of this institution of civil society in the Constitution of the country; failure to include among the principles, goals and objectives of public control those aimed at ensuring the economic development of Russia; on the development in the Russian scientific doctrine of public control of forms, methods and types of public control measures aimed at ensuring, on the one hand, the implementation of the economic rights and freedoms of citizens, economic rights and legitimate interests of legal entities, and on the other hand, the economic development of the country as a whole; lack of real powers among subjects of public control; their weak economic base; weak use in their work of positive foreign experience in the functioning of civil society institutions in the sphere of control over the apparatus of public power. The authors have developed and justified a system of measures to resolve these problems, including by: formalizing public control in the Russian Constitution; development and consolidation in the legislation on public control of the principles, goals and objectives of public control aimed at ensuring the economic development of the country; organization by the Civic Chamber of Russia of scientific and practical research on the forms, methods and types of public control measures aimed at ensuring the implementation of economic rights, freedoms and legitimate interests of individuals and legal entities, as well as the economic development of the country; expanding the powers of subjects of public control; strengthening their economic base; development of legislation on public control based on positive foreign experience in this area.*

**Keywords:** Influence, Institution, Public Control, Democracy, Russian Federation, Economic Development, State, Optimization, Efficiency, Effectiveness.

## INTRODUCTION

The issues of organization and implementation of public control in the Russian Federation are widely researched in the works of Yu. V. Agibalov, [1, pp. 57-73] S. I. Glushkova, [4, pp. 85-97] K. A. Ishekov, [7, pp. 9-14] V. P. Kirilenko, [9, pp. 33-37] E. A. Ogneva, [14, pp. 51-62] Yu. V. Shilova, [16, pp. 40-49] E. V. Svinina,

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[17, pp. 41-44] M. A. Vakhtina, [18, pp. 77-80] as well as a number of other authors. In addition, the scientific works of S. L. Alekseev, [2, pp. 165-175] S. V. Efimov, [3, p. 21] V. V. Kikavets, [8, pp. 3-11] A. Yu. Kiryanova, [10, pp. 39-44] E. N. Kondrat, [11, pp. 89-96] M. A. Kosyan, [12, pp. 148-153] I. G. Lvova, [13, pp. 487-491] E. V. Rozhkova, [15, pp. 66-69] J. Zalesny, [19, p. 1; 20, p. 1] as well as some other scientists devoted to the impact of this institution of civil society on the economic development of the state. This circumstance determines the choice of the topic of this scientific research, the purpose of which is not only to formalize and analyze the main problems that hinder the optimization of the processes of influence of the institution of public control on the economic development of the state, but also to develop and justify a system of measures to resolve these problems. Among the main scientific objectives of this article are the following: a) the analysis of the role and place of public control in the system of legal guarantees for the implementation, protection and defense of both constitutional principles and the system of human and civil rights and freedoms, the rights and legitimate interests of public associations and other non-governmental non-profit organizations; b) the research of the system of factors influencing the economic development of the state; c) the analysis of the place of public control in this system of factors; d) a study of the main directions of the impact of this institution of civil society on the economic development of Russia; e) the formalization and analysis of the main problems hindering the optimization of the processes of influence of the institute of public control on the economic development of the state; f) the development and justification of a system of measures aimed at solving these problems.

### **Methods And Methodological Basis of The Research**

The methodological basis of the research consists of a number of scientific methods, in particular: formal-logical; historical-legal; comparative-legal; statistical; sociological; methods of financial analysis; method of studying specific legal situations. The empirical basis of the research was: The Constitution of Russia; norms of international and national legislation; materials of judicial practice, practice of work of subjects of public control; sources of scientific legal doctrine devoted to the analysis of the organization and implementation of public control in the Russian Federation.

### **Main Text**

In 1993, the Russian Federation consolidated the legal status of the multinational people of Russia as the sole source of power and bearer of sovereignty, exercising their powers through a system of direct forms of democracy (for example, through institutions of free elections and referendums) and indirect forms of democracy (in particular, through the activities of state authorities, local governments and their officials). This legal status of the people of the Russian Federation is based on the fact that the Basic Law of the country has designated a person, his rights and freedoms as the highest value in the state and society, which, as we noted in previous researches, [5, p. 1; 6, pp. 93-106] corresponds to global legal trends that consolidate rights and freedoms. human freedoms as the main distinguishing feature of a democratic state governed by the rule of law.

However, the above-mentioned constitutional principles of democracy and the participation of Russian citizens in the management of state affairs need a system of legal guarantees that ensure their consolidation, protection and defense from any unlawful encroachments.

Among these legal guarantees are: a) the prohibition enshrined in the Constitution of the Russian Federation for public authorities of the country, as well as their officials, under threat of legal liability, to seize power, misappropriation and retention of authority; b) a mechanism of checks and balances in the system of public power, which permeates all branches of government and its levels, ensuring mutual control of public authorities over each other, which minimizes the risks of usurpation of power within a single public authority (its official), or a group of public authorities (their due persons); c) the bodies of constitutional control and supervision, the most important of which is the President of the Russian Federation (as the guarantor of the Constitution, human and civil rights and freedoms), as well as the Constitutional Court of the Russian Federation (as the highest and only body of constitutional justice in the Russian Federation today after the abolition in 2023 of the system of constitutional (statutory) courts of subjects Of the Russian Federation); d) the numerous institutions of civil society, the most important of which is the institute of public control.

Thanks to the Institution of Public Control, Russian citizens, as well as public associations and other non-governmental non-profit organizations, have the opportunity to participate in monitoring the activities, acts and decisions of state authorities, local governments, state and municipal organizations, and other bodies and organizations exercising certain public powers on the basis of federal laws.

The processes of consolidating, implementing and protecting human and civil rights and freedoms, the rights and legitimate interests of public associations and other non-governmental public organizations largely depend on the level and pace of economic development in the country (both in the state as a whole and in its individual regions and municipalities).

The economic development of the Russian Federation is influenced by a system of factors, including: social; geographical; economic; political and legal; cultural; religious.

As social factors, one can distinguish, for example: demographic (in particular, the percentage of the working-age population to its total number); the level of education of the working-age population; the number of disabled people, etc.

Geographical factors include, in particular: the length of the territory from north to south, as well as from west to east; the duration of adverse natural conditions throughout the year (by their individual types); the average temperature (by region); the average precipitation (by month, region), etc.

Economic factors include, for example: the size of gross domestic product (broken down by region and municipality); the presence of economic entities using technologies of a particular technological order in their activities (primarily the dominant fifth and promising sixth); the level of wages (net and gross), etc.

Among the cultural factors, one can distinguish, in particular: the level of legal culture of the population; the level of legal awareness, etc.

Religious factors include, for example, the presence of pockets of religious fundamentalism, separatism, and interreligious hostility.

Among the political and legal factors, we can highlight, in particular: the state of the rule of law in the country; level of citizens' access to justice; the presence of a developed system of civil society institutions, primarily the institution of public control.

This institution of civil society occupies a key place in the system of factors influencing the economic development of Russia, for a number of reasons:

Firstly, as we noted earlier, it acts as the most important legal guarantee that ensures constitutional principles. At the same time, in addition to the already mentioned constitutional principles of democracy and the participation of Russian citizens in the management of state affairs, public control guarantees the implementation of other important constitutional principles, in particular, legality, responsibility for the organization and activities of public authorities governing in the economic sphere, their professionalism and compliance with the rules of ethical duty by officials of these public authorities

Secondly, among the tasks of public control enshrined in legislation, in particular in the Federal Law dated of 21.07.2014 № 212-FL "On the Fundamentals of Public Control in the Russian Federation", a key place is occupied by such tasks as: the formation in society of intolerance towards corruption behavior (including in the economic sphere); increasing the efficiency of public authorities; increasing the level of public confidence in their work.

Thirdly, subjects of public control carry out its activities not only in relation to public authorities (their activities, acts and decisions), but also in relation to any other subjects of law who exercise any public powers. Consequently, any subjects of Russian law that can exert an authoritative influence on economic relations, as well as on subjects of economic activity, are subject to public control.

Fourthly, the subjects of public control in the Russian Federation have in their composition (as members of public chambers and councils, as well as representatives of subjects of public control) numerous specialists who

are highly qualified professionals in various fields of economics, economic science and practice, which allows them to carry out public control measures in optimal time and with maximum efficiency and effectiveness.

What are the main directions of influence of the institution of public control on the economic development of Russia?

Firstly, through the functioning of the entire system of public control in the field of economics, the predictability of the results of any investment projects is improved. The conditions of investment activity become as open and “transparent” as possible for investors, which increases their confidence in the possibility and necessity of making these investments.

Secondly, the subjects of public control can be actively used as a mechanism for countering and combating corruption. Subjects of public control, revealing the facts of corrupt activities, apply to law enforcement agencies with a demand to bring to justice (up to criminal) the perpetrators (of committing corrupt acts). This circumstance reduces corruption risks in investment projects, which has a positive effect on the desire of investors (especially foreign ones) to invest in the Russian Federation.

Thirdly, the investment attractiveness (both of the country as a whole and its individual regions, municipalities) directly depends on the level of development (number, diversity) of forms and types of public control, the presence of a developed network of subjects of public control. The investor understands that as civil society develops control over the activities of the economic block of the public authority apparatus, the risks of illegal influence on investors are minimized.

However, optimization of the processes of influence of the institution of public control on the economic development of the state is hampered by a number of problems, including the following:

Firstly, a significant problem is the fact that the institution of public control is not reflected in the Constitution of the Russian Federation in any way. Moreover, there is no mention of civil society in general. Although, during the development of the country’s Basic Law (until 1993), in a number of its projects the authors even proposed including a separate chapter “Civil Society”. However, the final version prepared by the Administration of the President of the Russian Federation did not contain any mention of civil society and public control. The solution to this issue is seen in the inclusion of this institution of civil society in the Constitution of Russia, with the consolidation of a system of its principles, methods, forms and types of activities, a list of subjects and objects (or an exhaustive list of their qualifying features), as well as a mechanism for interaction of subjects of public control not only with public authorities and their officials, but also with all other types of subjects of law.

Secondly, a major problem is the fact that the system of principles, goals and objectives of public control, enshrined in the legislation on public control, in particular, in the Federal Law dated of 21.07.2014 № 212-FL “On the Fundamentals of Public Control in the Russian Federation”, does not contain those that are aimed at ensuring the economic development of Russia. The solution to this problem is seen in supplementing the principles of public control enshrined in Article 6 of the above-mentioned Federal Law with the principle of priority of economic development of the Russian Federation. In addition, the system of public control goals reflected in Article 5 of this Federal Law should be supplemented with the goal of ensuring the economic development of the Russian Federation. In turn, the list of tasks contained in the same article must be supplemented with the following tasks: assistance to public authorities in ensuring the economic development of the Russian Federation; combating corruption in various sectors of the country's economy.

Thirdly, a significant problem is the fact that the Russian scientific doctrine of public control does not contain specific forms, methods and types of public control measures aimed at ensuring, on the one hand, the realization of economic rights and freedoms of citizens, economic rights and legitimate interests of legal entities, and, on the other hand, the economic development of the country in general. The solution to this problem requires the organization and implementation by the Public Chamber of the country, together with the relevant federal ministries and departments, of a set of measures to carry out scientific and practical research in this area, as a result of which specific forms, methods and types of public control measures have been developed, allowing for the intensification of economic development in the Russian Federation. Federation should be introduced

into the legislation of Russia, as well as into the practice of organization and activities of subjects of public control.

Fourthly, a significant problem is the lack of real powers among subjects of public control. Their powers are predominantly of an auxiliary, informational nature, which significantly reduces the efficiency and effectiveness of the impact of public control measures, including on the optimization of economic development processes in the country, on the creation of a favorable investment climate in the Russian Federation. The solution to this problem is seen in providing subjects of public control in Russia with a number of real powers. For example, if in the process of carrying out public control measures facts are established indicating the presence of signs of a crime in the activities of representatives of objects of public control, then the subject of public control should be given the right to temporarily remove these persons from performing their official duties (until this issue is resolved on the merits by the relevant law enforcement agency or court).

Fifthly, a significant problem is the fact that subjects of public control have a weak economic basis for their activities. Many of them do not have websites on the Internet. In their activities they are based on the organizational and property base of public authorities, which they must check (control), which in itself is absurd. This problem needs to be solved comprehensively, through the development and adoption by the Government of the country of federal programs aimed at developing the economic base of subjects of public control (at the expense of the federal budget, as well as funds that will accumulate in the process of public-private partnership).

Sixthly, a significant problem is the weak use of positive foreign experience in the functioning of civil society institutions in the sphere of control over the apparatus of public power in the practice of organization and activities of Russian subjects of public control. In relation to the topic of this scientific research, of particular interest is the experience of civil society institutions in the United States, the countries of the European Union, and Switzerland, which are aimed at creating a favorable investment climate in these countries and combating corruption in the economic sphere (primarily in the field of investment).

## **CONCLUSION**

In the course of the scientific research, we made a number of conclusions, including the following:

1. Among the institutions of civil society in Russia, public control occupies a key place, acting as the most important legal guarantee for the implementation, protection and defense of both the system of constitutional principles (first of all, democracy and participation of citizens of the Russian Federation) and the entire system of human and civil rights and freedoms, the rights and legitimate interests of public associations and other non-governmental non-profit organizations. organizations through which citizens of the country and the above-mentioned varieties of legal entities have the opportunity to participate in the control of the activities, acts and decisions of state authorities, local governments, state and municipal organizations, other bodies and organizations exercising certain public powers on the basis of federal laws.
2. The economic development of the Russian Federation is influenced by a system of factors, including: social; geographical; economic; political and legal; cultural; religious.
3. At the same time, public control occupies a key place in the system of factors influencing the economic development of Russia, for a number of reasons: a) it acts as a legal guarantee that ensures the constitutional principles of legality, responsibility of the organization and activities of public authorities exercising management in the economic sphere, their professionalism and compliance with the rules of ethical duty by officials of these public authorities; b) as its main tasks, the formation of intolerance to corrupt behavior in society (including in the economic sphere), increasing the effectiveness of public authorities, increasing the level of trust in their work are fixed; c) its activities permeate not only the activities, acts and decisions of public authorities, but also any other subjects of law who exercise certain public powers and can influence economic relations; d) the representatives of subjects of public control include professional specialists from all sectors of the country's economy.
4. The main areas of influence of the institution of public control on the economic development of the Russian Federation can be identified: a) the creation of "transparent" conditions for private investment in the Russian

economy from abroad; b) the possibility of using subjects of public control as a mechanism to combat corruption; c) the directly proportional dependence of the growth of the investment attractiveness of the Russian economy as a whole, as well as its individual regions and municipalities, on the increase in the efficiency and effectiveness of the activities of subjects of public control both in the country as a whole and in its individual regions and municipalities.

5. Among the main problems that impede the optimization of the processes of influence of the institution of public control on the economic development of the state, the following can be identified: a) the lack of formalization of this institution of civil society in the Constitution of the country; b) the failure to consolidate among the principles, goals and objectives of public control those that are aimed at ensuring the economic development of Russia; c) the development in the Russian scientific doctrine of public control of forms, methods and types of public control measures aimed at ensuring, on the one hand, the realization of economic rights and freedoms of citizens, economic rights and legitimate interests of legal entities, and on the other hand, the economic development of the country as a whole; d) the lack of real powers for subjects of public control; e) their weak economic base; f) the weak use of positive foreign experience in the functioning of civil society institutions in the field of control over the apparatus of public power in their work.

6. The resolution of these problems will require the implementation of a system of measures, among which the following can be distinguished: a) the formalization of public control in the Constitution of Russia; b) the development and consolidation in legislation on public control of principles, goals and objectives of public control aimed at ensuring the economic development of the country; c) the organization by the Public Chamber of Russia (with the support of the Ministry of Science and Higher Education, the Ministry of Economic Development and Trade, as well as the Ministry of Finance of the Russian Federation) of scientific and practical research on the forms, methods and types of public control measures aimed at ensuring the realization of economic rights, freedoms and legitimate interests of individuals and legal entities, as well as economic development of the country; d) the expanding the powers of subjects of public control; e) strengthening their economic base; f) the developing legislation on public control based on positive foreign experience (primarily the United States, European Union countries, Switzerland) in this area.

## REFERENCES

- Agibalov, Yu. V. (2020). Public control: practice, problems, areas of improvement. Bulletin of the Voronezh State University. Series: Pravo, 2 (41), pp. 57-73.
- Alekseev, S. L., Gordeev, S. G., Darenkov, A. A., Mingazov, R. I., Mingazova, M. G. (2022). The key defects of the concept of public control in the legal definition of the regional economy. Management Accounting, 12-1, pp. 165-175.
- Efimov, S. V., Myasishcheva, E. R. (2019). Effective public control for the new economy. Management of Economic Systems: electronic Scientific journal, 10 (128), p. 21.
- Glushkova, S. I., Palkina, N. V. (2020). Public control in modern Russia: the main directions and problems of development. Bulletin of the Humanities University, 2 (29), pp. 85-97.
- Goncharov, V., Mikhaleva, T., Vasilevich, G., Balashenko, S., Zalesny, J., Pukhov, A. (2021). Development of state ideology as a basis for improving the executive power. E3S Web of Conferences, 258 (05031). <https://doi.org/10.1051/e3sconf/202125805031>.
- Goncharov, V., Zalesny, J., Balashenko, S., Vasilevich, G., Pukhov, A. (2020). The place of a person in the ontological principles of global constitutionalism: Social and philosophical analysis. Wisdom, 15 (2), pp. 93-106. <https://doi.org/10.24234/wisdom.v15i2.333>.
- Ishekov, K. A., Popov, P. V. (2023). Public and state control as types of social control: problems of correlation. Legal Culture, 2 (53), pp. 9-14.
- Jamil, R. A., Qayyum, U., ul Hassan, S. R., & Khan, T. I. (2023). Impact of social media influencers on consumers' well-being and purchase intention: a TikTok perspective. European Journal of Management and Business Economics, (ahead-of-print).
- Khan, M. T., Khan, T. I., & Khan, S. (2020). Innovation & Its Diffusion in Business: Concept, Stages & Procedural Practices. sjesr, 3(4), 174-186.
- Kikavets, V. V. (2022). Public financial control of public procurement. Financial Law, 1, pp. 3-11.
- Kirilenko, V. P., Paraskevova, M. T. (2019). Public control in Russia and abroad: an international legal aspect. Actual problems of science and practice, 3, pp. 33-37.
- Kiryakov, A. Yu. (2021). The problems of implementing public control in the digital economy. Law and the Digital Economy, 4 (14), pp. 39-44.

- Kondrat, E. N. (2012). Types and forms of financial control: some classification issues. *Legal Science: History and Modernity*, 2, pp. 89-96.
- Kosyan, M. A. (2020). The managerial function of public financial control. *Modern Science*, 9-2, pp. 148-153.
- Lvova, I. G., Burnysheva, L. V. (2018). Public financial control as a tool of public administration. *Bulletin of the Omsk Law Academy*, 15 (4), pp. 487-491.
- Ogneva, E. A. (2019). Public control as a factor in the development of civil society. *News of Tula State University. Humanities*, 2, pp. 51-62.
- Waheed, M., & Jam, F. A. (2010). Teacher's intention to accept online education: Extended TAM model. *Interdisciplinary Journal of Contemporary Research in Business*, 2(5), 330-344.
- Rozhkov, E. V. (2023). Implementation of public and economic control over digital property management systems. *Academic Journalism*, 2-2, pp. 66-69.
- Shilov, Yu. V. (2022). Conceptualization of the category of "public control" in modern conditions. *Law Enforcement Monitoring*, 4 (45), pp. 40-49.
- Svinin, E. V. (2020). The State and public control: ideological aspects of the formation of the legal order. *Ius Publicum et Privatum*, 4 (9), pp. 41-44.
- Vakhtina, M. A. (2020). The role of public control in combating corruption: the Russian experience. *Humanitarian Balkan Researches*, 3 (9), pp. 77-80.
- Zalesny, J., Goncharov, V.V.(2020). View of the social concept of global constitutionalism on the legal system. *Journal of legal, ethical and regulatory issues*, 23 (2), pp. 1. <https://www.abacademies.org/articles/view-of-the-social-concept-of-global-constitutionalism-on-the-legal-system-9129.html>.
- Zalesny, J., Goncharov, V.V.(2020). Correlation of legal regulation and political violence in the social concept of global constitutionalism. *Journal of legal, ethical and regulatory issues*, 23 (6), pp. 1. <https://www.abacademies.org/articles/correlation-of-legal-regulation-and-political-violence-in-the-social-concept-of-global-constitutionalism-9919.html>.