

On Some Issues of Modeling the Economic Efficiency of Measures Implemented by Subjects of Public Control as a Criterion for Evaluating the Effectiveness of Their Activities

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Abstract

Annotation. This article is devoted to the analysis of the need to model a system for assessing the economic efficiency of activities implemented by subjects of public control. In the modern world, the existence and development of individual independent and sovereign states is determined by the level of democracy in the organization and functioning of the apparatus of public power, which in its activities must take into account the interests and needs of the entire population of a particular country, or its overwhelming majority. In this regard, the role and importance of the entire set of civil society institutions in ensuring democratic regimes in individual national states is increasing. In the Russian Federation, the most important institution of civil society at the present stage is the institution of public control. The work substantiates the place and role of this institution of civil society as a legal guarantee of the system of constitutional rights, freedoms and legitimate interests of individuals and legal entities, the rights and legitimate interests of certain categories of legal entities. The authors formalized and analyzed the main factors influencing the effectiveness of the processes of organizing and conducting public control events. The work examines the main problems and prospects for increasing the performance of subjects of public control in the Russian Federation. It is substantiated that one of the main conditions for increasing the effectiveness of the functioning of the institution of public control is the need to assess the effectiveness of the activities of the entire system of subjects of public control in Russia. The work has developed and substantiated the author's definition of the concepts "effectiveness of activities of subjects of public control", "model for assessing the economic efficiency of activities implemented by subjects of public control". The main features of these concepts, their essence and content are investigated and analyzed. The article formulates and substantiates a model for assessing the economic efficiency of activities implemented by subjects of public control (since it is the most important criterion for assessing the performance of subjects of public control in particular, as well as the institution of public control itself in general), which is a systemic set of quantitative and qualitative criteria.

Keywords: Public Control, Economic Efficiency, Subjects, Measures, Evaluation Criteria, Performance, Russian Federation, Democracy, Model, Civil Society

INTRODUCTION

The problems and prospects of the organization and functioning of the public control system in the Russian Federation are the object of close research in the scientific works of T. Abramova, [1, pp. 9-14] V. Anikienko, [2, pp. 32-37] N. Beleshev, [4, pp. 12-13] E. Berdnikova, [6, pp. 320-324] E. Burizoda, [7, pp. 104-110] M. A. Cassidy, [8, pp. 119-122] A. N. Dementiev, [11, pp. 62-71] S. Glushkova, [14, pp. 85-97] M. Gorny, [15, pp. 54-75] V. V. Grib, [22, pp. 3-8; 23, pp. 2-6] A.D. Kerimov, [24, pp. 29-37] N. Khrulev, [25, pp. 1252-1254] V. Kikavets, [26, pp. 3-11] A. Kiryanov, [28, pp. 3-6] G. N. Komkova, [30, pp. 11-19] I. A. Kravets, [33, pp. 48-58] T. M. Lopatina, [36, pp. 49-52] N. Lyakhov, [37, pp. 51-52] A.V. Malko, [38, pp. 7-18] N. Maloletkina, [39,

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pp. 403-406] M. Melnikova, [40, pp. 9-12] R. L. Metlitsky, [41, pp. 141-146] A. L. Petelin, [43, pp. 53-55] D. Mikheev, [42, pp. 176-182] A. Prudnikov, [44, pp. 50-53] I. Pryadkina, [45, pp. 28-30] V. A. Revutskaya, [46, pp. 25-30] O. V. Romanovskaya, [47, pp. 4-24] S. V. Sabaeva, [48, pp. 45-50] E. V. Sazonnikova, [51, pp. 156-160] Yu. Shilov, [52, pp. 40-49] N. Skripnikov, [53, pp. 65-69] E. Svinin, [54, pp. 41-44] I. Teplyashin, [55, pp. 119-125] V. V. Tereshchuk, [56, pp. 158-161] K. B. Tolkachev, [57, pp. 59-65] V. Volkova, [58, pp. 73-78] J. Zalesny, [59, p. 1; 60, p. 1] as well as a number of other authors. However, the share of scientific research related to the study of methods for evaluating the results of public control measures in Russia is small and is represented, in particular, by the works of S. N. Baburin, [3, pp. 40-47] V. N. Belik, [5, pp. 94-98] E. Chebotarenko, [9, pp. 64-69] G. Fastovich, [12, pp. 40-41] S. Filin, [13, pp. 50-57] M. Yu. Grydunov, [16, pp. 148-156] T. Mikhaleva, [20, p. 1; 21, p. 1] A. Yu. Kiryanov, [27, pp. 39-44] O. Kolotkina, [29, pp. 3-5] P. A. Koryagin, [31, pp. 24-30] Yu. Kovrizhnykh, [32, pp. 34-38] E. V. Kuznetsova, [34, pp. 19-28] N. S. Lisina, [35, pp. 32-40] A. Sakhbieva, [49, p. 1] E. K. Salamov, [50, pp. 315-317] J. Zalesny, [61, pp. 51-61] S. M. Zubarev, [62, pp. 72-93], as well as some other scientists. In this regard, the main goal of the research is to develop a model for assessing the economic efficiency of activities implemented by subjects of public control as a criterion for assessing performance and activity in the Russian Federation.

Methods and Methodological Basis of the Research.

The research methodology consists, in particular, of the following scientific methods of cognition: historical-legal; statistical; formal-logical; sociological; methods of financial analysis; comparative-legal; method of studying specific legal situations. The empirical basis of this scientific article is, first of all: the Basic Law of the Russian Federation; materials of international and national law; documents of judicial practice; materials related to the activities of subjects of public control; sources of Russian and foreign scientific legal doctrine of civil society control over the apparatus of public power.

Main Text.

The preservation and development of any modern democratic state depends, as we have already noted in our previously published scientific works, on the one hand, on the degree of efficiency of the organization and activities of the public authority apparatus, and on the other hand, on the level of support by the population for state authorities and local self-government in country. [18, pp. 93-106; 19, pp. 78-90]

In Russia, the 1993 Constitution secured a high status for the multinational people of the country. He is positioned in the Basic Law both as a bearer of supreme sovereignty and as the owner of full powers in the state. [10] And, although in the Russian Federation there are a number of direct forms of democracy (primarily free elections and referendums), the implementation of democracy on a massive scale occurs through systems of indirect forms of democracy, as a rule, through the activities of public authorities, to which the multinational people of Russia delegate their power powers. Some of the state authorities and local self-government bodies are elected by the people directly through election procedures, and the other part is formed by elected public authorities or their officials.

However, the constitutional principles of democracy and the participation of citizens of the Russian Federation in the management of state affairs need a broad system of legal guarantees. [17, p. 1] After all, without legal guarantees, any constitutional principles are an empty formality, they may not be respected, violated. At the same time, these violations will be completely unpunished. The Constitution of Russia has enshrined a fairly diversified system of legal guarantees of these constitutional principles, including, in particular, a constitutional ban on the seizure of power and misappropriation of powers, a system of bodies of constitutional control and supervision, a complex system of checks and balances of the apparatus of public power, which does not allow the usurpation of power by individual their type, as well as the system of institutions of civil society.

The key, albeit youngest, institution of civil society in the Russian Federation is the institution of public control, which makes it possible to control not only the activities, acts, but also decisions of both public authorities and any other bodies and organizations authorized to implement certain public powers.

Why is the institution of public control so important in comparison with other legal guarantees of the implementation, protection and defense of the constitutional principles of democracy and the participation of the country's citizens in managing the affairs of the state?

Firstly, it is implemented directly by the people (both ordinary citizens and certain categories of legal entities), and not by authorities.

Secondly, its functioning takes place on a voluntary basis. People, at the call of their hearts, who are not indifferent to the fate of democracy, take part in public control events. Although this participation takes them a lot of time, as well as personal financial expenses.

Thirdly, subjects of public control, unlike authorities, can organize and conduct public control activities almost in real time and everywhere, promptly involving more and more citizens of the Russian Federation in this process. That is, the human (organizational, demographic) resources of subjects of public control are not inferior to, and sometimes exceed, the capabilities of any government control bodies.

Fourthly, unlike government control bodies, which are often susceptible to corruption, subjects of public control (as the world and Russian practice of functioning of civil society institutions shows) consist mainly of people who tend not to violate the law.

Fifthly, public control, being a type of legal guarantee of democracy and the participation of the country's citizens in managing the affairs of the state, is also a form of direct democracy, since power in this case (control power) is exercised directly by the citizens of the country.

However, today the analysis of the effectiveness of the activities of subjects of public control in Russia is becoming important.

Why is it so important to achieve maximum results in the work of subjects of public control?

Let us begin the analysis of this issue with the author's attempt to define the concept of "effectiveness of the activities of subjects of public control".

In our opinion, the effectiveness of the activities of subjects of public control should be understood as the ratio of the actual result of public control measures carried out by subjects of public control, on the one hand, to the planned result of their activities over a specified period of time, and on the other hand, to the expected result from civil society of the result of this activity over the same period of time.

The maximum effectiveness of the activities of subjects of public control is important for a number of reasons:

Firstly, the lower the result of public control measures carried out by subjects of public control, the lower the level of trust of the country's population in this institution of civil society. And, as a consequence, the low effectiveness of these activities will lead to a decrease in the activity of the population in terms of participation in the preparation and conduct of public control events.

Secondly, the organization and conduct of public control measures costs certain financial, organizational and other resources that are spent in this process. These resources are not unlimited. And their inefficient use means, on the one hand, that these resources are practically wasted, and on the other hand, they can no longer be spent on other public control measures with greater effectiveness.

Thirdly, the low effectiveness of public control measures does not allow achieving the goals of public control and solving the tasks facing these institutions of civil society, which were formulated in the legislation on public control in Russia, in particular, in Federal Law dated of 21.07.2014 № 212-FL "On the Basics of Public Control in the Russian Federation".

Fourthly, the low effectiveness of ongoing public control measures also reduces the preventive, precautionary role of this institution of civil society. Violators of the rights, freedoms and legitimate interests of individuals

and legal entities in this case cease to be afraid of the prospect of carrying out public control measures, which encourages them to engage in illegal behavior and commit these violations.

How is it possible to calculate the effectiveness of the work of subjects of public control, as well as the effectiveness of the public control measures they implement? What elements (criteria) make up the specified performance?

It seems that the main criteria for the effectiveness of the activities of subjects of public control and the public control measures they carry out are:

Firstly, the economic efficiency of these activities in general, as well as individual activities carried out in particular.

Secondly, the degree of achievement of the goals and objectives of public control formulated in the legislation on public control. At the same time, it is worth noting that among the goals and objectives of public control there are both declarative, formulated in a general way, and quite specific goals and objectives. For example, among the declarative tasks one can include such a task of public control as the formation in Russian society of an intolerant attitude towards corrupt behavior in the sphere of public administration, as well as in the sphere of exercising public powers. Among the specific tasks, one can highlight, in turn, for example, the implementation of civil society initiatives that are aimed at the implementation, protection and defense of specific rights, freedoms and legitimate interests of individuals and legal entities.

Thirdly, the degree of achievement of specific goals and objectives that were set by the subjects of public control when organizing a specific public control event. For example, the subject of public control - the regional public chamber - received information that in the territory of several polling stations during elections, members of election commissions are stuffing already completed ballots into ballot boxes. The Regional Public Chamber has set specific goals and objectives for public observers related to the prevention and suppression of violations of the law, in particular, by drawing up relevant documents, indicating in the protocols facts of violation of election legislation, and filing statements with the relevant law enforcement agencies. The effectiveness of specific measures of the subject of public control will consist in the extent to which the above-mentioned goals and objectives were achieved by representatives of the subject of public control, as well as to what extent these actions made it possible to protect the electoral rights of citizens at these polling stations. In particular, by suppressing these offenses and bringing the perpetrators to the responsibility established by law.

In this regard, there is a need to study the most important criterion for the effectiveness of the work of subjects of public control, as well as the effectiveness of the public control measures they implement - the economic efficiency of their work in general, as well as the economic efficiency of the public control measures they implement.

To do this, we will conduct a simulation of the system for evaluating the economic efficiency of measures implemented by subjects of public control, justifying a system of formulas for calculating indicators of the economic efficiency of the functioning of the subject of public control as a whole, as well as the economic efficiency of specific public control measures implemented.

To assess this economic efficiency, the following quantitative and qualitative indicators can be used:

1) The indicator of total costs (in rubles) that are spent on the functioning of the subject of public control during a standard unit of time (in our calculations, one calendar year will be considered a standard unit of time), which should be calculated using the following formula:

$$S_{EC} = S_{FC} + S_{IC}, \quad (1)$$

where S_{EC} is the total cost of the formation and functioning of the subject of public control and the activities carried out by it for one year, S_{FC} is the total cost of fixed costs for the formation and functioning of public control, expressed, as a rule, in payment of the estimated annual expenses of the apparatus of the subject of public control (for example, the apparatus of the Public Chamber of the Russian Federation, public chambers of the constituent entities of the Russian Federation, municipal public chambers and councils), S_{IC} - the total

cost of opportunity costs spent on all public control activities carried out during the year by the subjects of public control (including compensation to members of the subject of public control for expenses associated with their participation in the organization and conduct of public control measures, for example, transportation costs);

2) The indicator of fixed costs (in rubles) that are spent on the functioning of the subject of public control during a standard unit of time (in our calculations, one calendar year will be considered a standard unit of time), which should be calculated using the following formula:

$$S_{FC} = S_{ASPC} + S_{EFSPC}/n, \quad (2)$$

where S_{FC} is the total cost of fixed costs spent on the functioning of this subject of public control, S_{ASPC} is the sum of fixed costs for one year spent on the functioning of the apparatus of this subject of public control, S_{EFSPC} is the sum of fixed costs spent on the formation of a subject of public control (which is formed, as a rule, for a certain time period, calculated 4-5 years), and n is the number of years for which the current composition of the subject of public control has been formed;

3) The indicator of opportunity costs (in rubles) that are spent on carrying out by the subject of public control during a standard unit of time (in our calculations, one calendar year will be considered a standard unit of time) of specific public control activities, which should be calculated using the following formula:

$$S_{IC} = S_{PM} + S_{PI} + S_{PE} + S_{P(P)H} + S_{PD}, \quad (3)$$

where S_{IC} is the total cost of opportunity costs spent on all public control activities carried out during the year by the subjects of public control (including compensation to members of the subject of public control for expenses associated with their participation in organizing and conducting public control activities, for example, transportation costs), S_{PM} – the sum of costs for public monitoring activities carried out for one year, S_{PI} – the sum of costs for conducting public inspections for one year, S_{PE} – the sum of costs for public examinations carried out for one year, $S_{P(P)H}$ – the sum of costs for public activities carried out (public) hearings for one year, S_{PD} - the amount of costs for public discussions held for one year;

4) The indicator of identified violations (in rubles) that were detected by the subject of public control during a standard unit of time (in our calculations, one calendar year will be considered a standard unit of time) during specific public control activities, which should be calculated using the following formula:

$$S_{IV} = S_{IPM} + S_{IPI} + S_{IPE} + S_{IP(P)H} + S_{IPD}, \quad (4)$$

where S_{IV} is the total cost of identified violations (in rubles) that were discovered by the subject of public control during a standard unit of time during the implementation of specific public control activities, S_{IPM} is the amount of identified violations (in rubles) that were discovered by the subject of public control during the carried out public control activities monitoring for one year, S_{IPI} - the sum of identified violations (in rubles) that were discovered by the subject of public control during public inspections for one year, S_{IPE} - the sum of identified violations (in rubles) that were discovered by the subject of public control during public inspections examinations for one year, $S_{IP(P)H}$ - the amount of identified violations (in rubles) that were discovered by the subject of public control during public hearings for one year, S_{IPD} - the amount of identified violations (in rubles) that were discovered by the subject public control during public discussions held over one year;

5) The indicator of the effectiveness of the functioning of the subject of public control (in%), which should be calculated using the following formula:

$$K_{EFSPC} = (S_{IV} / S_{EC}) * 100\%, \quad (5)$$

where K_{EFSPC} is the coefficient of operating efficiency of the subject of public control, S_{IV} is the total cost of identified violations (in rubles) that were detected by the subject of public control during a standard unit of time during specific public control activities, S_{EC} is the total cost of the formation and functioning of the subject of public control control and activities carried out by it for one year;

6) The indicator of the effectiveness of a specific event carried out by a subject of public control (in%), which should be calculated using the following formula:

$$K_{EPCE} = (S_{IVPCE} / (S_{TCPCE} + S_{FC} / N_{PCE})) * 100\%, \quad (6)$$

where K_{EPCE} is an indicator of the effectiveness of a specific public control event, S_{IVPCE} is the total cost of identified violations (in rubles) that were discovered by the subject of public control during a specific public control event, S_{TCPCE} is the total cost of the public control event carried out (in rubles), S_{FC} is the total cost of fixed costs spent on the functioning of this subject of public control for the year (in rubles), N_{PCE} is the number of public control activities per year.

Due to the fact that various forms of public control measures are carried out by subjects of public control, for which a different amount of costs is carried out by the apparatus of the subject of public control, when calculating the effectiveness indicator of a particular public control event, it is necessary to take into account the difference in costs for various forms of public control measures (public monitoring, public inspection, public expertise, public (public) hearings, public discussion). As a result, the subject of public control must develop increasing or decreasing coefficients, which should complement the formula for calculating the effectiveness indicator of a particular public control event.

What should be understood by "a model for assessing the economic efficiency of activities implemented by subjects of public control"?

In our opinion, this concept allows us to compare the amount of violations identified during a specific public control event and the amount of fixed and imputed costs incurred by the subject of public control to carry out the specified public control event.

CONCLUSION

In the course of our scientific research, we made a number of conclusions, in particular:

1. Public control acts in the Russian Federation, on the one hand, as a form of direct democracy at the federal, regional and municipal levels, and on the other hand, as a type of legal guarantee for the implementation, protection and defense of the constitutional principles of democracy and the participation of Russian citizens in the management of state affairs, as well as the entire set of rights, freedoms and legitimate interests of individuals and legal entities in the country.

2. Of utmost importance for the preservation and development of the above-mentioned institution of civil society is the level of effectiveness of the activities of the subjects of public control in general, as well as the effectiveness of the public control measures carried out by them in particular, the key assessment criterion of which is the assessment of the economic efficiency of the functioning of the subject of public control and the public measures carried out by it control.

3. At the same time, "the effectiveness of the activities of subjects of public control" should be understood as the ratio of the actual result of public control measures carried out by subjects of public control, on the one hand, to the planned result of their activities for a specified period of time, and on the other hand, to the expected result from civil society the result of this activity over the same period of time.

4. In turn, the "model for assessing the economic efficiency of activities implemented by subjects of public control" must be understood as a set of quantitative and qualitative indicators that make it possible to correlate the amount of violations identified during a specific public control event with the amount of fixed and imputed costs incurred by the subject of public control for carrying out the specified public control event.

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