INTRODUCTION

According to the Constitution of the Russian Federation, the only source of power in the country and the bearer of state sovereignty is the multinational people of Russia, exercising their power both directly (through the institutions of elections and referendums) and indirectly (through the activities of state authorities and local self-government bodies).

(1) However, the constitutional principles of democracy and public participation in the management of state affairs need a system of legal guarantees, since otherwise the possibility of usurpation of power, the appropriation of power by individual state authorities or their officials is not excluded.

The most important place in the system of legal guarantees of these constitutional principles is played by the institute of public control, which, although it was institutionalized in the Russian legal system relatively recently (with the adoption of Federal Law n. 32-FL of 04.04.2005 "On the Public Chamber of the Russian Federation")

(2) but it has a significant prehistory in the form of the institution of people's control of power that existed for several decades during the USSR (RSFSR). (GONCHAROV, 2019c, p. 19-25)

However, the organization and functioning of this institution of civil society is associated with numerous problems of an objective and subjective nature. One of these problems is the difficulty in defining the concept and an exhaustive list of objects of public control. This problem is caused by the fact that the current legislation, in particular, the Federal Law n. 212-FL of 21.07.2014 "On the Foundations of Public Control in the Russian Federation".

(3) does not contain a definition of the concept of an object of public control, does not list its features, and has removed some of the objects public control from the subject of its legal regulation (certain types of activities and certain types of social relations). In addition, this Federal Law provides for the possibility of exercising public control over organizations that exercise certain public powers, but the law itself does not detail this concept, and other regulatory legal acts do not make it possible to clearly define either the concept of "public powers" or their content (or list). Thus, according to a number of authors, under public powers should be considered the powers of public authorities (public authorities and local self-government). (ALESHENKO, 2020a, p. 42).
Other scientists consider this approach unreasonably underestimating the scope of the concept of public powers and also understand by them any powers that affect the processes of implementation, protection, observance of the rights, freedoms and legitimate interests of an indefinite circle of individuals and legal entities, as well as public authorities. (ALESHENKO, 2020b, p. 90)

According to the third group of authors, public authority covers all types of activities related to the regulation of public relations. (LEVICHEV, 2020, p. 44-45) Thus, the issue of forming an exhaustive list of objects of public control in the Russian Federation in domestic and foreign scientific and educational literature remains controversial and open. (2019a, p. 28-36; GRUDTSYNA, 2014, p. 79-91; GONCHAROV, 2019b, p. 30) In this regard, a number of authors suggest that the proposed range of objects of public control should be expanded to include, for example, certain types of legal entities (in particular, subjects of natural monopolies, state corporations, etc.). (GONCHAROV, 2019e, p. 41-45; GRIB, 2016a, p. 154-160; GRIB, 2016b, p. 3-5)

In our opinion, public powers should be understood not only the powers of state authorities and local self-government bodies, but also the totality of such rights of individual subjects of law, the implementation of which directly affects the mechanism for the implementation, observance, protection and protection of the rights, freedoms and legitimate interests of a wide range of citizens.

Of the Russian Federation, foreign citizens, stateless persons, legal entities, as well as public authorities (public authorities and local governments). Such an expanded definition of the concept of public powers will allow exercising public control over a number of types of legal entities whose activities are of socially significant nature, or affect the content, scope and mechanism of exercising the rights, freedoms and legitimate interests of a wide range of legal entities, for example, subjects of natural monopolies, enterprises and institutions of public transport, communications, energy, housing and communal services, education, health care, culture, etc. In this regard, the question of whether joint stock companies in the Russian Federation objects of public control are of great scientific and practical interest.

This organizational and legal form of commercial corporate organizations plays an extremely important role in the Russian economy, firstly, in the total volume of market capitalization of Russian enterprises, joint-stock companies account for most of it, and secondly, joint-stock companies produce more than 2/3 of the gross industrial product in Russia, as well as more than 50% of agricultural products, (MAKAROVA, 2020, p. 70-71) third, a significant part of the Russian population is employed in the activities of joint-stock companies, especially in the regions of Siberia, the Far East, and the Urals. However, the possibility of exercising public control over joint-stock companies is a very controversial issue in the Russian scientific and educational literature. In this regard, we will consider the arguments for and against the possibility of exercising public control over joint-stock companies, which are given by scientists who adhere to polar points of view on this debatable issue. Among the arguments given for the possibility of exercising public control in relation to joint-stock companies are the following.

**SOME POINTS**

Firstly, a number of authors believe that a significant part of joint-stock companies in our country, especially those that are leaders in the relevant branch of the Russian economy, are legal entities with public participation (that is, they were created by state authorities or local self-government bodies, or currently a significant share in the block of shares of these joint-stock companies belongs to the Russian Federation, constituent entities of the Russian Federation, or municipalities) (RYABOVA, 2020, p. 47-57). Indeed, an analysis of the largest joint stock companies in Russia shows that some of them belong to the Russian Federation (for example, PJSC “Russian Railways”), constituent entities of the Russian Federation, or they are participants (founders, shareholders). In particular, in the joint-stock company “Kubanexpress-Prigorod”, which is the operator of suburban railway passenger transportation in the Krasnodar Territory and the Republic of Adygea, 51% of the shares belong to the Krasnodar Territory, and 49% - to JSC “Russian Railways”.


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It seems that such joint-stock companies, owned wholly or partly by public authorities, should be subject to regular (permanent) public control, since otherwise the people are deprived of the opportunity to exercise operational control over the legality and validity of the disposal and use of property that is public property. Secondly, a number of authors express their opinion that natural monopolies are undoubtedly objects of public control. (SAVCHENKO et al., 2020, p. 51-55). And, indeed, many joint-stock companies, due to their importance and dominance in certain markets of goods, works and services, are natural monopolies, (4) and, consequently, their activities directly affect the processes of realization by individuals and legal entities, as well as public authorities of their rights, freedoms and legitimate interests.

The activities of natural monopoly entities (which, in some local cases, may include legal entities of other organizational and legal forms, for example, limited liability companies) should be subject to constant control by civil society. Thirdly, a number of authors express the opinion that the activities of certain types of legal entities, which in fact are city-forming enterprises, need constant public control. (GONCHAROV, 2019d, p. 7-19) In our opinion, many joint-stock companies, although they are not subjects of natural monopolies, are city-forming enterprises, or enterprises that dominate the labor market in entire regions of the Russian Federation.

And the processes of implementation, protection and protection of the rights, freedoms and legitimate interests of individuals and legal entities in the respective municipalities and regions depend on their activities, as well as their compliance with the current legislation, which dictates the need to organize and conduct public control measures over their activities. In this regard, it seems necessary to adopt a separate Federal Law “On City-Forming Enterprises in the Russian Federation”, which should define in detail the legal status of these enterprises, as well as provide for the possibility of organizing and implementing certain public control measures in relation to their activities.

Separate attempts to adopt such normative legal acts were made at the regional level. So, in 2000-2012, the Law of the Tver Region of 29.12.1999 n. 83-OZ-2 “On city-forming enterprises” was in force in the Tver region. In this regional law, city-forming enterprises were understood as organizations and enterprises located in settlements with a population of over a thousand people, in which at least 25% of the working population of a given settlement was employed, or the number of employees of which exceeded five thousand people, or these organizations and enterprises provided utilities for at least 30 percent of the housing stock of a given settlement, or taxes up to half of the corresponding local budget. At the same time, the researchers noted that 92% of the city-forming enterprises of the region are joint-stock companies. (ALESHENKO, 2020a, p. 54-55)

Fourthly, several joint-stock companies (which may be owned by the state as well as legal entities and individuals) are engaged in activities that are of exceptional importance for the preservation and development of Russian society and the state. For example, they can produce weapons and ammunition, including components used in weapons of mass destruction. Some joint-stock companies are manufacturers of vaccines and medicines, including those from COVID-19.

In this regard, it seems that the activities of joint-stock companies, on which the preservation and development of Russian society and the state depend, are subject to constant control by civil society through appropriate public control measures. It seems that the list of activities of private economic entities (not related to state and municipal enterprises and institutions) that are important for ensuring the country’s defense and security should be consolidated at the federal level in the relevant regulatory legal acts. However, a number of authors express objections to the possibility of exercising public control over the activities of joint-stock companies. Thus, some scientists believe that the legislative consolidation of the possibility of public control over private business entities is nothing more than “the reincarnation of the Soviet negative experience of the functioning of people’s control, when the activities of people’s controllers undermined the independence of Soviet enterprises and institutions...for example, in the field of trade and consumer services...did not give their leaders the opportunity to respond sensitively to local and regional specifics, take into account the interests of consumers, etc.”. (LEVICHEV, 2020, p. 90-91)

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In their opinion, public control over the activities of commercial legal entities is unacceptable and is a violation of constitutional rights to freedom of entrepreneurial activity. However, an analysis of the experience of the functioning of the bodies of people’s control during the existence of the USSR (RSFSR) shows that thanks to the measures of people’s control only in the sphere of trade and consumer services, theft of socialist property worth billions of rubles was revealed, which were returned to the state at the expense of property confiscated from the perpetrators. persons. (ALESHENKO, 2020b, p. 77-78) Therefore, we believe that public control over the activities of joint-stock companies cannot be regarded as a violation of freedom of entrepreneurial activity.

FINAL CONSIDERATIONS

This activity should be carried out, firstly, by legal means, and secondly, the results of this activity should not contradict the mechanism of exercising the rights, freedoms and legitimate interests of citizens, as well as legal entities and public authorities. Some scientists express serious concerns that the possibility of exercising public control over commercial legal entities (in particular, joint stock companies) poses a threat to their activities, for example, in terms of protecting commercial secrets. Данные опасения носят резонный характер. In this regard, it seems necessary to detail in the current legislation the limits of public control in relation to the activities of commercial legal entities, to consolidate specific measures of public control that would not allow hindering legitimate business activities, creating a threat to the implementation of legitimate goals and objectives that are performed by these commercial legal entities.

In this regard, the Federal Law of 21.07.2014 n. 212-FL “On the Foundations of Public Control in the Russian Federation” should fix the possibility and limits of public control in relation to private economic entities, indicating that public control in relation to them will be carried out based on special federal laws. Alternatively, the possibility of exercising public control (for example, in relation to joint-stock companies) can be fixed in federal laws regulating their activities (in particular, in Federal Law n. 208-FL of 26.12.1995 “On Joint-Stock Companies”.

(5) Thus, it seems that joint stock companies should be attributed to a variety of objects of public control. However, the possibility of organizing and exercising public control over their activities requires several amendments and additions to the current legislation.

REFERENCES


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Joint stock companies as an object of public control in the Russian Federation: socio-economic and legal analysis

Resumo
O objetivo do estudo é examinar se o “aprendizado por Zoom” ou o e-learning foi uma solução temporária de curto prazo ou se há uma chance real de que se tornem uma técnica de ensino na era pós-COVID. Estuda-se a preferência pessoal dos professores no que diz respeito à interação interpessoal e seus benefícios para os alunos, bem como ao interesse, ordem, organização e clareza no ensino. Além disso, a eficácia do e-teaching foi examinada de uma perspectiva multicultural - nas escolas de Israel, no estado de alta tecnologia e na Bielorrússia, onde a cultura do livro é um grande símbolo. Exploramos as percepções dos professores em Israel e na Bielorrússia em quatro medidas: preferências pessoais, vantagens e desvantagens para o ensino e aprendizagem, medidas de bom ensino (interesse, ordem e organização) e interações interpessoais entre o professor, os alunos e o corpo docente. O ensino eletrónico não é uma alternativa para a educação tradicional, mas gera uma nova realidade que facilita grandes melhorias e vantagens, mas produz novos desafios para o sistema educacional.

Keywords: Corporações, Controle público, Rússia, Poderes públicos, Constituição.

Abstract
The purpose of the current study is to examine whether “learning by Zoom” or e-learning was a short-term temporary solution or whether there is a real chance that distance teaching and learning will become a teaching technique in the post-COVID era. What is teachers’ personal preference for e-learning with regard to interpersonal interaction with the students, the benefits of e-learning for students, as well as interest, order, organization, and clarity in teaching. Moreover, the effectiveness of e-teaching was examined from a multicultural perspective – at schools in Israel, the hi-tech state, and in Belarus, where the culture of the book is a major symbol. We explored the perceptions of teachers in Israel and in Belarus on four measures: personal preferences, advantages and disadvantages for teaching and learning, measures of good teaching (interest, order, and organization), and interpersonal interactions between the teacher, the students, and the faculty. E-teaching is not an alternative for traditional education but does generate a new reality that facilitates great improvements and advantages but produces new challenges for the educational system.

Keywords: Joint stock companies, Public control, Russian Federation, Public powers, Constitution.

Resumen
El objetivo del estudio es examinar si el “aprendizaje de zoom” o el e-learning fue una solución temporal a corto plazo o si existe una posibilidad real de que se conviertan en una técnica de enseñanza en la era post-COVID. Se estudia la preferencia personal de los profesores con respecto a la interacción interpersonal y sus beneficios para los estudiantes, así como el interés, el orden, la organización y la claridad en la enseñanza. La eficacia de la enseñanza electrónica se ha examinado desde una perspectiva multicultural: en las escuelas de Israel, en el estado de alta tecnología y en Bielorrusia, donde la cultura del libro es un gran símbolo. Exploramos las percepciones de los profesores en Israel y Bielorrusia en cuatro medidas: preferencias personales, ventajas y desventajas para la enseñanza y el aprendizaje, buenas medidas de enseñanza e interacciones interpessoais entre profesores, estudiantes y profesores. La educación electrónica no es una alternativa a la educación tradicional, sino que genera una nueva realidad que facilita grandes mejoras y ventajas, pero produce nuevos retos para el sistema educativo.

Palabras-clave: Sociedades anónimas, Control público, Federación Rusa, Poderes públicos, Constitución.

Keywords: Joint stock companies, Public control, Russian Federation, Public powers, Constitution.