

FROM CROWDSOURCING TO CIVIC COLLABORATION: LEGAL NATURE, FORMS AND FEATURES OF PUBLIC PARTICIPATION IN THE RUSSIAN FEDERATION

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Subject and hypothesis. The article interrogates the legal nature, forms, and distinctive features of public participation mediated by digital technologies in the Russian Federation, arguing that the term “crowdsourcing”, rooted in private law, lacks normative certainty for public administration. The working hypothesis is that “civic cooperation” can and should be conceptualized as a distinct public law institution, differing from private law crowd technologies by its procedural legal framing, legally relevant outcomes, and enforceable guarantees of participation.

Goal. The study aims to substantiate and introduce into legal scholarship a definition of “civic cooperation” as a public law institution, identify its constitutive features and forms, and propose directions for legal regulation that ensure equality, transparency, and accountability of digitally mediated participation.

Methods and methodology. The research employs doctrinal legal analysis; historical and comparative perspectives on the evolution from early forms of collective problem-solving to digital platforms; functional comparison of private law crowd models (crowdprocessing, crowdsolving, crowdcreation, crowdrating, crowdvoting, crowdfunding) with public law analogues (public consultations, regulatory impact assessment, petitions, participatory budgeting, public control, e-voting, participation in procurement and PPP/concession frameworks); and normative analysis of Russian constitutional and statutory guarantees (popular sovereignty, equality, access to information, petitions, data protection) as well as sub-statutory procedural rules.

Results. The paper demonstrates that in the private sphere crowdsourcing is an organizational technological model whose outcomes are typically factual and legally consequential only at the initiator’s discretion, while motivation is mixed and monetary incentives are ancillary. Transposed into public administration, identical technological forms require legal mediation: the object of regulation becomes legally significant procedures for engaging an indeterminate number of citizens in preparing and adopting administrative or regulatory acts; coordination by a public authority is mandatory; and results must be documented, reasoned, and linked to final acts with justiciable consequences. The study formulates an original definition of “civic cooperation” as a legally regulated set of procedures of citizen involvement that culminate in a legally relevant outcome (an administrative act or other public decision) and trigger obligations of consideration, reasoned assessment, publication, and accountability. The findings confirm the hypothesis: civic cooperation constitutes a distinct public law institution rather than a mere transfer of crowdsourcing techniques.

1. Introduction

Crowdsourcing is being actively integrated into the public law sphere. At the public level, such engagement is linked to the constitutional foundations of popular sovereignty and the right of citizens to participate in the governance of state and local community affairs (Articles 3 and 32 of the Constitution of the Russian Federation), to exercise the right of petition to public authorities (Article 33 of the Constitution of the Russian Federation), and to access information concerning the activities of those authorities (Article 24 of the Constitution of the Russian Federation)¹.

Nevertheless, Russian law has yet to establish a clear boundary between crowdsourcing as an organisational and technological model and civic collaboration as a public law institution of joint activity between citizens and public authority, mediated by legally significant procedures and oriented towards the adoption of an administrative act generating legal consequences – that is, the subject matter of public law regulation is not the platforms as such, but rather the legally significant procedures, outcomes and guarantees of rights.

2. Historical Roots of the Public Use of Collective Resources

A historical retrospective demonstrates that recourse to collective resources² predates the internet era: in the eighteenth and nineteenth centuries, authorities already drew upon them to address matters of public importance. Examples include the 1714 competition announced by the British Government to find an accurate method for determining longitude at sea (J. Harrison's marine chronometer)³, the French offer of a reward in 1795

for the invention of a method of food preservation⁴, and the Australian competition of 1901 for the design of the national flag⁵.

3. Doctrinal Evolution and Key Definitions of Crowdsourcing

The conceptualisation of crowdsourcing took place in 2006, in a publication by J. Howe, who described it as a method of extracting ideas, knowledge and labour from an open pool of volunteers through digital platforms [1, pp. 1–4]. Comparing it with outsourcing and the use of cheap labour, Howe highlighted not only cost savings but also the creative engagement of participants and the long-term effect of accumulating collective knowledge. The example of Amazon's platform for micro-tasks (image and audio recognition, information retrieval) illustrated the early industrialisation of "human computation"⁶, which has since been substantially displaced by artificial intelligence tools.

Subsequently, the doctrine was enriched by J. Surowiecki's work on the "wisdom of crowds": diversity of viewpoints, distributed knowledge, autonomy of judgement and subsequent aggregation provide statistical smoothing of errors and increase the reliability of the collective result when the institutional design is sound [2, pp. 112–121]. D. Tapscott and A.D. Williams proposed the concept of "wikinomics" [3, pp. 15–27] – a model based on openness, peer exchange, sharing and acting globally. A.B. Dolgin, in examining the "new economy", characterised crowdsourcing as the voluntary

¹ Constitution of the Russian Federation: adopted by popular vote on 12 December 1993 (as amended following the All-Russian vote of 1 July 2020, No. 1-FKZ, and as further amended on 4 October 2022, No. 8-FKZ) // Hereinafter, unless otherwise indicated, all sources are cited via the Legal Reference System ConsultantPlus.

² 'Crowd' (a crowd; the popular mass).

³ Harrison's Marine Chronometer / World History Encyclopedia. URL: <https://www.worldhistory.org/article/2197/harrisons-marine-chronometer/> (accessed: 15 February 2025).

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⁴ "While the Stomach is Full": Why Napoleon Did Not Feed His Army on Canned Food' / RIA Novosti // URL: <https://ria.ru/20120810/720644364.html> (accessed: 15 February 2025).

⁵ How the Australian National Flag Was Chosen / Australian Flags Booklet. URL: <https://www.pmc.gov.au/resources/australian-flags-booklet/part-4-history-australian-national-flag/how-australian-national-flag-was-chosen> (accessed: 12 February 2025).

⁶ Machine Learning Handbook. Section 11.2: Crowdsourcing / Yandex Education. URL: <https://education.yandex.ru/handbook/ml/article/kraudsorsing> (accessed: 12 April 2025).

application of collective intelligence and labour to achieve beneficial objectives, including profit, and identified collaborative filtering – the involvement of consumers in creating products and content, where participants simultaneously produce and consume – as a distinct variant [4, pp. 13–14].

In the definition of D. Mazzola and A. Distefano, crowdsourcing is the purposeful recruitment of participants through web technologies to solve a specific task [5, pp. 1–8]; in E. Estellés-Arolas's formulation, it is a particular form of online interaction based on an open call from an initiator (a private individual, company or non-profit organisation), whereby participants contribute labour, funds or knowledge in exchange for mutual benefits (remuneration, recognition, skills development), while the initiator obtains the result of collective effort [6, pp. 1–14]. Thus, O.E. Komarov and A.V. Sokolov emphasise crowdsourcing's capacity to engage broad masses in solving tasks either free of charge or for a symbolic fee [7, pp. 82–87]. V.S. Epina underscores the unlocking of participants' creative potential and the consolidation of resources for collective action [8, pp. 204–210]. S.V. Polutin and A.V. Sedletsky identify the heterogeneity of motivations – ranging from socially significant goals to material interest [9, pp. 68–74]. L.V. Lapidus draws a distinction between commercial and social (non-commercial) crowdsourcing: the former is oriented towards profit through the creation of additional consumer value and demand, whilst the latter is directed at addressing public challenges without profit extraction [10, pp. 32–41]. L.S. Pankratova and S.V. Shakarbieva likewise differentiate between business crowdsourcing and social-public forms, a distinction which is significant for legal typology [11, pp. 208–216].

4. Typology of Crowd Technologies and Their Private Law Forms

Typologically, forms of crowdsourcing may be divided into: crowdprocessing (processing of micro-tasks), crowdsolving (resolution of complex problems), crowdrating (collection of assessments), crowdcreation (creation of products by communities), crowdvoting (voting and ratings) [12, pp. 5–6; 13, p. 389], as well as crowdforecasting, crowdinnovation, crowdauditing, crowdcontrol and crowdcaring [14, pp. 19–48].

In the financial dimension, "crowdfunding" and the derivative forms "crowdinvesting/crowdlending" facilitate platform-based interaction between project initiators (seeking funding) and investors [15, pp. 401–403]. Furthermore, "crowdrecruiting" – as a method of identifying personnel with the most suitable competencies – has also been recognised by scholars as a distinct form [16, pp. 80–85].

Accordingly, crowdsourcing may be characterised as an organisational and technological model for engaging an unlimited circle of persons in the resolution of tasks through digital platforms. In the private law sphere, contractual and corporate norms predominate as regulators; the outcome most frequently takes a factual form (an idea, content, an assessment), and legal consequences are mediated by the will of the initiator. The dominant motivation is interest in participation and co-creation; monetary remuneration is, as a rule, ancillary.

5. Features of Public Law Participation of Citizens in the Russian Federation

The digitalisation of public administration in Russia has invigorated the institutions of direct democracy and public participation enshrined in the Constitution of the Russian Federation and sector-specific legislation. In practice, a wide range of digital forms of collective participation has emerged – from public discussions of draft normative legal acts and public discussions within regulatory impact assessment (hereinafter "RIA") proceedings, with mandatory reporting on whether proposals have been accepted or rejected, to the operation of platforms for public initiatives and petitions (including the Russian Public Initiative (hereinafter "RPI") under Presidential Decree No. 183 (hereinafter "PD RF No. 183"))⁷, participatory budgeting at regional and municipal levels⁸, remote electronic

⁷ Decree of the President of the Russian Federation of 4 March 2013, No. 183, 'On the Consideration of Public Initiatives Submitted by Citizens of the Russian Federation via the Internet Resource "Russian Public Initiative"' (as amended on 17 September 2020, No. 562).

⁸ Federal Law of 6 October 2003, No. 131-FZ, 'On the General Principles of the Organisation of Local Self-Government in the Russian Federation' (as amended on 20 March 2025, No. 33-FZ).

voting as an additional means of expressing the popular will⁹, public oversight under Federal Law No. 212-FZ (hereinafter "No. 212-FZ")¹⁰ and digital monitoring, participation in procurement activities¹¹ and infrastructure projects under public-private and municipal-private partnership (hereinafter respectively "PPP" and "MPP") frameworks and concession arrangements¹², instruments of crowd-financing of public initiatives subject to compliance with investor protection and disclosure requirements (including the regulation of investment platforms)¹³, as well as personnel competitions and recruitment programmes for positions in public authorities or public law organisations utilising digital platforms and model assessments (the federal programmes "Leaders of Russia"¹⁴ and "Time of Heroes"¹⁵).

In the context of the RPI, it is instructive to note how the practice of "crowdcreation" is coupled with "crowdvoting", whereby citizens generate initiatives, undertake collective expert review and rank them, and the competent authorities consider the proposals submitted for possible implementation (PD RF No. 183). S.A. Avakyan, comparing the RPI with petitions and legislative initiative, points to the

⁹ Federal Law of 12 June 2002, No. 67-FZ, 'On the Basic Guarantees of Electoral Rights and the Right to Participate in a Referendum of Citizens of the Russian Federation' (as amended on 23 May 2025, No. 115-FZ).

¹⁰ Federal Law of 21 July 2014, No. 212-FZ, 'On the Fundamentals of Public Control in the Russian Federation' (as amended on 25 December 2023, No. 683-FZ).

¹¹ Federal Law of 5 April 2013, No. 44-FZ, 'On the Contract System in the Sphere of Procurement of Goods, Works and Services for State and Municipal Needs' (as amended on 30 November 2024, No. 432-FZ).

¹² Federal Law of 13 July 2015, No. 224-FZ, 'On Public-Private Partnership, Municipal-Private Partnership in the Russian Federation and on Amendments to Certain Legislative Acts of the Russian Federation' (as amended on 31 July 2025, No. 350-FZ).

Federal Law of 21 July 2005, No. 115-FZ, 'On Concession Agreements' (as amended on 23 July 2025, No. 264-FZ).

¹³ Federal Law of 2 August 2019, No. 259-FZ, 'On Attracting Investments Using Investment Platforms and on Amendments to Certain Legislative Acts of the Russian Federation' (as amended on 8 August 2024, No. 263-FZ).

¹⁴ Leaders of Russia Competition / Official Website // URL: <https://лидерыроссии.рф/> (accessed: 20 April 2025).

¹⁵ Time of Heroes Programme / Official Website // URL: <https://времягероев.рф/> (accessed: 20 April 2025).

uncertain fate of initiatives [17, p. 303]: filtering by organisers, high registration barriers, conservative expert assessment and the absence of clear mechanisms reduce effectiveness even when support thresholds are reached [18, pp. 47–51].

The existence of rules governing the consideration of applications and initiatives, the provision of access to information¹⁶ and the protection of personal data¹⁷, and the availability of offline alternatives to digital channels through Multifunctional Centres (MFCs) and other mechanisms¹⁸ are all necessary elements of public law procedurality.

The absence of a statutory definition, features and standards for civic collaboration generates risks of uncertainty as to the legal status of participation outcomes, unequal access, threats to personal data protection and the substitution of democratic institutions by advisory consultations without legal consequences. Research conducted under the HSE University Fundamental Research Programme "Legal Mechanisms for Overcoming Inequality" identified the following risks of participation inequality: social and economic (low income), informational (digital skills), spatial (remoteness), physiological (disability), and linguistic – to mitigate which legal and organisational measures must be built into the design of civic collaboration:

- a mandatory alternative to every digital citizen participation procedure (reception through MFCs, public reception offices, postal channels, outreach arrangements, etc.); establishment of minimum equivalence standards at the federal level;

- entrenchment in secondary legislation of platform requirements (accessibility for persons with

¹⁶ Federal Law of 27 July 2006, No. 149-FZ, 'On Information, Information Technologies and the Protection of Information' (as amended on 24 June 2025, No. 156-FZ). Federal Law of 9 February 2009, No. 8-FZ, 'On Ensuring Access to Information on the Activities of State Bodies and Local Self-Government Bodies' (as amended on 14 July 2022, No. 270-FZ).

¹⁷ Federal Law of 27 July 2006, No. 152-FZ, 'On Personal Data' (as amended on 28 February 2025, No. 23-FZ).

¹⁸ Federal Law of 27 July 2010, No. 210-FZ, 'On the Organisation of the Provision of State and Municipal Services' (as amended on 28 December 2024, No. 521-FZ).

disabilities, multilingualism, etc.);

- an obligation on platform operators to publish the rules and logs of automated processing; a prohibition on discriminatory ranking; provision for audit;

- a legal duty of the competent authority to give reasoned responses in respect of participation outcomes; establishment of procedural time limits and a publication format;

- inclusion in administrative regulations of indicators of the share of participants from socially vulnerable groups; public accountability¹⁹.

6. From Crowdsourcing to Civic Collaboration: Features and Distinguishing Characteristics

A comparison of private law forms of crowdsourcing with public practices allows the substantive features of the public law institution of civic collaboration to be identified (Table 1). The subject matter of regulation becomes the legally significant procedures for engaging an indeterminate circle of citizens in the preparation and adoption of administrative acts and the implementation of public programmes; a necessary feature is the existence of a legal basis and coordination on the part of a public subject; the mandatory principles are legality, openness, accessibility, technological reliability, accountability and subsequent public oversight, as well as documentation and the linkage of participation outcomes to the final act. Unlike private law crowdsourcing, in which legal consequences are secondary and contingent on the will of the initiator, in public law the consequences of participation are predetermined by statute: there arises a duty to organise the procedure, ensure that opinions are taken

into account, formalise the outcomes, give a reasoned response and publish the results. It should also be noted that certain scholars identify the non-commercial character of implemented projects as a feature of civic collaboration [19, pp. 3947–3954]; however, the practice of crowdfunding in public administration confirms the contrary: this form of collaboration can also serve the objective of profit-making, both for citizens and for the state. A.N. Latysheva rightly observes that crowdfunding is not merely a business instrument but a means of compensating for deficiencies in state social and cultural policy through the non-material motivation of users supporting socially significant projects [20, pp. 660–668]. On the side of public policy, the emergence of these forms is conditioned by the need for cooperation between the state and business: attracting private capital enhances the availability and quality of goods, works and services, which is consistent with the practices of PPP, MPP and concessions [21, pp. 55–64].

¹⁹ The approach presented herein to reducing asymmetries of participation draws upon the findings of the research project 'A Model for the Legal Overcoming of Inequality'. The study was carried out within the framework of the Fundamental Research Programme of the National Research University Higher School of Economics ('Legal Mechanisms for Overcoming Inequality') and is directed towards a comprehensive analysis of the types and forms of inequality – including social, economic, informational, spatial and other forms thereof – their causes, conditions and legal consequences, as well as the differentiation between factors of inequality that produce no discriminatory effect and those that undermine social relations and necessitate legal instruments of elimination.

Correlation between Crowdsourcing and Civic Collaboration

<i>Criterion</i>	<i>Crowdsourcing</i>	<i>Civic Collaboration</i>
Purpose	Obtaining a factual result or management hypothesis	Preparation and adoption of a public authority decision (normative legal act, administrative act, programme, etc.)
Object and outcome	Outcome is most frequently factual (idea, content, rating) and acquires legal form only through the will of the initiator	Outcome is embedded in the procedure for preparing an act and produces legal consequences (mandatory consideration, reasoned decision, possible mandatory incorporation)
Regime governing outcomes	Dispositive, at the discretion of the initiator	Combination of imperative (procedures, time limits, competence, contestability) and dispositive (choice of forms and digital channels)
Regulator	Governed by contractual/corporate norms and terms of service	Governed by public law norms, procedures and guarantees
Guarantees	Terms of service (limited and private law in nature)	Equal access, procedural rights of participants, data protection, access to information (Article 24 of the Constitution of the Russian Federation, Federal Law "On Ensuring Access to Information on the Activities of State Bodies and Local Self-Government Bodies" ²⁰), time limits and forms of response (Federal Law "On the Procedure for Considering Applications from Citizens of the Russian Federation" (hereinafter "No. 59-FZ") ²¹ , consideration of opinions in norm-making (Government Decree "On the Procedure for Disclosure by Federal Executive Bodies of Information on the Preparation of Draft Normative Legal Acts and the Results of their Public Discussion" (hereinafter "GD RF No. 851") ²² , mechanisms of public oversight (Federal Law "On the Fundamentals of Public Oversight in the Russian Federation"))
Motivation	Mixed motivation predominates (interest/prizes)	Preparation and adoption of a public authority decision (normative legal act, administrative act, programme, etc.)

²⁰ Federal Law of 9 February 2009, No. 8-FZ, 'On Ensuring Access to Information on the Activities of State Bodies and Local Self-Government Bodies' (as amended on 14 July 2022, No. 270-FZ).

²¹ Federal Law of 2 May 2006, No. 59-FZ, 'On the Procedure for Considering Appeals from Citizens of the Russian Federation' (as amended on 28 December 2024, No. 547-FZ).

²² Resolution of the Government of the Russian Federation of 25 August 2012, No. 851, 'On the Procedure for Disclosure by Federal Executive Bodies of Information Concerning the Preparation of Draft Normative Legal Acts and the Results of Their Public Discussion' (as amended on 20 April 2024, No. 515).

7. The Author's Definition of Civic Collaboration

On the basis of the foregoing analysis of private law forms of crowdsourcing and their public law analogues, the following definition is proposed: ****civic collaboration in public administration**** is a public law institution of joint activity between citizens, their associations and public authority, mediated by a procedure established by statute or secondary legislation and directed towards the preparation and adoption of an administrative decision (normative or individual), as a result of which legally binding consideration of the proposals submitted, their reasoned assessment and subsequent incorporation into a public authority act – or a reasoned refusal generating legal consequences – are ensured.

8. Existing Forms of Civic Collaboration in Public Administration in Russia

The Russian legal system currently contains disparate elements of civic collaboration: public discussion of draft acts and public discussions within RIA proceedings²³, petition participation platforms, public oversight and expert review, participatory budgeting, remote electronic voting, participation in procurement and infrastructure projects, crowd-financing through investment platforms, and personnel competitions utilising digital technologies. Russian practice operates through the RPI platform (PD RF No. 183), the federal portal for public discussion (GD RF No. 851), regional services ("Active Citizen", "Our City", "Dobrodel", "We Resolve Problems Together", "We Decide Together"), participatory budgeting, and the institutions of public oversight (No. 212-FZ).

On the basis of an analysis of the forms of civic collaboration in public administration currently existing in Russian legal practice, and comparing them with crowdsourcing types, the following forms

²³ Resolution of the Government of the Russian Federation of 17 December 2012, No. 1318, 'On the Procedure for Conducting Regulatory Impact Assessments of Draft Normative Legal Acts and Draft Decisions of the Eurasian Economic Commission by Federal Executive Bodies, and on Amendments to Certain Acts of the Government of the Russian Federation' (as amended on 13 July 2024, No. 956).

may be identified:

- **Norm-making collaboration** (corresponding to crowdcreation and crowd-rating in terms of generating and assessing proposals for the development of normative legal acts): initiatives for the drafting of acts, voting, discussion of draft normative legal acts, collection of alternative views and arguments; outcome – incorporation into the explanatory memorandum, a register of disagreements, revision of the draft text, public consultation reports;

- **Public expert review** (crowd-rating, crowd-auditing): public assessment of draft normative legal acts, monitoring of law enforcement; outcome – opinions subject to mandatory consideration and a reasoned response;

- **Budgetary collaboration** (crowdfunding/crowdinvesting in the public sphere): participatory budgeting, PPP, MPP, concessions, etc.; outcome – a corresponding decision of the competent authority on engagement;

- **Administrative and service collaboration** (crowd-processing, crowd-solving): platforms for addressing local issues (e.g. housing and communal services, urban improvement); outcome – individual administrative acts/assignments to contractors, reporting and performance monitoring;

- **Strategic planning and programming** (crowd-solving and crowd-forecasting): collection of proposals for development strategies and programmes, national projects; outcome – inclusion of activities and indicators;

- **Crowd-monitoring and public oversight** (crowd-control, crowd-auditing): monitoring the quality of services and compliance with standards; outcome – injunctions, responsive measures, authority reports, the possibility of applications under No. 59-FZ and the application of No. 212-FZ;

- **Joint performance of public tasks and crowd-caring**: participation of volunteers and non-commercial organisations in the delivery of social services and assistance; outcome – administrative decisions on the engagement of resources, social partnership agreements;

- **Personnel collaboration** (crowd-recruiting): implementation of programmes for selecting

personnel for managerial and other positions in public law structures.

9. Conclusion

Public law cannot adopt crowdsourcing in its "pure" form: legitimacy requires legal mediation – procedures, guarantees, the legal force of outcomes and their contestability. Civic collaboration should be recognised as an independent public law institution, distinct from private law crowdsourcing: if the latter is a technology for mobilising collective resources, the former is a legally regulated joint activity of citizens and public authorities for the preparation and adoption of decisions with legally significant consequences. Its fundamental features are: normative proceduralism, orientation towards the adoption of a public authority act, mandatory justification, equal accessibility, data protection and accountability.

The development of digital communications expands the space for direct democracy but demands the legal entrenchment of procedures and standards ensuring accessibility and transparency. It is considered necessary to enshrine mandatory indicators of the legitimacy and effectiveness of civic collaboration within the strategic planning system (in accordance with the Federal Law "On Strategic Planning in the Russian Federation"²⁴), to introduce annual public reporting, and to establish minimum requirements for platforms and equivalent offline channels in secondary legislation. It is necessary to introduce into federal legislation a statutory definition of civic collaboration and general requirements for its procedures (for example, by means of a new chapter in the Federal Law "On the General Principles of Organisation of Public Authority in the Constituent Entities of the Russian Federation"²⁵ or in the Federal Law "On the Procedure for Considering Applications from Citizens of the Russian Federation" with referential

provisions), to enshrine mechanisms ensuring the traceability of the functioning of platforms for forming public initiatives [22, pp. 94–104], as well as additional requirements for the acceptance or non-acceptance of proposals in the course of public discussions of normative legal acts and to unify the procedure for conducting such discussions. Furthermore, it is necessary to expand the mechanisms of public oversight under No. 212-FZ in relation to digital platforms: to introduce public supervisory councils and regular reports on compliance with procedural requirements.

The integration of these criteria into the administrative regulations of public authorities, the technical specifications for IT platforms and the system of performance indicators will create a reproducible infrastructure of participation, transforming the "wisdom of crowds" from a fragmented practice into a sustainable mechanism of public administration.

²⁴ Federal Law of 28 June 2014, No. 172-FZ, 'On Strategic Planning in the Russian Federation' (as amended on 13 July 2024, No. 177-FZ).

²⁵ Federal Law of 21 December 2021, No. 414-FZ, 'On the General Principles of the Organisation of Public Authority in the Constituent Entities of the Russian Federation' (as amended on 31 July 2025, No. 327-FZ).

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