

The Public Interest (or “*General Interest*” in French): Issues and Challenges in Performing the Concept from a Public Management Perspective

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Abstract

Described as “indefinable”, but “indispensable” in its role as the ultimate goal of public action, the concept of “public interest” (“general interest” in French) has been the subject of fierce criticism in the literature. This article aims to shed light on the various gray areas surrounding its use so that it can be applied more effectively in pursuit of the performance objectives set by public organizations. Considering the diversity of interpretation and facets that characterize its use, and drawing on the two models—utilitarian (Anglo-Saxon) and voluntarist (French)—the article explores and deepens the contributions of these different dimensions and proposes an approach to the concept oriented toward satisfying the “felicity conditions” necessary for it to perform in reality.

Keywords

Public Interest, Legitimization of Public Action, Performativity of Public Interest, Living Together, Building a Society Together

1. Introduction

What, then, is the public interest? If no one asks me, I know; if I want to answer the question, I do not. (Allier, 2015: p. 10).

Ultimately, teaching public management with the aim of developing excellent, co-constructed, resilient, and sustainable performance in public organizations cannot ignore the need to clarify and explore ways of defining the concept of “public interest” that public organizations use to “legitimize and circumscribe their power” (Stahl, 2017: p. 185). As the cornerstone of public policy, as defined by the

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French Conseil d'Etat (*Conseil d'Etat*, 1999; Allier, 2015: p. 10), this concept helps to structure mechanisms that enable **real, relevant responses** to the intertwining economic, social, environmental, and societal issues of today's world. Based on this understanding, the concept of the general interest is inseparable from that of *real performance* as we define it. In other words, public performance that relates to the goals experienced by actors in the field and that has a real and substantial impact on the daily lives of citizens through these real and relevant responses. It is distinct from "prescribed or expected performance", which relates to the chosen goal as announced in the speeches of elected politicians or in the planning documents of public organizations (Bartoli & Blatrix, 2015; Mazouz & Leclerc, 2008; Ngouo, 2022, 2024; Zbaracki, 1998). From this perspective of real performance, the *performativity* of the concept of the public interest refers to its ability to ensure that what it promises actually comes to pass in practice. To do so, it must meet certain conditions known as "felicity" conditions (Berkowitz & Dumez, 2015). This lever for public performance, which is crucial in light of the challenges at hand, is extremely difficult to define, and as a result, undermines any possibility of effectively mobilizing it in practice. The complex and obscure (hermetic) nature of the concept is illustrated in the introductory quote we borrow from Allier (2015) (see also Barbin, 2013; Bolgar, 1965; Boot, 2024; Gaba, 2020; Guiraud & Hulin, 2023; Truchet, 2017). This observation is the primary motivation for the paper.

According to the public management perspective we have chosen, the research question of this article has three components: 1) How is the problem of defining the concept of the public interest currently addressed in the literature? 2) What are the implications for the management of public organizations? 3) How can we best approach the issue of operationalizing this concept while taking into account the requirements of its ability to perform in the real world—that is, to translate its theoretical principles into reality for the performance of public organizations in today's world?

We structure the article into seven sections. The first introduces the study by outlining the problem at hand, clarifying certain key concepts such as the "real performance" and the "performativity of the public interest", and, above all, the central question of the study. The second section presents the conceptual and methodological framework we adopt. The third point delves deeper into the analysis of the problem of defining the concept of the public interest with the aim of addressing the performance challenges faced by public organizations. The fourth point analyzes the managerial implications of the approach based on the concept of the public interest, exploring the issue of its performativity. The fifth section discusses potential courses of action that could be undertaken to meet the conditions of performativity required for the concept, given the challenges identified. The sixth section presents the limitations, future prospects, and implications of this research's findings. The seventh section concludes the article.

2. Conceptual Framework and Methodology

This first section situates us with regard to the conceptual framework and methodological approach adopted in this article.

2.1. Conceptual Framework

The title of the article specifies that we are adopting a public management perspective to analyze the concept of the public interest. Before addressing the core of our topic, let us recall that the concept of management—whether it pertains to the management of public or private organizations or any other type—refers to a number of specific functions, concerns, and the interrelationships between these elements, thereby offering a specific understanding of the concept of public organization performance, which is at the heart of our study (Bartoli & Chomienne, 2007; Gibert, 1986). Following the formulation attributed in the literature to Peter Drucker, the founder of “management by objectives (MBO)”, management is defined as *the art and science of getting the right people to do the right things at the right time and at the lowest cost*. For our conceptual framework, we first clarify the meaning of the concept of “public management” and conclude by presenting the criteria we adopt to evaluate the performance of public organizations according to this public management approach.

2.1.1. The Definition of Public Management Adopted

The definition of “public management” that we propose and apply in this article draws on contributions from the literature regarding the evolution of scientific thought on the concept of management as applied to public organizations, particularly by taking into account the limitations of the approaches introduced by the New Public Management (NPM) school of thought (see, for example, Bartoli & Chomienne, 2007; Bartoli & Blatrix, 2015; Gibert, 1986, 2002). The definition we propose is based on the framework proposed by Gibert (1986: p. 110). Gibert (2002) argues for a necessary hybridization of political analysis with public management, understood as a “science of action oriented toward the effectiveness and efficiency of the state”. He defines public management as “**the professionalized use of knowledge from the social, political, and economic sciences—whether or not mediated by management methods—with a view to improving the performance of public policies and, consequently, that of public organizations**” (Gibert, 2002: p. 3).

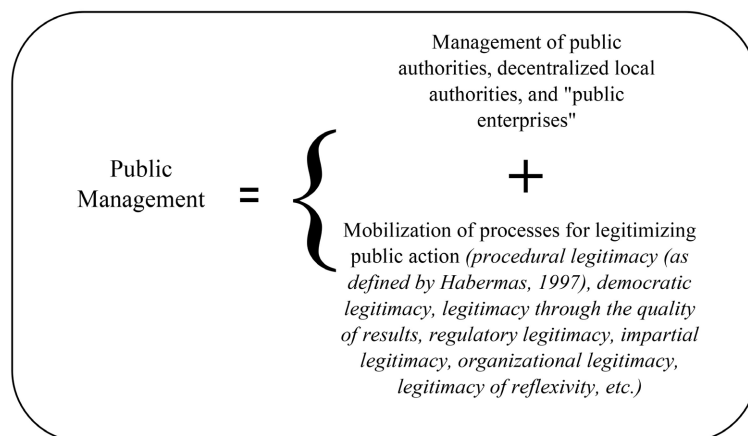


Figure 1. Equation defining public management.

“Public management”, as we use the term in this article, is understood in the sense of the definition formulated by Gibert (2002), which we supplement with the dimension of the legitimation of public actions (see, for example, Castillo, 2018; Gibert, 1986, 2002; Habermas, 1997). We represent this using the equation in Figure 1. In this definition, legitimation processes encompass various types of legitimacy specifically concerning the regulation of the public interest, defined as the purpose of public organizations.

2.1.2. Performance Criteria for Public Action and Corresponding Indicators

The definition of public management that we use includes the concept of public policy performance. In this article, we examine this concept of public organization performance through the lens of four criteria: excellence, co-construction, resilience, and durability. Indeed, more than ever before, citizens in every community around the world—called upon to participate in the production of goods and services that impact their well-being—expect public organizations to be *excellent* (relying on people to create value), *co-created* (since they are already participating), *resilient* (in the face of uncertainty and sometimes adversity in the environment), and *durability* (both institutionally and in terms of sustainable development). When this is not the case, they are quick to voice their dissatisfaction, and sometimes do so vehemently. In this article, we examine the concept of public organization performance through the lens of these four criteria, which highlight the need to meet the expectations of citizens and stakeholders while upholding the values of public service. By adopting these criteria, we are taking a pragmatic constructivist epistemological paradigm (PECP) approach and following the “backward chaining” or “backward reasoning” methodology applied to the development of artificial intelligence systems. This methodology involves starting with a set goal—such as these criteria, for example—and then examining the theoretical, paradigmatic, and methodological approaches that could lead to achieving them (Bonnet, Haton, & Truong-Ngoc, 1986; Duarte, 2025). From an epistemological perspective, this is an approach within management and organizational science (MOS) that involves, in a sense, starting from the ontological nature of the object to construct the form of its possible science (Bhaskar, 1998: p. 3; Rousseau, Manning, & Denyer, 2008: p. 476). To this end, we draw on the metaphor of “the organization as a brain”, developed by Morgan (1989: pp. 79-118), to define a public organization. From this pragmatic constructivist perspective, experts in military affairs or cycling, for example, incorporate into their working assumptions the tactical principle that it is the reality on the ground that dictates the actions that will lead to victory—that is, to better performance.

In adopting these four criteria, we consider, contrary to the “mechanical” metaphor that characterizes Weberian bureaucracy, that people are the *raison d’être* of public performance and that their central role is justified, among other things, by the processes of *sensemaking* and *sensegiving* that structure the implementation of public actions (see, for example, Aggeri, 2017). The processes of sensemak-

ing and sensegiving involve narrative practices and interactions between actors and artifacts such as material objects, management tools and devices, standards, and reference frameworks.

Based on the managerial perspective we adopt, these criteria are defined as follows:

- **Excellence** involves moving forward in a comprehensive, even holistic, manner toward the desired goal or indicator. It is a philosophy of **permanence** (Alster, 2024). The term “performance excellence” therefore refers to an integrated approach to organizational performance management aimed at achieving three outcomes. These results are: 1) providing ever-greater **value** to the direct beneficiaries of the services provided and to stakeholders who contribute directly to sustainability by linking performance and social responsibility; 2) improving overall organizational effectiveness and capabilities by focusing primarily on **people**; 3) developing a culture of organizational learning (Alster, 2024; Argyris, 1988).
- **Co-construction** (or co-production). It is now widely accepted in the literature that the resolution of collective problems results from collaborative efforts between public authorities (political actors, professionals, and public officials) and stakeholders such as businesses and associations (Alford, 2014; Colomes & Caire, 2020; La Grouw, Ybenn, & Bannink, 2025; Nabatchi, Sancino, & Sicilia, 2017; Ngouo, 2018; Osborne et al., 2021). The co-construction (coproduction) approach paves the way for a new way of thinking about public service and its management by rethinking the role of public organizations in the planning, implementation, monitoring, and evaluation of public actions.
- **Resilience** refers to the ability to succeed, live, and thrive despite adversity, or an organization’s ability to cope with an uncertain and particularly threatening environment, its ability to do things differently than expected in the face of uncertainty (Baitan et al., 2020; Cyrulnik, 2002). It also requires the ability to make sense of events that pose significant risks to sustainable performance (Weick & Stcliffe, 2007). This is a valuable process of adaptation, partly passive and unconscious, partly active (Cyrulnik, 2002; Ngouo, 2018).
- **Durability** implies, first and foremost, the ideas of constancy, permanence, stability, viability, and longevity (Blatrix, 2023; Pesqueux, 2011; Santoro, 2019). Permanence and long-term viability concern public organizations, which are not immortal. This approach refers to the concept of **institutional durability**, which refers to the way in which institutions withstand challenges in a context where economic difficulties, political, and social challenges weaken their legitimacy (Blatrix, 2023; Santoro, 2019). Permanence and long-term viability also refer to the concept of **sustainable development** institutionalized by the United Nations system in 1987. This aspect of sustainable development introduces the concept of “*sustainability*”. Pesqueux (2011: p. 44) shows that, in this sense of the criterion, the development highlights the con-

cept of “organizational social responsibility” (Blatrix, 2023).

Table A1 (Appendix) summarizes the indicators for these four criteria, indicating for each of them the key elements for observing and evaluating them.

2.2. Methodology Adopted

We specify the approach taken to the literature review, as well as the approach to data collection and analysis.

2.2.1. Literature Review

We conducted two types of literature reviews. One review followed the *conceptual analysis* approach proposed by Johan Olsthoorn (Olsthoorn, 2017; see, for example, Boot, 2024), which aims to ensure the clarity and consistency of the concepts used. A “*realist review*” (Paré, Trudel, Jaana, & Kistsiou, 2005; Pawson, Greenhalgh, Harvey, & Walshe, 2005), specifically to analyze the conditions under which the concept of the public interest is operationalized. It helps explain the **causal mechanisms** (*How and Why*) of public actions within their contexts. We position ourselves within a logic of co-construction of knowledge on the performance of public organizations by the stakeholders concerned, following the logic of the four criteria and their indicators as defined above.

2.2.2. Data Collection and Analysis

The review focused on the themes of “the public interest”, “management of public organizations”, “performance of public organizations”, “complexity theory”, “theory of performativity”, and “organizational change”. The data we used came from various types of documents: scientific journal articles, reference works in the field, government documents, and those from international organizations, conference papers, and doctoral dissertations. We conducted systematic searches in CAIRN and GOOGLE SEARCH. Based on our search profile, the ACADEMIA and SAGE websites provided us with article suggestions that proved relevant. Similarly, using the snowball sampling technique, we identified other potential references that met our study’s criteria based on certain relevant documents already selected. The study focused on the period from 1960 to 2025 and specifically aimed to identify the characteristics or best practices of management—and specifically “public management”—that are explicitly linked to achieving excellent, co-constructed, resilient, and sustainable public performance, while taking into account the imperative of legitimizing public action. The following table summarizes the inclusion and exclusion criteria, along with an illustration of the search equation we used.

Criteria/Search Equation	Indicators	Contents
Inclusion	Time Period	Studies published between January 1, 1960, and 2025.
	Central Theme	Writings explicitly addressing Public Management (or public administration) in relation to performance and the public interest.

Continued

Dimensions of Performance	<ul style="list-style-type: none"> • Excellence: Operational effectiveness and efficiency, focus on human resources, beneficiary-centered approach, emphasis on results, and value creation. • Co-Creation: Stakeholder engagement, citizen participation, or collaborative networks. • Resilience: Ability to adapt to crises and manage uncertainty. • Durability: Institutional durability, sustainable development, long-term viability, social and environmental impact. 	
Purpose	Explicit reference to the general interest , the public interest , or the creation of public value .	
Types of Documents	Peer-reviewed journal articles, reference works, research reports, conference or congress papers, and institutional gray literature (e.g., documents from governments or international organizations such as the OECD and the UN) that offer conceptual depth.	
Language	French and English.	
Exclusion	Field of Study	Studies focusing exclusively on the management of private companies with no connection to public service.
	Incomplete Scope	Articles that focus on technical performance without addressing social, resilience, or public interest considerations.
	Nature of the Content	Opinion articles lacking a solid theoretical or empirical basis, newspaper articles, or blog posts.
	Inaccessibility	Abstracts alone without access to the full text, or documents that do not describe their methodology (if the conceptual analysis is based on empirical cases).
Examples of Search Strings Used for Databases	No exclusion Criteria	<p>(“Public management” OR “Public administration”) AND (“Resilience” OR “Adaptive capacity”) AND (“Sustainable performance” OR “Excellence”).</p> <p>(“General interest” OR “Public interest”) AND (“Co-creation” OR “Collaborative”) AND “Resilience” AND “Legitimi* public action”.</p> <p>(“intérêt général” OR “intérêt public”) AND (“management des organisations publiques” OR “performance des organisations publiques”) AND (“théorie de la complexité” OR “théorie de la performativité” OR “changement organisationnel”).</p>
	With Exclusion Criteria	<p>(“Public management” OR “Public administration”) AND (“Resilience” OR “Adaptive capacity”) AND (“Sustainable performance” OR “Excellence”) NOT (“entreprise privée” OR “performance technique” OR “billet de blog” OR “article d’opinion”).</p> <p>(“General interest” OR “Public interest”) AND (“Co-creation” OR “Collaborative”) AND “Resilience” AND “Legitimi* public action” NOT (“entreprise privée” OR “performance technique” OR “billet de blog” OR “article d’opinion”).</p> <p>(“intérêt général” OR “intérêt public”) AND (“management des organisations publiques” OR “performance des organisations publiques”) AND (“théorie de la complexité” OR “théorie de la performativité” OR “changement organisationnel”) NOT (“entreprise privée” OR “performance technique” OR “billet de blog” OR “article d’opinion”).</p>

For example, using the query (“Public management” OR “Public administration”) AND (“Resilience” OR “Adaptive capacity”) AND (“Sustainable performance” OR “Excellence”), we obtained nearly 200 titles by reformulating the query in French using CAIRN, and nearly 40,000 titles using GOOGLE SEARCH, while keeping the query in English. In the latter case, the results included, as desired, doctoral dissertations, articles from English-language journals, public and institutional debates, and reports from international organizations. When we introduce the exclusion criterion into this equation, it becomes: (“Public management”

OR “Public administration”) AND (“Resilience” OR “Adaptive capacity”) AND (“Sustainable performance” OR “Excellence”) NOT (“entreprise privée” OR “performance technique” OR “billet de blog” OR “article d’opinion”). When we apply this to CAIRN by reformulating it in French, we get around 160 documents, and around 400 documents for GOOGLE SEARCH.

For our study, we collected a total of 251 documents. Due to space constraints, we have retained only 87 authors who are cited in the text and therefore included in the references (which is different from a bibliography).

The articles drew on and often combined different theories to analyze the concepts of public interest, general interest, and public administration performance. By focusing, on the one hand, on **clarifying meaning** (*What is it?*) through conceptual analysis and, on the other hand, on **understanding mechanisms** (*How and Why?*), contexts, and effects through realistic review, we used the structured note-taking method, employing the summary sheet method. We placed greater emphasis on the **validity of the evaluation**.

3. Problem of Defining the Public Interest

Every time we take part in a collective activity, whether implicitly or explicitly, we experience the definition, determination, qualification, or construction of the concept of the public interest. But what is the public interest? As in the introductory quote to this article, once the question is asked, we realize that we don’t really know how to answer it. The literature points out that when defining the public interest, various phenomena come into play: pressure groups, the desire to avoid public anger or to avoid powerful interests, the arbitrariness of political decision-makers, and sometimes the desire to protect certain specific groups (Puustinen, Mäntysalo, & Jarenko, 2017). Furthermore, from a conceptual standpoint, the public interest cannot be separated from the historical, social, and cultural context that shapes its contours based on the frameworks adopted to understand it (Barbin, 2013: p. 15).

From a conceptual standpoint, there are two models of general interest: the Anglo-Saxon, utilitarian model and the French, voluntarist model (see, for example, Bailleul, 2025; Chevallier, 2013). These models also operate in two different legal systems: the Common Law system for the Anglo-Saxon model, and the Civil Law system for the French model. The main difference between these two legal systems lies in their respective underlying principles. In the Common Law system, the rule of precedent (*stare decisis*) takes precedence. In the Civil Law system, *written law* takes precedence. It should be noted that in the Anglo-Saxon model, the term “*public interest*” is used, while in the French model, the term “*intérêt général*” (*general interest*)” is used. This preference for the term “public interest” in the Common Law is said to be justified by the fact that it better reflects the sum of individual interests and the maximization of utility, unlike “l’intérêt général” (general interest) in the Civil Law tradition, which is often perceived as a distinct entity superior to the sum of private interests (Geoffrey, 1990). Although both

terms are regarded as the ultimate goal of actions aimed at the well-being of the community, they are not synonymous (Barbin, 2013; Gaba, 2020). From the perspective of collective action, one—the “general interest”—is often viewed as a goal, while the other—the “public interest”—is viewed as a justification. This is why we chose to include both in the article’s title, so as not to fall into the trap of *denying* this observation, which illustrates the fact that social realities are fundamentally distinct. For various reasons, primarily historical in nature, both the utilitarian and voluntarist models have been adopted—albeit with adaptations—into the administrative cultures of many countries around the world. These real-world situations often give rise to inextricable problems of translation and interpretation when applying the concept of the public interest to concrete situations of public action. Furthermore, numerous concepts related to the general interest have emerged in different contexts of their application, and their meaning can only be determined within the context of their adoption. Here, we organize the discussion of the problem of defining the public interest around three points: 1) a presentation of the Anglo-Saxon and French models; 2) the political and legal dimensions of the concept; and 3) consideration of related concepts.

3.1. Presentation of the Two Models

The presentation of the two models, English and French, is followed by a discussion on the evolution of these two models.

3.1.1. The English Model

In the Anglo-Saxon model, the public interest and private interests are not opposed. For Adam Smith, who first formulated this idea in 1776 in “*Recherche sur la nature et les causes de la richesse des nations*”, the essential driving force behind all individual action is the desire to improve one’s own lot (see also Boot, 2024; Elcock, 2006; Saberán, 2008). Adam Smith showed that individual interests spontaneously coordinate in the market and satisfy the public interest (Saberán, 2008: p. 55). Therefore, by seeking their own benefit, individuals act, unwittingly, for the good of society as a whole. According to this concept, as defined by Adam Smith, “the public interest is pursued only unconsciously, through the pursuit of private interests” (Saberán, 2008: p. 55; also see Bolgar, 1965; Chevallier, 2013). To emphasize the utilitarian nature of this approach, Adam Smith points out that when discussing economic exchanges between individuals, “we do not appeal to their humanity, but to their self-interest; we never speak to them of our needs, but always of their advantage”. In other words, the utilitarian approach treats the general interest as a common interest that arises from the spontaneous alignment of individual interests. Market competition alone would suffice to bring this common interest to the fore; the State’s role would be merely to create the necessary framework to allow everyone to express themselves (Chevallier, 2013). As Surowiecki (2008) points out, for different individuals and groups, the common good necessarily means different things. Thus, “two politicians may both say, without any ulterior motive, that they are acting in the name of the general interest, and advo-

cate two different policies. We may agree with one and not with the other. But it is not clear that we can say that one of them acted against the public interest” (Surowiecki, 2008: p. 337).

This model is reflected in countries that apply the Common Law system, and in the United States in particular, by the central role that lobbies play in public life. In these countries, it is considered normal for representatives of major interests to make their voices heard in public debate and, more specifically, to attempt to influence the votes of parliamentarians (Boot, 2024; Chevallier, 2013; Saberan, 2008). It is not a problem for an interest group to try to rally the votes of parliamentarians, as long as an interest group defending opposing positions will also lobby parliamentarians.

This approach has its critics, who worry about the counterproductive effects of partisan logic driven by interest groups and lobbies that push governments to favor particular interests at the expense of broader public interests. Interpreted in accordance with the characteristic principle of Common Law, these criticisms highlight the risk of judicial bias in defining the public interest and the reliance on political rather than legal judgment, on subjective interpretation rather than a clear legal standard. In the absence of a clear definition of the concept of the public interest (see, for example, Boot, 2024), courts may make “*ad hoc* decisions”, meaning that the judge creates a solution “for that” (the literal meaning of *ad hoc*). Although this approach has the advantage of introducing flexibility into decision-making, it leads to a bias—that of “judicial idiosyncrasy”—where the public interest is interpreted differently in similar cases. In light of these criticisms, this utilitarian model of the public interest is now frequently questioned regarding its legitimacy in reconciling collective needs and individual rights in a digital and globalized context (Pal & Maxwell, 2004).

Due to its flexibility, which stems from the characteristics of the common law legal system, this concept has gradually gained traction, leading to a different way of thinking about the public interest, concludes Chevallier (2013), noting that the notion of law as an “expression of the general will” in the Civil Law system has lost much of its credibility.

3.1.2. The French Model

In the French conception, the general interest is not the sum of individual interests. On the contrary, the existence and manifestation of individual interests can only harm the general interest, which, transcending each individual, is in a sense **the emanation of the will** of the community of citizens as such. This conception is that of the “general will” as formulated by Jean-Jacques Rousseau in “*The Social Contract*” (Allier, 2015; Bailleul, 2025; Barbin, 2013; Chevallier, 2013; Gaba, 2020). According to this voluntarist conception, Barbin (2013) notes that “the general interest would encompass a transcendental dimension insofar as it consists of an aggregation of wills and leads to the overcoming of narrow self-interest” (Barbin, 2013: p. 15). Because of this transcendental dimension, the general interest in the French model is an exception that requires any definition of the concept to be

considered relative and dependent on the cultural reality of the country in question, a cultural reality rooted in its history (Allier, 2015: p. 10). The *Conseil d'Etat* (1999) observes, however, that the concept has never been the subject of a shared definition that is binding on all.

As with the utilitarian model, the voluntarist model has its critics (see, for example, Allier, 2015; Barbin, 2013; Bolgar, 1965; Chevallier, 2013; *Conseil d'Etat*, 1999; Gaba, 2020; Trosa, 2017a, 2017b). Barbin (2013) observes that understanding this concept presents real difficulties. She adds that a definition of this cryptic notion “eludes any attempt by the intellect to confine it within a structured and comprehensive definition” (Barbin, 2013: p. 15; Deswarte, 1993: p. 24). Some authors even describe this model as a form of rhetoric rather than a reality (Doury & Lefébure, 2006)—that is, a concept that is not performative, as we will demonstrate later in this article. Most of these criticisms, which focus on both the way the concept is formulated and the methods used to implement it, highlight: 1) the lack of a clear definition of the concept of the public interest and the difficulties in operationalizing it, the concept often being viewed—as in the case of the notion of “public utility”, for example—as a means of masking the interests of specific and powerful groups; 2) the abstract nature of this model in relation to society’s concrete needs; 3) the risk of legislative or administrative arbitrariness; 4) the difficulty of reconciling particular interests; 5) its disconnect from economic realities, because the modern liberal view challenges voluntarism by asserting that the common good is best achieved through the sum of individual interests and competition, rather than through top-down imposition; 6) the public interest cannot be justified apart from the will of those who articulate it, namely, political actors, judges, public officials, interest group lobbies, etc. In practice, as summarized by Chevallier (2013), unlike in Anglo-Saxon countries—and particularly the United States—in France, as in other countries applying the civil law system, the voluntarist conception implies that parliamentary deliberation takes place free from lobbying pressure. This has consequently led to a rigid administrative model (Chevallier, 2013; see also Trosa, 2017a, 2017b).

3.1.3. Evolutionary Trends of the Two Models

While Civil Law tends to protect the public interest through the intervention of public authorities, Common Law relies on the balance of private interests to define it. The evolution of the two utilitarian and voluntarist models in their respective legal systems shows a shift from a purely contractual and individualistic view, in line with the Common Law perspective, towards greater recognition of the necessities of living together. For example, the public interest is increasingly used to justify legitimate limitations on individual rights in the name of social cohesion. From a Civil Law perspective, the understanding of the general interest is increasingly shifting toward a more pragmatic approach, questioning the scope of the State’s missions, the means of making its actions more effective and legitimate, and the balance to be sought between market efficiency and the imperatives of the general interest (See **Figure 1**). It is through such an evolution that the proactive

approach to the general interest will be able to better adapt to contemporary economic and social challenges, better align with modern values, and better respond to emerging needs (Conseil d'Etat, 1999) and reflected in the increased recognition of the need to “live together” and “build society” (Casteigts, 2017; Conseil d'Etat, 1999; Donzelot, 2015; Lähdesmäki et al., 2022; Vabre, 2005). **Living together** means enabling the various components of society to coexist harmoniously (Casteigts, 2017: p. 17). **Building a society** means interacting with and maintaining relationships with other members of a community (La Langue française, 2025). It is not about encircling or controlling; it is about surrounding, reassuring, and opening up. What makes a society is also the mindset that drives these open forms of cooperation (Vabre, 2005). By rising to this challenge, the public interest—despite the various criticisms it faces today—may regain sufficient strength and legitimacy to help define society's goals in the coming century (Conseil d'Etat, 1999; Lähdesmäki et al., 2022). The result of such an evolution is illustrated by the observation of Puustinen et al. (2017), who define the various conceptions of the public interest according to levels of regulation, referencing the approaches of Common Law and Civil Law.

In practice, this trend can be observed in all countries that have adopted the new public “governance” approach advocated by the NGP school of thought (Allier, 2015; Bartoli & Blatrix, 2015; Hall & Deardorff, 2006; Momo, 2023; Saner, 2005). From this perspective, any negotiation with social, political, or economic implications very quickly becomes the focus of public and media attention (Saner, 2005: pp. 201-222). This is how environmental organizations and associations, citizen advocacy groups, and nature conservation groups become involved, either directly or indirectly. These organizations represent the interests of the public.

This evolving trend in the two models of the public interest leads us to consider—and, indeed, to adopt—the logic of **hybridization**, drawing on the principle of the *included third party*—not to be confused with Aristotle's principle of the excluded third—which allows, according to Halpern (2019), to associate without distinguishing, to connect without distorting, thereby giving rise to a new way of managing through the public interest. Halpern observes that hybridization lies in fertilization (Halpern, 2019: p. 131). She then speaks of the “**hand of the future**”, “we agree to take in ours, even if its fingers are unclassifiable, unknown, and uncertain. [...] A world of risk that is measured on the scale of the individual, society, and organizations” (Halpern, 2019: pp. 139-140).

3.2. The Public Interest: A Dual Political and Legal Dimension

In both the Anglo-Saxon and French models, the public (or general) interest has a dual *political* and legal dimension (Allier, 2015; Barbin, 2013; Bolgar, 1965). With regard to its political dimension, the literature observes that in the French model, “the general interest is eminently a progressive political construct from which it cannot be independent” (see, for example, Allier, 2015: p. 15; Barbin, 2013: pp. 15, 21, 23; Bolgar, 1965: pp. 338, 345, 349). Thus, Barbin (2013) argues

that “the political intertwining of the general interest is undeniable, insofar as it constitutes a concept capable of representing ‘an indicator of the state of society’” (Barbin, 2013: p. 23; Conseil d’Etat, 1999). Even though she points out that in the Anglo-Saxon model, this dimension does not have the same ideological connotations as it does in France. Bolgar (1965) highlights the relevance of this dimension by tracing it back to the consequences of the social reception of Rousseau’s theories, including “political awareness conditioned by the deterioration of social and economic conditions under absolutism in Europe and by the outdated colonialist exploitation of the British government in the United States” (Bolgar, 1965: p. 338). In managerial terms, public organizations, compared to “private companies”, are subject to a political constraint that makes them unique and constitutes the general (or public) interest as it appears in the definition of public management that we have adopted (see Figure 1).

The public interest also has a *legal* dimension that derives directly from positive law, of which Civil Law, Labor Law, and Criminal Law are components (Barbin, 2013: pp. 23, 50; Bolgar, 1965: p. 335; see also Boot, 2024; Bailleuil, 2025; Feintuck, 2004; Mayson, 2011; Momo, 2023). The public or general interest plays a crucial role in law insofar as it justifies **an exception to the application of a rule**, observes Boot (2024: p. 111) (see also Mayson, 2011: p. 1). Indefinable and fluctuating, the notion of the public interest evokes situations for any publicist in which, although individuals have certain substantial rights, these rights yield to higher imperatives that affect the values and interests common to the entire community. In French public administration, Barbin (2013) observes that the definition of a number of administrative law concepts is conditioned by the presence of the public interest. In the French-speaking countries of Africa, Momo (2023) observes that the legal concept of the public interest, which underlies certain concepts of colonial and postcolonial African public law, is a legacy of French law. This concept, therefore, has its roots in the history of the French state. In these countries, the concept of the public interest grants public authorities’ powers that go beyond those provided for under ordinary law, he adds.

However, Barbin (2013) points out that even though identifying the public interest remains necessary regardless of the method used by the administrative judge, the public interest is not the **only** criterion for classifying a service as public, as this classification is based on a combination of several indicators (Barbin, 2013: p. 26). For example, among the courses of action available to it, the administration can make use of its policing powers, consisting of “a form of intervention exercised by certain administrative authorities, which consists of imposing restrictions on individual freedoms in order to ensure public order” (Barbin, 2013: p. 26).

3.3. Take Related Concepts into Account

A pluralistic society allows for the assertion of a multitude of group interests, which are often divergent and even contradictory. These divergences and contra-

dictions are expressed through government action, which involves the entire community, and the fragmented actions of citizens pursuing individualized goals. Whether it is, for example, the protection of a site, work, a way of life, or, more generally, social, cultural, political, or religious objectives, *associations*, in their various forms, are now seen in society as the instrument for pursuing different collective but specific goals (Verge, 1984: p. 554). This is why, depending on the context, particularly the historical and legal context of countries or the underlying logic of the model of public or general interest adopted, the literature highlights various notions related to the concept of public or general interest, all of which have equally varied definitions (Allier, 2015; Barbin, 2013; Boot, 2024; Gaba, 2020; Guiraud & Hulin, 2023). It should be noted, as we demonstrated in the introduction to this section on the problem of defining the public interest, that, in the voluntarist model, confusing the two distinct concepts of “general interest” and “public interest” constitutes a major epistemological risk: **that of reducing the action of the State to a simple managerial or accounting logic**, which can then lead to a privatization of the concept of general interest, making it overly responsive to dominant private interests rather than to social cohesion (see Geoffrey, 1990). Private and/or commercial interests may sometimes be given priority over the public interest (e.g., ratepayers acting as guarantors of commercial profits); on the other hand, the public interest—in reality, the individual interest of a particular government department—may be favored at the expense of the citizen (e.g., a public authority fails to revoke the license of an investment company that has lost all credibility, and the private individual will have to bear the burden). On this point, Saberan (2008: p. 71) says that there’s a paradox in Adam Smith’s utilitarian view of the public interest: does the national interest come before the public interest? Adam Smith shows that there are situations in which individual interest (of consumers or simply citizens, for example) can be sacrificed for the benefit of the general interest (see Saberan, 2008: pp. 70-71). As Barbin (2013) points out, the boundaries between these different related concepts “suffer from their high permeability, without excluding the identification of conceptual nuances in the study of linguistic uses” (Barbier, 2013: p. 16). For example, Gaba (2020) notes a distinction between the general interest, the common interest, and the public interest. This distinction reflects a broader distinction between transcendence and immanence, as applied to particular interests. In the same vein, he observes that the two terms “general interest” and “public interest” are very often confused, but wrongly so; “one cannot identify these two concepts a priori, unless one posits that society is nothing more than the juxtaposition of the individuals who compose it” (Gaba, 2020: p. 1057).

In the framework of the development of decentralized local authorities, another type of interest, “local public interests”, is mobilized. Local authorities are characterized by the existence of a solidarity of interests that creates a special bond between their inhabitants, with local needs that are distinct from the general needs common to all inhabitants of the national territory.

The free interpretation that everyone can make of these different concepts, depending on the model adopted to define the public interest in their case, raises a fundamental question that can be analyzed in three dimensions (Allier, 2015: p. 3): *political* (Who is responsible for it?); *strategic* (What is it about? What levers should be used to influence it?); *operational* (How does it work?). According to Boot (2024: pp. 116-119), a **civic** conception of the public interest must satisfy three conditions: 1) the condition of **normativity** (the public interest must be both substantive and normative, i.e., there must be an objective criterion for establishing the truth of claims about competing interests); 2) **Rousseau's** condition, which excludes the **aggregative** conception of the general interest (the conception of the public interest does not start from particular or private interests—an approach that would lead not to the “general will”, but rather to the “will of all” according to the principle of the dominant majority, the application of which may, moreover, justify the majority imposing significant costs on the minority, but rather to reflect a genuine public interest understood as an interest shared by all members of the community (see the necessity and urgency of building a “common project” discussed in the last point of this article); 3) the condition of **liberalism**, which stipulates that individual interests may conflict with each other and with the general interest (contrary to Aristotle's conception, which does not accept any justifiable conflict between the good of individuals and the common good of the city). This condition thus differs from the unitary conception, which posits a unity between the good of the individual and the good of the community as a whole, thereby excluding the possibility of justifiable conflicts of interest. Yet in today's pluralistic societies, unanimity on private or individual interests can no longer be assumed, just as it is particularly “troubling” to assume unity between the common interests of the community and the private interests of individuals (Boot, 2024: pp. 118-119). Noting that the social and political order will henceforth be scrutinized by Reason, Chevallier (2013) emphasizes—taking into account, let us say, the criterion of liberalism put forward by Boot—the necessity of the principle of legitimizing public actions based on the concept of interest in the definition of public management (Chevallier, 2013).

The key common feature of the concept of the “public interest” and related concepts we have just reviewed is that they characterize the relationship between the **person** (beyond the simple social individual) and the **collective** to which they belong (beyond all boundaries). The tensions and contradictions that these concepts give rise to when applied within an organization's real workflow illustrate the complexity of the concept of the public interest through the processes of “sensemaking” and “sensegiving”, particularly through operations of its “**identification**” or “**qualification**” (Barbin, 2013: pp. 19-24). In an approach to the co-construction of public performance that adopts a paradox-based methodology, these tensions and oppositions are understandable, and their relative autonomy does not prevent them from interacting to build a coherent and dynamic system regulated by the public interest.

4. Managerial Implications from the Public Interest-Based Approach

A growing trend emerges from the literature in support of changing the approach to defining, identifying, characterizing, or constructing the public interest within public organizations (Boot, 2024; Chevallier & Loschak, 1982; Elcock, 2006; Genard, 2000; Gibert & Verrier, 2016; Momo, 2023). The aim of this shift in approach is, at the least, to contribute to excellence in public performance as we define it in this article. We call it the “*public interest-based approach*” since, within the theoretical framework of this article, the public interest is considered the foundation of public action. From the perspective of public management, the public interest-based approach challenges the legitimacy of public action and the quality of public organizations’ performance in light of the four criteria we have identified in this article. At the same time, however, the application of this concept raises the question of its effectiveness as a theoretical framework for promoting, in a stance of *action*, “living together” and “building society”. And if the performativity commitments have not been met, what can be done to ensure that the public interest is not merely a rhetorical device used to legitimize public actions? The analysis of its managerial implications is structured here around these three perspectives.

4.1. The Imperative of Performance and Respect for the Principle of Proportionality

The public management approach, as we have defined it within the conceptual framework of this article by emphasizing the **role of public authority** and the challenge of **legitimizing public action**, will compel the entire public administration to undertake a comprehensive reevaluation of its objectives, structures, and methods. We have observed that one of the major challenges facing public management is that of **reconciling, in the public interest**, the reforms aimed at modernizing public administrations on the one hand, and, on the other hand, the very purpose of public action, while taking into account the factors that motivate public servants and citizens and foster their commitment to their public administration (see the concept of Motivation for Public Service (MSP)).

The managerial implications of the political dimension of the public interest will lead to a pragmatic view of the public interest (see, for example, Duarte, 2025; Lindblom, 1959). The public interest is thus no longer perceived merely as an abstract legal concept, but as a **strategic objective and a source of legitimacy** for public organizations. With regard to the “*importance of results*” indicator under the criterion of excellence (see Table A in the appendix), this approach challenges public organizations to **reconcile individual and collective interests, to justify their actions through a mission of public utility**, and to **involve citizens** in the **co-creation of value** in the public sector. Stakeholders are thus transformed into **partners** in the common interest, while respecting the rule of law and the limits imposed by the inevitable primacy of political logic—which notably involves the legal requirement that managers adopt rules of “good governance”. As Gibert and

Verrier (2016) point out, the issue here is to examine the binding nature of rules of “good public management” and their censorship by the courts. “The managerialization of law or the juridification of management—which has thus far prompted numerous contributions from legal scholars, sociologists of law, and public policy experts—is effective only if the rules in question occupy a high position in the hierarchy of legal norms and if the courts treat management tools, methods, and standards as a matter of law” (Gibert & Verrier, 2016: p. 167). For example, “What weight does the judge assign to the practices and tools of ‘good public management’ enshrined in positive law? Does the judge take the legislature at its word when it expresses a desire to discipline—in managerial terms—the political sphere?” (Gibert & Verrier, 2016: p. 167). This line of inquiry concerns in particular: 1) the search for a balance between the public interest and private interests, which are often in conflict; 2) the justification of decisions by public managers, based on the criteria of proportionality and fundamental rights; 3) the requirement for transparency, which entails a clear justification of decisions made and greater consideration for individuals, thereby strengthening the rule of law. The principle of **proportionality** in administrative law requires the government to act in such a way that its measures are *appropriate, necessary, and proportionate* to the public interest objective sought, without unduly infringing on citizens’ rights. This principle is a cornerstone of the rule of law, ensuring that the government does not stray into arbitrariness or act in a “manifestly unreasonable” manner. It provides a framework for judges to assess the **legality of administrative acts**, seeking a balance between the prerogatives of public authority and the rights of citizens (see, for example, Boot, 2024; Tsakyrakis, 2009). What the NPM reforms promise us under the banner of the “managerialization” of the public service, Genard (2000: p. 4) concludes, is “a profound redefinition of our administrative culture, of the many mechanisms intrinsically linked to it (civil service status, permanent appointments, career structures, pyramidal hierarchy, limited outsourcing of services, etc.), and of the forms of defense for the protection of citizens that they had generated (in particular, forms of public sector unionism and avenues for appeal against administrative acts).”

With regard to public performance—the complexity of which is widely emphasized in the literature—Gibert and Verrier (2016) observe that the emergence in administrative case law of the rule of proportionality of public decisions with their foreseeable impacts—and in particular the examination of the cost-benefit analysis—raises the question of the pervasiveness of internal legality review and the systemic balance (the cost-benefit analysis), which is the foundation of managerial rationality (see Peter Drucker’s definition). This emergence of the principle of proportionality, Gibert and Verrier (2016: p. 168) conclude, “seems, on the surface, to raise the question of evaluating inputs and outputs—a central aspect of any managerial process and a recognized foundation of sound management practices”. This evaluation, we would add, should thus focus on the “real work” of transforming inputs into outputs to produce the real performance that reflects the

dynamics of any collective action and allows the manager to demonstrate that he or she is acting in the best interest of the collective (see Duarte, 2025).

With regard to the managerial implications of the legal dimension of the public interest, the public interest functions simultaneously as a standard for interpreting legal texts, a standard for authorization, a standard for prohibition, and ultimately, a standard for oversight (Truchet, 2017). The public interest functions as a tool for measuring the legality or lawfulness of a behavior or decision and, consequently, the freedom of a natural or legal person. Some people talk about a “technicalization” of debates on justice. This results in significant tensions regarding professional identity and legitimacy within the field of justice. While the legal approach prioritizes legality and values, management prioritizes the achievement of objectives using performance indicators, sometimes at the risk of prioritizing efficiency over procedure. As Truchet (2017: p. 8) observes, “*The days when invoking the public interest put an end to the discussion are over. It must be demonstrated, case by case. It has itself become a subject of debate.*” The point, he explains, is to place on one side of the scale the public interest we are pursuing or claiming, and on the other, all the drawbacks of the operation we wish to carry out, the decision we wish to make, the information we wish to publish, etc., and then see which way the scales tip.

In terms of methodology, public organizations will rely on a technical-economic rationale (cost, benefit) rather than a purely legalistic one, and will incorporate elements of citizen participation to enhance their legitimacy. The bureaucratic operating model through which the administration had strongly contributed to preserving the stability of social balances now appears merely as an obstacle to be removed so that the administration can fully play its role according to the logic of managerial rationality. The administration is required to forge its own legitimacy by demonstrating that it acts in the best interest of the collective (Chevallier & Loschak, 1982: p. 56). Boudon (1986) speaks of “situated rationality,” that is, the “good reasons” that led the public manager to act as he did. Chevalier (2008) observes that judges themselves have embraced this imperative of efficiency, which lies at the heart of public management. As evidence, he points to “the gradual shift, at both the constitutional and administrative levels, toward a proportionality review, aimed at assessing the validity of legislation or regulations based on the concrete circumstances on the ground, the ‘balancing of interests’ at stake, or the balance between the disadvantages and advantages it entails” (Chevallier, 2008: p. 3). In this regard, the analysis must take into account the dynamics of the actual workflow involved in implementing public actions to produce real performance. This is why the literature shows that nothing is yet certain.

Gibert and Verrier (2016: pp. 193-194), observe, for their part, that the institutionalization of managerial norms comes up against the force of a political rationality that is ill-suited to precise objectives and the articulation of a genuine **theory of action** linking desired objectives and chosen means—taking into account the contingencies of the real flow of work and the dynamics of collective action (we

might add). And that the constitutional or administrative judge, sensitive to the difficulties of governance, demonstrates, at least with regard to the State, a degree of leniency through a minimalist interpretation of his or her oversight of the application of managerial rules.

Drawing on Truchet's metaphor of the scales (Truchet, 2017: p. 8)—and thus the balance beam—these analyses lead to the conclusion that, by relying on the principle of situated rationality—in particular the application of the principle of proportionality as well as the modes of axiological and teleological rationality (see Boudon, 1986: pp. 11-13, 294-295)—managerial rationality, in relation to the public interest, acts as a **buffer** between excessive political politicization of administrative decisions and a formal, rigid judicialization of public action disconnected from the realities of public management. These various examples of challenges and questions surrounding the operationalization of the concept of the public interest underscore the relevance of the question of its performativity.

4.2. The Promises of the Public Interest: A Performative Discourse? or Simply Rhetoric Used to Legitimize the Actions and Decisions of the Political-Administrative System?

The combination of all these managerial implications of the political and legal dimensions of the public interest that we have just described underlies the potentially performative nature of this concept. In accordance with the criteria for the felicity of a concept or theory—effectuation, operationalization, and realization—as defined by Berkowitz and Dumez (2015), the question that arises is whether the concept of the public interest is performative. In discussing this question, it becomes clear that, by its very nature as the legal foundation of the prerogatives of public power and the supreme purpose that justifies state action, guides its decisions, and enables judicial review, the public interest fulfills the condition of **effectuation**, as defined by Berkowitz and Dumez (2015: p. 4), because it is embedded in a system or framework, enabling the reinforcement of socially situated practices of calculation and decision-making and intended to fulfill certain objectives, such as solving a problem or producing a specific effect. This is indeed the case, as we are applying this theory here within the context of the organizational structures of the state apparatus and the organizational routines of public administrations, with the aim of developing excellent, collaboratively built, resilient, and sustainable public performance (Polisci.institute, 2024: Chapter 13: *Public Interest Approach* (Sections 13.1 - 13.4), and Chapter 15: *Good Governance Approach* (Sections 15.1 - 15.4)). It also meets the condition of **operationalization**, as defined by Berkowitz and Dumez (2015: p. 4), whether intentional or not. This involves linking different events, places, and actors. That is to say, it must be “mobile”, “stable”, and “combinable”. It is “mobile” because it is capable of circulating, particularly between the worlds of public management, political science, and legal studies, and the daily lives of a country's citizens. It is “stable” insofar as it serves as a framework for public policy interventions and for evaluating administrative

decisions against the criterion of proportionality. The concept of the public interest is, in fact, “combinable” because it consists of elements that can be aggregated in different configurations at the political, managerial, and legal levels (see, for example, related concepts such as the general interest, the collective interest, the common interest, public utility, etc.).

Provided that the realities on the ground are taken into account when implementing the selected measures, the fulfillment of these first two conditions allows the administrative bureaucracy, as summarized by [Chevallier and Loschak \(1982: p. 73\)](#), to break away from the authoritarian and distant command style characteristic of bureaucratic administration. This caveat calls into question the third condition for felicity. Regarding this third condition—the effective achievement of the objectives of mobilizing the theory of public interest—in practice, performance is always difficult to assess clearly and unambiguously ([Bartoli & Blatrix, 2015](#); [Mazouz & Leclerc, 2008](#); [Ngouo, 2018, 2022, 2024](#); [Summermatter & Siegel, 2009](#)). Thus, we settle for a criterion known as “remediability” to explain why the theory fails to capture reality ([Berkowitz & Dumez, 2015: p. 5](#)). For example, the mechanisms have no credible alternative, or have an alternative that is difficult to implement, or have a plausible alternative but with low expected gains ([Berkowitz & Dumez, 2015: p. 5](#)). We are dealing here with the second scenario: an institutional and organizational framework does indeed exist, but its implementation is difficult to achieve. We have discussed at length above examples of these difficulties regarding the definition of the concept and its political and legal dimensions. For example, cases of expropriation of communities for reasons of public utility (EPU) without prior compensation—despite the *legal obligation to provide prior or fair compensation*—as reported in the literature, illustrate the difficulties in applying the concept of public interest, defined as a concept related to that of the general interest, in practice (see, for example, [Cossi Houédin, N’Guessan, Diaby, & Otcho, 2023](#); [Manga Tsoungui, 2019](#)). In some of these cases, an expropriation decree issued by the state results in a transfer of ownership and allows the state to take possession of the property before the compensation is actually paid (see, for example, [Manga Tsoungui, 2019](#); [Mopi Touoyem, 2022](#)). This practice affects public performance in several ways. It leads to problems with property valuation, undervaluation, failure to pay later on, or, in some cases, payments being made to the wrong people, resulting in inextricable conflicts. During the implementation of a public interest project involving expropriation, these cases create, throughout the real workflow, numerous tensions between the owners of the affected land and the companies responsible for carrying out the project, leading to work stoppages. This poses a problem for the government—whose administrative performance must meet the requirements of excellence, co-construction, resilience, and sustainability—as well as for the contractor, who must meet its commitment deadlines and cost targets, regarding the management of performance drivers (structural drivers, operational drivers, and cost drivers). For example, [Ngouo \(2018: p. 160\)](#) notes that cost drivers are the immediate cause of resource con-

sumption within an activity. By way of illustration, the International Monetary Fund (IMF) notes, for example, that delays in the delivery of public projects substantially deplete public treasury resources (See, for example, Report No. 25/071, March 12, 2025). Expected economic benefits are undermined, debt servicing is exacerbated, and the achievement of development goals is compromised.

While the theory of public interest fulfills the conditions of incorporation and effectuation, it does not satisfy the condition of realization. It is therefore **not performative**. The promises expressed through the first two conditions, which are satisfied, are not sufficient to ensure that what is stated is actually realized. Rather, these promises function as **a rhetoric for legitimizing the actions and decisions of the political-administrative system** within public organizations—for example, a rhetoric to legitimize the exercise of public coercion or to mask particular interests (see, for example, Doury & Lefébure, 2006). Rather than a theory that genuinely contributes to improving organizational practices, it appears to be nothing more than a passing management fad. In this regard, Puustinen, Mäntysalo, and Jarenko (2017: p. 93) conclude their article, which applies the concept in Finland, by noting that the coexistence of various conceptions of the public interest can make this concept more of a doubtful rhetorical tool in the practice of land-use planning, emphasizing that without an explanation of the discursive context, the concept is meaningless (Finland is one of the countries that has adopted the civil law system).

4.3. All Is Not Lost: The Theory of Public Interest Can Transcend Its Current Status as Managerial Rhetoric

If the third condition of felicity were met just as the first two were, we would be faced with a performative process that is said to be *framed*; the theory has specified the conditions of its performativity and fulfills them. This is not the case with the theory of public interest, as we have just demonstrated. There is a second type of performativity process known as *overflow*: the theory does not itself specify its conditions of felicity, but finds itself performing practices without having anticipated or intended to do so. It is this path that we will now explore to see to what extent the theory of the public interest can move beyond its status as legitimizing rhetoric to find itself in a position to perform practices in public organizations as announced in the promises of the discourse and programs of state actors. As Berkowitz and Dumez (2015) point out, highlighting cases of the performativity of theories through overflow is an invitation for managers to be more **inventive** in their approach to theorization (Berkowitz & Dumez, 2015: p. 14; Halpern, 2019). For example, Halpern (2019: pp. 149-166) demonstrates that hybridization is not vain innovation, nor fracturing, nor vain relativism. Taking relativism, for example, she observes that society, industry, and the economy of tailor-made and personalized products are a terrible threat to social cohesion. She argues that there are “truths, *fake-news*, and a whiff of post-truth, when knowledge and opinion are confused. Truth becomes relative because we confuse it with truth. *It is opinion*

that is relative, but knowledge, the truths of learning, are not, since they reflect reality without distorting or misrepresenting it" (p. 164).

The literature points to potential developments in the public interest approach, suggesting that the concept could, in practice, meet the condition of effectively realizing the objectives pursued through its application. It highlights a shift toward ensuring that the public interest is no longer conceived exclusively as a "top-down" (Civil Law) or "bottom-up" (Common Law) (Boot, 2024; Chevallier, 2013; Gaba, 2020; Kramer, 2024; Lebel & Le Saunier, 2006; Meyerson, 2007; Pal & Maxwell, 2004; Trosa, 2017a, 2017b). The flexible conception of the public interest in the Common Law system—which calls for the use of both formal and informal means of participation—has long been contrasted with the rigid, Civil Law-based conception of the French model, in which participation is viewed with suspicion due to the risk of compromising the public interest. Today, however, this contrast is gradually fading. The flexible conception has gradually spread, leading to a different way of thinking about the issue of the public interest (Chevallier, 2013). In the Common Law system, the concept of the general interest or public interest is also frequently questioned regarding its ability to reconcile collective needs and individual rights in a digital and globalized context (Kramer, 2024; Pal & Maxwell, 2004). Generally speaking, in a constantly evolving international environment where different legal systems coexist, these two approaches to management based on the general interest are increasingly converging through **hybridization** (Emery & Giauque, 2014; Gibert, 2002; Halpern, 2019; Lebel & Le Saunier, 2006).

Yesterday's achievements in terms of the conception, definition, and management of the public interest are being called into question; the foundations of yesterday's dominant players are being severely shaken. The public service of tomorrow will no longer be like that of today, emphasizes Trosa (2017a: p. 97). In this context, the question of the general interest arises in terms of a **paradox**, which Trosa (2017a: p. 98) describes as follows: "*Traditionally, the general interest is a kind of pre-existing given, developed by civil servants within the framework of political objectives, which is opposed to the partial and biased views of citizens and users. If, on the other hand, the general interest is co-constructed with citizens, this raises the problem of 'nominalism' (as many general interests as there are co-constructions) and, on a positive note, the need to strengthen civil servants' knowledge of the general interest so that co-construction leads to positive solutions.*"

The advantage of this paradoxical perspective lies in the fact that it will lead to the adoption of a **sense-based management approach** that will replace the linear and mechanical management of Weberian bureaucratic logic, emphasizes Trosa (2017a: p. 98). Collective action, as Crozier and Friedberg (1977) (see also Reynaud, 1997) point out, is a social construct whose existence poses organizational problems because modes of collective action are not "natural" given. They are nothing more than **specific** solutions that relatively autonomous actors, with their particular resources and capabilities, have created, invented, and instituted to re-

solve the problem of cooperation in order to achieve common goals, despite their divergent orientations (Crozier & Friedberg, 1977: pp. 15-16). These solutions must enable the articulation and maintenance of an increasingly free and autonomous whole for each actor, with **greater variety**, more inconsistencies, and therefore greater richness in their interactions. The way in which the essential cooperation and coordination between individuals, actions, and behaviors of the various actors is constructed is, therefore, a central and fundamental problem that must be solved by any collective endeavor of people pursuing performance objectives, as is the case in this article with regard to public organizations whose ultimate goal is the public interest. Any solution adopted will always be contingent, as it necessarily depends on the technical, economic, social, and cultural characteristics that, in a sense, constitute the underlying structure of the context in question (Crozier & Friedberg, 1977).

5. Discussion

We have demonstrated that the theory of public interest is not performative, but that it can become so through *overflow* by satisfying the condition of “realization” as defined by Berkowitz and Dumez (2015). Following the logic of interpreting the issues of the performance of any collective action—at the risk of failing to perform reality—the public interest can no longer assert itself as an authoritative argument, as it also depends on the **relevance** of decisions made, particularly by taking into account this requirement for diversity and, at the same time, the inconsistencies inherent in collective action. Thus, the use of **engaging participation** through the co-construction approach appears as a means of re-establishing the public interest by grounding it in a principle of **procedural legitimacy**, thereby creating the conditions that will allow the fulfillment, through overflow, of the condition of felicity relative to the criterion of “realization”. As we have noted, the approach of performativity through overflow encourages managers to be more **inventive** in their engagement with theory, and particularly with the mechanisms for implementing the concept. Taking into account the criteria of excellence, resilience, and sustainability when evaluating the performance of public organizations invites stakeholders, evaluators, and public administrations to move beyond the *denial of reality* that traps them in fragmented systems of action designed to provide reassurance, rather than confronting the scale of change required to address the issues and challenges of the future.

An analysis of the implications of this “overflowing” performativity of the concept provides an opportunity for in-depth examination—both of the concept itself, in light of its historical origins, its multiple dimensions, and its related notions, as we have shown, and of the current global context in which its universality is expressed despite differences in its conceptualizations. Regarding this third angle, for example, that of regulating the mechanism for implementing the concept, Allier (2015: pp. 36-54) observes that in practice, the general interest is embodied in three complementary dimensions that are inseparable but each of a very differ-

ent nature: ensuring regulation, taking action in response to the needs of the population, and fostering a shared sense of purpose for the collective project. The analysis of the issue regarding the assurance of regulation in the public interest may involve an assessment of the mechanisms for implementing the concept of the public interest, focusing on three points: 1) the management of inevitable paradoxical tensions; 2) the counterproductive nature of the current regulatory system; and 3) the urgency of exploring ways to evolve collective governance regarding the public interest.

To strengthen actors' motivation to prioritize the public interest in their decision-making and to take action aimed at improving public performance, Trosa (2017b) argues that a high level of engagement among relevant stakeholders—particularly users and citizens—could ensure a commitment to quality as well as the ongoing improvement of this performance (Trosa, 2017b: p. 85). In an effort to co-construct public performance, this involvement can be achieved through a combined approach of “**participatory democracy**” and “**deliberative democracy**”. It should be noted that “participatory democracy” and “deliberative democracy” are not synonyms. As common elements, both concepts place citizens at the center; they are built on the inclusion of citizens in political life, giving them the opportunity to make their voices heard and to influence how their community is governed. They are, however, different. “Participatory democracy” emphasizes the *involvement* of citizens and other stakeholders in public policy, while also implementing new mechanisms that facilitate the creation of diverse public spaces (“public debates”, “citizen workshops”, etc.). “Deliberative democracy” emphasizes the need for *argument-based* debates among citizens, the public discussion of major political issues, and the opening of this discussion to citizens.

Furthermore, regardless of the approach taken, we must not lose sight of the paradox of collective action, for it is not enough for individuals to share a common interest for them to act together to achieve it in the best possible way. Paradoxically, in fact, each individual may calculate that they gain nothing by contributing their share to the achievement of this common interest, since that interest will be achieved in any case. This is the **paradox of collective action**, as formulated by Mancur Olson: *an organized group of rational individuals who all share a common interest, are all aware of that interest [and thus share it], and are each capable of contributing to the realization of that interest, will not act in the interest of that common good in most cases*. In other words, **if all members of the group are rational, the realization of this common interest will not be optimal**. This is because each member of the group may reason that they have nothing to gain by contributing, since if the project of common interest is carried out, they will have access to it anyway, and it is obviously more advantageous for them not to have spent anything in that case. If the project is not achieved, they lose nothing since they have not contributed (see, for example, Reynaud, 1997: pp. 69-72; Surowiecki, 2008: p. 192). A “common” and “shared” project, therefore, is built on a definition

of the public interest that takes into account the requirements of the three criteria—normativity, Rousseau, and liberalism—formulated by Boot (2024), which we have outlined in this article.

6. Study Limitations, Future Perspectives, and Implications of the Results

6.1. Limitations of the Study

The limitations encountered in this study are methodological in nature and relate to the conceptual analysis method proposed by Johan Olsthoorn, as well as the “realist” type of literature review we used. These limitations are widely discussed in the literature (see, for example, Olsthoorn, 2017; Pawson et al., 2005; Ngouo, 2022; Robert & Riddes, 2013). By addressing the question of understanding the concept of the “public interest” through two distinct models of its definition, as seen in today’s world, we have exposed ourselves in this article to some of these different types of bias. All the more so, as we have shown, since the two models do not use the same word to designate the ontological reality of this notion as understood by actors in the field.

6.2. Future Prospects

Several avenues of research could be explored to further examine the findings presented in this article. Given the public management perspective we have adopted, and due to the limited length of this article, we propose a research focus on the performativity of the concept of the public interest. With regard to this axis, research can be conducted to identify the key success factors (KSFs) for satisfying the third condition of felicity, “realization”, so that the concept can perform. This research can be carried out by considering, throughout the real workflow, either the political or legal dimensions of the concept, or related concepts, or the sectors of public action (education, health, security, transportation, etc.). The results can help to gather factual evidence (Giambattista Vico’s “verum factum” principle), validating or invalidating our argument on the framed non-performativity of the concept of the public interest.

6.3. Implications of the Results

From the lessons we draw from the results of the analyses presented in this article, and taking into account the knowledge and experience we have acquired in the field, we formulate the implications of these results in two areas: the *attitude* that must be observed when mobilizing the concept of the public interest, and *public management teaching*. With regard to the attitude to be adopted, we believe that **humility** and **caution** should be exercised when invoking this concept. It is important to recognize that this concept is “indefinable” and therefore must be used with careful consideration. To do so, we must always take care to specify the theoretical basis on which we rely to invoke the concept and bear in mind the limitations of this theoretical perspective when we are in the field of action to produce

the real performance of public organizations. And in this real world, we must prepare our minds to face contradictions and paradoxes and to live constantly with an awareness of human complexity, as Morin (2011, 2015) and Halpern (2019) invite us to do. Boot (2024) notes that the lack of a clear definition of the public interest “has led to *ad hoc* applications of this concept and, consequently, to ‘judicial idiosyncrasy,’ which is likely to threaten legal certainty” (Boot, 2024: p. 111; Lewis, 2015: p. 143). For example, he suggests that lawyers use the concept of public interest far more parsimoniously (Boot, 2024: p. 127). In terms of public management teaching, this concept must be resolutely embraced with the aim of developing training modules for the various sectors of public administration, as well as projects to support public administrations, especially decentralized local authorities (DLAs), to help them co-construct the concept of the public interest that legitimizes their public action among the beneficiaries of their services. Following the example of what is already being done in the legal field, the subject could also be the focus of in-depth research at the Master’s degree level or even a doctoral thesis in public management in specific, well-defined contexts. In this regard, it should be noted that Gaba (2020) pointed out, as we highlighted in the article, that monographs or articles on the subject are often monolithic, dealing only incidentally with the interaction between the various interests involved. In this regard, therefore, much remains to be done, particularly from a managerial perspective.

7. Conclusion

In conclusion, the question of specificity, interaction, and more generally, overall consistency between individual, collective, and general interests is inevitable and necessary, as we have shown. By choosing the public management approach as our analytical perspective, we have also demonstrated the need for a holistic analytical framework for these interests, taking into account the anchors of the two different legal systems of Common Law and Civil Law within which these concepts are operationalized. This framework is based, among other things, on the concept of hybridization, taking into account Gaba’s criticism of the monolithic and linear nature of studies conducted on this subject to date (Gaba, 2020), which lack a comprehensive understanding of the legal system in question and incidentally address the interactions between the various interests at stake. We must face the facts and accept that human beings are now characterized by “composite, contradictory nature”, to quote Halpern (2019: pp. 22-23) when she talks about the world of centaurs that surrounds us. We must not lose sight of this reality, which justifies the importance we attach, in choosing our analytical perspective, to the concept of the “real performance” of public organizations, i.e., the performance that effectively impacts the quality of life of each citizen, as opposed to “prescribed performance”.

We believe that by adopting a pragmatic approach, stakeholders in any public action, in one capacity or another, will no longer be able to use the scapegoat argument to shirk responsibility when the time comes to evaluate collective perfor-

mance. It should be noted that the “scapegoat” argument reflects a linear, bureaucratic interpretation of the complex phenomena we encounter in the course of real work.

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On a completely different note, we would like to join the scientific community in paying tribute to Professor Edgar Morin, a distinguished sociologist and leading expert on “complexity theory”, who passed away on May 29, 2026, in France at the age of 104. Through his work on the complexity of organizational phenomena—to which this article refers extensively by invoking the concept of “real performance”—Professor Edgar Morin has guided us in our daily teaching and research on organizational development, particularly that of public organizations. We remember him for this profoundly humble observation: “While devoting myself to complex knowledge, [...] I am drawn to the local, the contingent. [...] And I cannot ignore my own ignorance,” he wrote (Morin, 2011: pp. 17-18). We have made this our own in all our endeavors.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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Appendix

Table A1. Indicators of excellence, co-construction, resilience, and durability criteria for the performance of public organizations.

Indicators	Key Elements to Look For	
Excellence	Leadership	<ul style="list-style-type: none"> - Leadership of the political and administrative system - Leadership in social responsibility
	Data Analysis and Knowledge Management	<ul style="list-style-type: none"> - Review of the four phases of knowledge management (<i>KM</i>) implementation - Proactive knowledge retention measures - Organizational learning architecture and KM technology infrastructure - Cross-functional knowledge sharing
	Orientation for Beneficiaries	<ul style="list-style-type: none"> - Approach to defining beneficiaries' expectations and needs - Approach to defining the public interest
	Performance Measurement and Analysis	<ul style="list-style-type: none"> - Information management and performance measurement devices - Devices to encourage the participation of service beneficiaries
	Human Resources Orientation	<ul style="list-style-type: none"> - Employee motivation practices - Employee and stakeholder well-being and satisfaction - Effectiveness of communication in interpersonal relationships - Organization of new employee integration - Perceived organizational support (POS) of staff - Organizational commitment of staff
	Operational Orientation	<ul style="list-style-type: none"> - Effectiveness, efficiency - Optimization of the organization's processes and working methods - Ability to quickly resolve problems and dysfunctions
	Importance of the Results	<ul style="list-style-type: none"> - Added value - Results exceed people's expectations - Improvement in beneficiary-user satisfaction
	Approach to Involving Citizens and All Stakeholders	<ul style="list-style-type: none"> - Individual and collective motivations of the actors involved in participating - Effectiveness of an engaging co-construction process - Managing fatigue associated with co-construction
	Variables of the Context of Implementation of the Plans Adopted	<ul style="list-style-type: none"> - Spatial, structural, and sociodemographic variables - Measures to facilitate interactions between state institutions and actors in the field (see, e.g., "Public policy networks")
	Effects of the Approach	<ul style="list-style-type: none"> - On the design of the structure, the development of organizational culture, and the management style of public services - Strategies adopted to enable public sector professionals and users of the services produced to focus on the quality of the service provided to its users
Generalized Trust of Decision-Makers	<ul style="list-style-type: none"> - Decision-makers' assessment of citizens' ability to participate - Level of empowerment of service users to move beyond their passive, receptive role so that they can influence the outcomes of public actions 	

Continued

		- Psychological dimension
	Individual Resilience	- Adaptability
		- Social resources
	Organizational Resilience	- Financial capacity
		- Operational capacity
		- Human resources and leadership
Resilience		- Level of vulnerability and adaptive capacity
		- Measures promoting recovery after an adverse event
		- Effectiveness of these measures
	Community Resilience	- Resources and security
		- Governance and cooperation
		- Integration of the “sustainable development” dimension into public policies and actions
		- Existence of an environment conducive to realizing the full potential available in the context under consideration to respond to crises and disasters
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		Functional autonomy:
		- Financial capacity
		- Managerial capacity
	Institutional Durability	- Technical capacity
		Legitimacy:
		- Procedural legitimacy
		- Participatory legitimacy
		- Inter-organizational legitimacy
		Environmental pillar:
		- Climate change
		- Natural resources
		- Biodiversity
Durability		- Pollution and waste management
		Economic pillar:
		- Jobs and economic growth
		- Investment and Research & Development
	Sustainability	- Wealth creation
		- Governance
		- Risk management
		Social pillar:
		- Human rights and social justice
		- Health and safety
		- Concern for intra- and intergenerational equity, social ethics, and solidarity
		Participation and engagement:
		- The participation and engagement of citizens and the groups that represent them are essential to ensuring environmental, social, and economic sustainability
