CITIZEN CONFERENCE OF PARTIES
CCOP | LUMEN PROGRAMME

CONCEPT NOTE

PUBLIC VALUE

From fundamental values to their effective realisation

Defining net public value and accelerating its creation in LUMEN

Proposed general definition of public value, illustrated through the French constitutional and institutional context.

> **'Liberty, Equality, Fraternity': a motto is not yet a reality. LUMEN proposes to make observable how these values become — or fail to become — effective conditions of life.**

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Liberty, Equality, Fraternity: what are these words worth in reality?

Imagine that a public administration replaces its last local service counters with an exclusively digital procedure. The decision is lawful, entitlement to the service remains, and operating expenditure falls. For most connected users, the process may even become faster. Yet some older people, people with disabilities, isolated people, those less comfortable with written communication, or those without a reliable connection can no longer complete the procedure unaided. Relatives and associations step in; other services later deal with the errors, delays, emergencies and failures to take up entitlements.

- **Liberty.** The right still exists, but part of the population has lost some of its real ability to exercise it.
- **Equality.** The rule is the same for everyone, but its effects are unequal because people's circumstances and access capacities differ.
- **Fraternity.** The need for assistance has not disappeared: it has been transferred, often without resources or recognition, to families, associations and downstream staff.

Has this policy created public value? The saving recorded in the budget cannot answer that question on its own. Effective access to the right, the distribution of benefits and burdens, the quality of the relationship with the institution, displaced costs, and the scheme's ability to endure must also be observed. This example is deliberately hypothetical: it illustrates the nature of the question before any quantification.

'Liberty, Equality, Fraternity' and the French constitutional framework serve here as a pedagogical thread. They do not confine the definition of public value or the Net Legal Production Index (NLPI) to the French case. In another country, the same approach would begin with the values, rights, obligations, objectives and limits legally applicable within its own constitutional order, before articulating them with its regional and international commitments.

NLPI is one of LUMEN's three complementary lenses. This governance infrastructure applies to any object of action whose purposes, scope, responsible actors and effects can be specified: a public, private or non-profit organisation, a public policy, a decision, a norm, a service, a programme, a project, an investment, a territory or a coalition. It does not assume that these objects pursue the same purposes; it gives them a common architecture for observation, modelling, decision, action and correction [1].

Lens	Name	Function
OBI	Organizational Biomimicry Index	Tests scientific and systemic coherence against thresholds, dependencies, regenerative capacities and conditions of resilience.
NLPI	Net Legal Production Index	Establishes the effective production of net public value and tests it against applicable values, rights, obligations, objectives and limits.
CEDI	Collective Emotional Dynamics Index	Tests socio-emotional coherence: lived experience, trust, perceived fairness, tensions, motivation and the collective capacity to act.

LUMEN FUNCTIONAL SCHEME

At every stage — Observe, Model, Decide and Act — LUMEN mobilises its three dimensions jointly: scientific and systemic through OBI, legal and normative through NLPI, and socio-emotional and collective through CEDI. Observe facts, norms and experiences → Model interactions, risks, thresholds and scenarios → Decide by making constraints, trade-offs and responsibilities visible → Act with resources, a timetable and records of implementation → Feed the observed effects back into the next cycle.

PROPOSED DEFINITION

In LUMEN, public value is the net contribution of a decision, policy, service, institution or organisation to the effective and equitable realisation of legitimately established rights, obligations and public-interest objectives, under conditions that are jointly viable in relation to living systems, coherent in relation to law and sustainable in relation to collective dynamics, taking into account positive and negative effects, resources mobilised, displaced costs, uncertainties, and capacities preserved or destroyed over time.

Public value is therefore what separates ‘Liberty, Equality, Fraternity’ from words carved on a pediment. This definition places law at the centre without conflating law with public value. Law provides the principal normative reference: it recognises rights, assigns responsibilities, sets procedures and protects limits that cannot be traded for financial gain. Public value concerns their effectiveness: what rules, decisions and resources actually produce in society.

Public value is often invoked without being clearly defined. Depending on the context, it may refer to spending efficiency, service quality, institutional trust, compliance with public principles or improvements in collective wellbeing. Each approach captures part of the problem, but none is sufficient alone. Public value is therefore neither a synonym for legality, nor a monetary equivalent of the common good, nor a single score. It is a pluralist framework for assessment that connects legitimacy, real effects, sustainability and the capacity to act. Financial performance remains essential within it, but as a possible condition and consequence of public coherence, not as the sovereign measure of all value.

- **1. Effective and legitimate value.** A right or a budget creates public value only if it pursues a legitimate purpose and genuinely changes the intended living conditions or capacities.
- **2. Net value.** Visible benefits must be weighed against harms, hidden costs and burdens shifted to other actors, territories or generations.
- **3. Non-compensatory value.** A gain in one dimension cannot automatically erase a violation of a fundamental right or the crossing of a critical ecological limit.
- **4. Distributed and co-produced value.** We must ask who benefits, who bears the costs and who remains excluded; public bodies, companies, associations and citizens can all create or destroy it.
- **5. Revisable value.** It must be tracked over time so that observed effects can correct assumptions, decisions and resource allocation.

1. Why define public value?

1.1 Expenditure is not value

Public expenditure is a means. A budget saving is an accounting movement. Revenue is a resource. None of these elements, on its own, tells us whether public action improves collective life over time. An expensive policy may effectively protect a fundamental right; a spending cut may shift the cost to a hospital, a local authority, a household or a future budget. Public value emerges when resources become legitimate and sustainable effects.

France already has two mechanisms that go beyond expenditure monitoring alone. The annual performance reports, established by the Organic Law on Finance Laws, compare for each programme the appropriations used, objectives, indicators, expected and achieved results, and analysis of deviations [2][3]. The Act of 13 April 2015 on new indicators of wealth also requires the Government to present Parliament with changes in indicators of inequality, quality of life and sustainable development, together with an assessment of the impact of major reforms against these indicators and gross domestic product [4].

These instruments are essential achievements. Their limitation lies not in a lack of information, but in the persistent separation between budget monitoring, multidimensional indicators, the effectiveness of law, lived experience and operational correction. LUMEN proposes to connect them within a single governance cycle, without replacing them or reducing their information to a single score.

1.2 ‘Non-financial’ is too weak a category

Describing public value as ‘non-financial’ helps to recall that it cannot be reduced to money. Yet the expression continues to place financial value at the centre and, by default, groups together everything else: rights, health, education, trust, fairness, biodiversity, service continuity, dignity and resilience. These realities have very different statuses, units and requirements.

> **POSITION OF THIS NOTE**
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> Public value includes the financial dimension without being subordinated to it. It encompasses what action creates, preserves, makes effective or destroys for the community. Some components can be monetised; others must remain expressed as rights, thresholds, physical units, distributions, qualitative assessments or documented experiences.

2. The main traditions of public value

2.1 A strategy for creating value for the public

Mark H. Moore proposed that public management should focus on creating value from the assets entrusted by the public [5]. His strategic triangle connects three requirements: a public-value proposition, sufficient legitimacy and support, and genuine operational capacity. This approach shifted attention beyond administrative inputs towards purposes, democratic authorisation and the conditions of implementation.

2.2 Plural public values

The literature on public values shows that public action rests on a plurality of principles: legality, equality, impartiality, accountability, participation, transparency, protection of rights and continuity. Jørgensen and Bozeman compiled an inventory of these values and emphasised their diversity [6]. Public values — normative principles — must therefore be distinguished from public value — the contribution actually produced.

2.3 Outcomes that include trust and legitimacy

The OECD notes that the concept of public value has broadened to include variables that are difficult to codify, including trust, inclusion, transparency, legitimacy, effectiveness, privacy and accountability [7]. Its more recent work on trust confirms that responsiveness, fair treatment, satisfaction with services and the legitimate use of data directly influence relations between institutions and citizens [8].

2.4 In France: public interest, accountability and performance

The French Council of State describes the public interest as the cornerstone of public action, determining its purpose and grounding its legitimacy [9]. Article 15 of the Declaration of the Rights of Man and of the Citizen establishes society’s right to require every public official to account for their administration [10]. The Organic Law on Finance Laws connects actions, costs, objectives and results through justified indicators [2]. These elements form a solid foundation, but they do not yet constitute an integrated account of value created, preserved, destroyed or displaced.

2.5 Fundamental values, law and public value: distinctions that matter

In French public debate, the expression 'fundamental values of the Republic' refers to an open set of moral, political and legal references: liberty, equality, fraternity, secularism, democracy, solidarity, dignity, indivisibility and the social character of the Republic. It is not a closed legal category. Its strongest normative core lies in the bloc de constitutionnalité: the 1958 Constitution, the 1789 Declaration of the Rights of Man and of the Citizen, the 1946 Preamble, the 2004 Charter for the Environment, and constitutional principles and case law [11]. Article 1 of the Constitution of 4 October 1958 specifically defines France as an 'indivisible, secular, democratic and social Republic' and enshrines equality before the law [12].

These values are therefore not all 'derived from law' in a historical or philosophical sense: they may precede it, inspire it and remain subject to democratic debate. Yet it is through law that they acquire institutional authority, guarantees, procedures and, in some cases, enforceability. The general expression must also be distinguished from the 'fundamental principles recognised by the laws of the Republic', a specific technical category of French constitutional law [13].

The distinction between isonomia and isomoiria is particularly helpful in clarifying equality. As used here, isonomia refers to sharing a common rule and equality in law; isomoiria refers to the sharing of equal portions and, by extension, to substantive equality or equality of outcome. Contemporary work on Greek egalitarian practices accordingly distinguishes the concrete sharing of equal portions, isomoiria, from the abstract sharing of the law, isonomia [14].

ISONOMIA, ISOMOIRIA AND EFFECTIVENESS

A rule that is identical for everyone may respect isonomia while producing very unequal opportunities for access. Yet effectiveness does not require mechanically imposing identical outcomes either. LUMEN makes the rule, initial circumstances, differentiated means, effects and their distribution visible, so that the competent authority can seek genuinely equitable equality without conflating equality in law, equality of shares and fairness.

Object	Function	Question
Fundamental values	Purposes and guiding principles	Which purposes and principles should guide the Republic's action?
Law	Authority, guarantees, procedures, responsibilities and limits	What binds, protects or prohibits, and who is accountable?
Public value	Net contribution actually created or destroyed	What do these purposes actually become in the lives of people and systems?
Indicators and observations	Quantitative, qualitative, legal, physical and experiential evidence	Which gaps, effects and needs for correction can be made visible?

To say that fundamental values are not sufficiently steered does not mean that they are absent from law, judicial review or public policy. The gap lies instead in continuous and integrated monitoring of their effectiveness: do we systematically connect the norm, resources, real access, distributed effects, displaced costs, lived experience and the corrections made? Values themselves are not performance indicators. What can be steered is their implementation.

> **A FORMULA FOR STEERING**
>
> What is neither made observable, monitored nor discussed cannot be methodically improved. Making something observable does not mean converting everything into numbers: a norm, threshold, court ruling, distribution, survey, documented lived experience or signal of trust can also constitute relevant evidence.

2.6 From the French case to a multi-level constitutional framework

The French republican example is a national application of the method, not a constitutional model to be exported. NLPI replaces neither constitutions, courts nor State-specific procedures. For each application, it constructs a traceable normative matrix from the law actually applicable. Each source retains its authority, rank, territorial and material scope, period of validity, degree of constraint and the institutions competent to interpret it.

Level	Sources preserved	Function within NLPI
International	United Nations Charter, human rights, conventions, international agreements, Sustainable Development Goals and other applicable commitments	Make shared commitments, obligations and international responsibilities visible
Regional or continental	Legal orders, charters, treaties, policies and case law of the relevant regional groupings	Translate and specify shared commitments within a common legal and institutional space
National	Constitution, constitutional corpus, laws, regulations, case law and public objectives specific to each State	Preserve constitutional sovereignty, national safeguards and the concrete assignment of responsibilities

The alignment sought is therefore not uniformity. NLPI can reveal convergence between levels, as well as contradictions, gaps, conflicts of competence or commitments that remain without effect. It neither averages these differences nor chooses on behalf of the competent authorities: it makes them observable so that they can be interpreted, deliberated and corrected in accordance with the hierarchy of norms and the principle of subsidiarity.

This function rests on normative weighting. It does not arbitrarily assign numerical coefficients to norms or take an average between an obligation and its violation. NLPI qualifies the legal weight of each reference according to its rank, binding force, material, territorial and temporal scope, degree of applicability, competent authority, and the relevant rules of priority or specificity. It can thereby examine internormative coherence: how international, regional, constitutional, legislative and regulatory norms, along with other applicable commitments, reinforce or specify one another, conflict, or leave a gap.

> **COHERENCE WITHOUT UNIFORMITY**
>
> NLPI preserves national constitutional frameworks and articulates them with applicable regional and international norms. Coherence comes from the traceability of relations between these levels, not from merging them into a single global legal reference framework.

This diversity nevertheless rests on significant convergence. The internal comparative synthesis presented in LUMEN’s founding work covers 192 constitutions. It characterises popular sovereignty and the supremacy of the Constitution or the rule of law as universal; separation of powers, fundamental rights and equality or non-discrimination as near-universal; representative democracy and human dignity as very widely shared; constitutional review, peace and international cooperation as very widespread; and environmental protection as now global and advancing rapidly [15].

This classification implies neither identical vocabulary nor equivalent guarantees or effectiveness. It provides a comparative foundation connecting the international, regional and national scales while preserving their differences. This internal synthesis will need to be documented, published, updated and subjected to independent comparative legal validation before any international standardisation.

2.7 From fragmented treatment to systemic litigation

Marie-Anne Frison-Roche uses the term ‘systemic cases’ for individual disputes in which an entire system is involved — banking, digital, energy, health, climate or another system. She notes that such cases often cut across sectors, the divide between public and private law, the distinction between fact and law, and the simple opposition between prevention and reparation. They therefore call for treatment that is both specific and unified, closer dialogue between judges, experts, regulators, prosecutors and civil society, and procedural adjustments enabling the judge to grasp the interest and durability of the system concerned [16].

This analysis does not mean that the judiciary is inherently powerless. Rather, it shows why excessively fragmented approaches can reduce the effective reach of its intervention: a decision may correctly resolve one legal segment while leaving outside its scope interdependencies, cumulative effects or displaced harms that condition the entire system. LUMEN can help make these relationships, bodies of evidence, responsibilities and conflicts of norms more traceable upstream. NLPI does not adjudicate the dispute and never replaces the judge; it seeks to better inform the exercise of judicial powers and the institutional correction that follows the decision.

3. LUMEN’s theory of sustainable value

3.1 Distinguishing what sustains a system from what degrades it

The presentation of the LUMEN architecture begins from a regulatory necessity: a system cannot adjust if it cannot distinguish what strengthens its coherence from what degrades it. In the Anthropocene, this coherence can no longer be assessed solely through economic or administrative performance. It must be assessed jointly in relation to living systems, law and social dynamics [1].

LUMEN describes this requirement as triple sustainability: scientific, legal, and emotional or collective. It articulates the available knowledge, legitimate powers and willingness that condition action. Value creation is sustainable when it strengthens the system’s coherence, viability and adaptive capacity without concealing the degradation of one dimension behind improvement in another.

> **LUMEN’S GENERAL THEORY OF VALUE**
>
> Sustainable value is what helps a system endure, fulfil its legitimate purposes and adapt, under conditions that are jointly viable for living systems, coherent in relation to law and sustainable for collective dynamics.

3.2 Public value: applying this theory to collective action

Within this framework, public value is not a fourth theory of value added to LUMEN’s three dimensions. It is the application of sustainable value to a community whose purposes are expressed, in particular, through legitimately established rights, obligations, fundamental values and public-interest objectives. ‘Liberty, Equality, Fraternity’ thus informs the legal and normative dimension; science tests the conditions of viability; collective dynamics reveal lived experience, trust and the capacity to act.

Here, the ‘public’ character of value describes its purposes and collective effects, not merely the legal nature of the actor. A company, association, coalition, funder or private project may create or destroy public value;

conversely, a public institution may produce effects contrary to its own purposes. LUMEN therefore applies to the object of action under examination and its system of relationships, regardless of sector, scale or the status of its sponsors.

The Net Legal Production Index (NLPI) occupies a pivotal position here. It does not merely ask whether an action is formally compliant with law. It establishes the effective production of net public value: what the action actually realises or protects, minus what it destroys, prevents, displaces or causes others to bear. By comparing this result with the values, rights, obligations and objectives legally established in the applicable — international, regional and national — normative matrix, NLPI then turns this net production into a factor of legal, normative and internormative coherence. Its weighting respects the status of norms and their relationships instead of dissolving them into an average, while preserving national constitutional frameworks.

Finance is neither excluded nor elevated to the role of sovereign arbiter. It runs through the analysis as a resource, capacity, risk, cost, avoided loss and condition of durability. Greater coherence can generate financial gains by reducing systemic risks, hidden costs and revenue leakage; these gains can support action, but cannot compensate for an infringement of a fundamental right or the crossing of a critical ecological limit [1][17].

THE FOUR LEVELS

Fundamental values state what must count; law states what binds; LUMEN makes the coherence of action observable; public value describes what is actually realised, preserved, prevented or destroyed.

3.3 One effective production, three lenses of coherence

LUMEN applies the same grammar of assessment across the three dimensions of sustainability, without conflating or adding them together. In each case, the aim is to distinguish what was expected, the resources mobilised, what was actually produced or destroyed, and the coherence of that result with an explicit reference framework. NLPI establishes the effective production of net public value and compares it with law. OBI compares the same action with scientific knowledge, thresholds, dependencies, regenerative capacities and conditions of resilience. CEDI compares it with lived experience, trust, perceived fairness, tensions, motivation and the collective capacity to act [1][18].

NLPI'S DUAL FUNCTION

1. Measure the effective production of net public value. 2. Compare that production with legally established purposes, rights, obligations and limits at international, regional and national levels in order to illuminate systemic coherence. 'Legal production' therefore does not mean producing new laws, but value actually produced in relation to applicable law, while preserving the authority of national constitutional frameworks.

Coherence	Reference framework	Question	Lens
Legal and normative	Legally established values, rights, obligations, objectives and limits	Does the value produced effectively realise the purposes of law?	NLPI
Scientific and systemic	Scientific knowledge, thresholds, resources, dependencies, regeneration and resilience	Does the value produced remain viable for living systems and the organisation?	OBI
Socio-emotional and collective	Lived experience, trust, perceived fairness, relationships, tensions and capacity to act	Does the value produced strengthen the human and collective conditions for its realisation?	CEDI

These instruments organise evidence, expose gaps and illuminate trade-offs without defining purposes on their own, replacing the judge or automating decisions. The Observe → Model → Decide → Act cycle then turns observation into institutional learning. The effects of action return in the next cycle to correct representations, priorities, resource allocation and the action itself. Public value is therefore not only assessed after the event: it becomes a hypothesis continuously tested against reality.

3.4 From theoretical value to net value actually produced

A possibility of value is not yet a production. LUMEN therefore distinguishes several successive states: identified theoretical or potential value; the portion that can be mobilised given the context and capacities; expected value after accounting for the probability of realisation and capture rate; and net value actually observed after deducting implementation costs, harms, losses and displaced burdens. Each transition must be documented through assumptions, units, scope, timeframe and degree of uncertainty.

State of value	Meaning
Theoretical value	Total potential identified under explicit assumptions; it indicates an opportunity, not an outcome.
Mobilisable value	The portion of potential accessible with the skills, authority, resources, data and time available.
Expected capturable value	The portion that the action has a reasonable probability of converting into a useful effect and retaining for the benefit of the system concerned.
Full implementation costs	Expenditure, time, learning, coordination, transition, maintenance, oversight and opportunity costs required.
Expected net value	Expected capturable value minus foreseeable costs, harms and anticipated displacement.
Effective net value	Effects actually observed after the action, minus resources consumed and value actually destroyed or displaced.
Observed coherences	Comparison of the result with legal, scientific and socio-emotional reference frameworks, with no automatic compensation between them.

VALUE-PRODUCTION CHAIN

Theoretical value → mobilisable value → expected capturable value → full costs → expected net value → net value actually produced → observed coherences → correction.

4. Proposal: effective, net and sustainable public value

4.1 Unpacking the definition

Term	Operational meaning
Contribution	Value is related to a bounded object of action: a decision, norm, policy, service, programme, project, investment, territory, coalition, institution, or public, private or non-profit organisation; it requires identifiable responsibilities.
Net	Positive effects are compared with resources consumed, harms, risks, hidden costs, and burdens transferred or deferred.
Effective	Formal compliance, an announcement and a budget allocation are not enough; real effects and practical access must be observed.
Equitable	An average must not conceal gaps between groups, territories or generations, or the exclusion of affected people.
Sustainable	Value must be capable of enduring without exhausting the financial, human, institutional or ecological resources that make value creation possible.
Legitimately established	Purposes are connected to law, public commitments and democratic choices that can be challenged and revised.
Systemic	The scope includes people, institutions, finance, territories, the long term and living systems.

SHORT FORMULA — SUMMARY OF THE PROPOSED DEFINITION

Put briefly, public value is the net contribution of an action to the effective and equitable realisation of legitimate purposes, assessed jointly in terms of its scientific and systemic viability, its legal coherence and its effects on the collective capacity to act.

4.2 What counts as value

Public value may result from a visible improvement — access to healthcare, learning, legal certainty or cleaner air — but also from preserving a capacity or avoiding harm: disease prevention, infrastructure maintenance, resource protection, reduction of legal risk, retention of administrative skills or stronger trust. The absence of a negative event may constitute major public production, provided that the causal link and uncertainty are made explicit.

Conversely, an activity may produce a useful outcome while destroying value elsewhere. An honest approach must make negative effects visible, including when they arise outside the accounting perimeter, after the political term or in another territory.

5. Is law public value?

5.1 The republican motto: a normative promise

Law is not the whole of public value, but it provides its primary normative structure. It determines rights, obligations, powers, procedures and guarantees. It makes certain purposes enforceable and protects limits that must not depend on an expediency calculation. The Charter for the Environment illustrates this function by enshrining the right to live in a balanced environment that respects health, together with the responsibility to preserve the environment and future generations [19].

Article 2 of the Constitution places 'Liberty, Equality, Fraternity' in the Republic's motto [20]. These three words are not ready-made indicators: they guide and constrain public action. In 2018, the Constitutional Council also recognised fraternity as a principle of constitutional value and, in the field then under review, derived from it the freedom to assist others for humanitarian purposes [21]. The motto can therefore serve as a simple matrix for distinguishing proclaimed value from value actually produced.

Principle	Public value realised	Public value destroyed or prevented
Liberty	Make the exercise of rights, autonomy, expression and participation genuinely possible.	An impracticable right, an avoidable obstacle, dependency or domination.
Equality	Guarantee equal dignity and genuinely equitable access, while taking different circumstances into account.	Discrimination, exclusion, or a formally uniform arrangement with unequal effects.
Fraternity	Preserve solidarity, mutual assistance, reciprocity and the relational conditions of life in common.	Isolation, abandonment, loss of trust or invisible transfer of care and assistance.

5.2 From proclamation to effectiveness

A norm may nevertheless remain partly ineffective because implementing regulations, resources, administrative capacity, access, remedies or monitoring are lacking. Conversely, a practice may appear useful while violating a right, procedure or competence. Utility does not cure illegality. Public value therefore requires legitimacy and effectiveness simultaneously.

Situation	Public-value interpretation
Compliant and effective	Public value realised, provided that no other rights, limits or populations are harmed.
Compliant but ineffective	Public value promised or potential, but not realised; identify the obstacles to implementation.
Apparently useful but non-compliant	The alleged benefit is not sufficient justification; the practice must be corrected or subjected to a legitimate reform of the law.
Non-compliant and harmful	Destruction of public value, with accountability and correction as priorities.

CENTRAL DISTINCTION

The public interest indicates the collective purpose. Law gives it authority, form and guarantees. Public action mobilises the means. Public value characterises the effects actually achieved — and those destroyed, prevented, displaced or left as promises. NLPI establishes their net production and compares it with law to illuminate legal and normative coherence.

6. A multidimensional, non-compensatory architecture

Public value cannot be assessed in a single unit. A tonne of carbon, the time required to access a right, a level of trust, an avoided death and a budget cost are not of the same nature. Converting them into a single price may be useful for some decisions, but becomes misleading if it erases thresholds, distributions or rights. Original units must therefore be preserved, normative choices documented, and legitimate trade-offs distinguished from non-negotiable constraints.

Dimension	Control question	Within LUMEN
Legal, normative and productive	What net public value is actually produced in relation to rights, obligations and public objectives?	NLPI
Scientific and systemic	Does the action respect thresholds, dependencies, regenerative capacities and conditions of resilience?	OBI
Experiential and collective	How do affected people experience the action? Are trust, perceived fairness, voice, resources and the capacity to act preserved?	CEDI
Financial and organisational	Are resources protected and well allocated? Are hidden costs, risks, losses, deferred effects and delivery capacities visible?	Cross-cutting analysis
Distributive and temporal	Who receives the value, who bears the costs, where and when? Are future generations and territories taken into account?	Cross-cutting perspective

Within LUMEN, the Organizational Biomimicry Index (OBI), Net Legal Production Index (NLPI) and Collective Emotional Dynamics Index (CEDI) provide three complementary and non-interchangeable perspectives. NLPI has two outputs: an account of the effective production of net public value and a coherence signal resulting from the comparison of that production with law. OBI tests its scientific and systemic coherence; CEDI tests its socio-emotional coherence and the collective conditions for its continuation. None of these results exhausts sustainable value on its own. Financial and organisational viability cuts across the whole: it records resources mobilised, losses avoided, full costs, the capture rate, capacities preserved and the possibility of sustaining action. Divergence between dimensions is a signal to investigate, not a difference to average away.

PRINCIPLE OF NON-COMPENSATION

Financial value captured does not automatically repair an infringement of law, the crossing of an ecological threshold or the lasting destruction of trust. Conversely, the three coherences can improve financial performance by preventing losses, reducing friction and strengthening delivery capacity.

7. Who creates — or destroys — public value?

7.1 The State does not have a monopoly

The State and local authorities bear a particular responsibility: they establish rules, guarantee rights, raise and allocate resources, organise services and are accountable to society. Yet public value is also co-produced by companies, associations, professions, communities and citizens. A company can create public value through an essential service, innovation, quality employment or ecosystem restoration; it can destroy it through infringements of rights, externalities, resource depletion or the transfer of costs to the community.

This extension does not privatise the definition of the public interest. Purposes and constraints remain determined by law, democratic institutions and relevant scientific knowledge. It simply makes it possible to observe entire value-production chains, including where they cross the boundaries between the public, private and non-profit sectors.

7.2 The most common mechanisms of destruction

Mechanism	Effect
False economy	An immediate spending reduction creates a greater cost elsewhere or later.
Hidden cost	Delays, errors, duplication, unnecessary procedures, occupational exhaustion or poor coordination remain outside the main account.
Ineffective right	The rule exists, but access, resources, procedures or remedies are lacking.
Externality	An organisation retains the benefit while transferring part of the harm to the community or living systems.
Unrecognised value	Prevention, care, trust, continuity, resilience or relational work remain invisible in ordinary accounts.
Temporal or territorial displacement	The result is improved here and now at the price of degradation elsewhere or tomorrow.

7.3 The cumulative cost of ineffectiveness

Ineffectiveness is not merely the absence of a result. When a gap persists between proclaimed values, recognised rights, adopted objectives and experienced effects, it may degrade the very conditions needed to close it. Trust declines; people disengage or become polarised; cooperation becomes more difficult; institutions multiply controls, remedial measures, emergency procedures and defensive communications; costs rise while the capacities available for action diminish. The implementation deficit can thus generate its own costs and gradually weaken the means required to remedy it [8].

> **DIAGNOSTIC HYPOTHESIS: THE DEVALUATION LOOP**
>
> Proclaimed commitments → insufficient or incoherent implementation → visible gap between principles and reality → distrust, perceived injustice or powerlessness → disengagement and more difficult cooperation → rising costs of control, conflict and reparation → diminished financial and institutional capacities → further deterioration in implementation.

This loop is a working hypothesis to be tested, not a universal explanation of every public crisis. It nevertheless makes it possible to investigate measurable relationships between failure to take up entitlements, delays, litigation, absenteeism, exhaustion, distrust, administrative costs, deteriorating services and new implementation difficulties. Above all, it invites us to stop treating the budget deficit, trust deficit and effectiveness deficit separately when their interactions may reinforce one another.

7.4 The reverse loop: regenerative acceleration of value

The dynamic can also be reversed. When action produces useful, visible and equitably distributed outcomes consistent with announced commitments, it can strengthen the sense of justice, perceived usefulness, trust and collective effectiveness. These socio-emotional effects are not merely final benefits: they become factors of production in the next cycle. Greater cooperation facilitates learning, reduces resistance and transaction costs, improves the probability of realisation, and makes it possible to capture a larger share of potential value.

> **REGENERATIVE ACCELERATION LOOP**
>
> Coherent action → useful and perceptible outcomes → sense of effectiveness, justice and meaning → trust, motivation and collective capacity to act → stronger cooperation and learning → lower risks, resistance and costs → higher capture rate → new value and reinvestable capacities.

This acceleration is neither automatic nor unlimited. It depends in particular on the visibility of effects, their distribution, recognition of contributors, the possibility of challenging decisions and the effective reinvestment of gains. Value captured by a few actors, communication without results, or improvement achieved at the expense of another dimension may instead reactivate the devaluation loop.

8. How can a public-value account be established?

A public-value account is not necessarily a monetary sum. It is a structured, traceable and contestable account that connects purposes, means, effects, distributions, harms, uncertainties and responsibilities. Aggregation is allowed only between genuinely commensurable elements; legal and scientific thresholds remain visible. This structure forms the basis of the production account carried by NLPI.

8.1 From potential to outcome: the forecast account

NLPI must distinguish expected or potential value, the portion that can reasonably be mobilised in view of capacities and implementation costs, the probability of realisation, the probable capture rate and the value actually observed. Potential, mobilisable and expected value inform the decision; they are not yet value produced. Only effects verified after action feed into the effective production of net public value, together with their units, distribution and uncertainties [18].

> **FORECAST CALCULATION FOR COMMENSURABLE FINANCIAL ELEMENTS**
>
> Expected capturable value = theoretical value × probability of realisation × probable capture rate.
> Expected net financial value = expected capturable value − full implementation costs − anticipated induced costs, harms and displaced burdens.

The capture rate means the portion of potential value that an action can actually convert into a resource, saving, capacity or lasting benefit for the system under study. It must be distinguished from the probability of realisation: an action may have a high chance of producing an effect but retain only a small share of it, or vice versa. For rights, ecological thresholds, trust or fairness, the same logical chain is used in appropriate units and forms of evidence; financial multiplication is not artificially applied to them.

Category	Minimum content
1. Purposes and theoretical value	Rights, obligations, objectives, potential opportunities, and the populations and territories concerned.
2. Mobilisability and probable capture	Available capacities, probability of realisation, capture rate, timetable and scope.
3. Resources and full costs	Expenditure, time, skills, data, infrastructure, transition, maintenance, coordination and authority.
4. Value actually realised	Observed results, real access, quality, continuity, savings or revenue captured, and distribution of benefits.
5. Harms and negative impacts	Infringements, exclusions, risks, externalities, litigation, and ecological or institutional degradation.
6. Displaced or deferred costs	Burdens transferred to another actor, territory, group, generation or future budget.
7. Capacities preserved and harms avoided	Prevention, resilience, trust, learning, resources and room for manoeuvre protected.
8. Coherences and uncertainties	Legal, scientific and socio-emotional gaps; data quality, disagreements and need for revision.

8.2 Five tests before reaching a conclusion

- **Legitimacy test.** What is the legal, democratic or institutional basis of the purpose pursued?
- **Effectiveness test.** What real effects are observed, for whom, and compared with which baseline?
- **Limits test.** Is a fundamental right, democratic requirement or ecological threshold compromised?
- **Displacement test.** Does the apparent gain transfer a cost or risk elsewhere, to others or into the future?
- **Capacity and correction test.** Do the actors have the resources, trust, responsibility and feedback needed to act and correct?

8.3 The implementation cycle

Stage	Contribution to the account
Observe	Gather financial, legal, scientific, territorial and experiential data without erasing their definitions or uncertainties.
Model	Connect causes, dependencies, thresholds, distributive effects, risks, hidden costs and scenarios.
Decide	Make legal bases, constraints, trade-offs, disagreements and the competent authority visible.
Act	Assign responsibilities, resources, timetable, records of implementation and mechanisms for remedy or correction.
Close the loop	Feed observed effects back into the next cycle to revise assumptions, priorities and actions.

8.4 Each cycle transforms the conditions of the next

The account is not used merely to judge past action. The net value actually produced changes the parameters of the next cycle. Coherent action can increase trust, skills, resources, information quality and the capacity for cooperation; it can therefore raise the future probability of realisation and capture rate, reduce implementation costs and broaden accessible potential. Incoherent action can produce exactly the opposite effects.

- **Future capture rate.** It can rise if trust, cooperation, skills and implementation quality improve.
- **Future implementation costs.** They can fall through learning, prevention, coordination and reduced resistance.
- **Future value destroyed.** It can decrease when risks, externalities, exclusions and displaced costs are corrected upstream.
- **Future theoretical value.** It can increase if human, institutional, financial and ecological capacities are restored or developed.

> **ACCELERATION EFFECT**
>
> Value produced today can improve the conditions for producing value tomorrow. Coherence then becomes cumulative: it can increase capacities, reduce losses and allow part of the gains to be reinvested in the next cycle.

9. What this definition changes

- **For public finance.** It distinguishes a genuine saving from a displaced cost, ineffective expenditure from a protective investment, theoretical value from capturable value, and an expected gain from a gain actually achieved.
- **For law.** It complements compliance review by observing effectiveness, without transferring the authority of the judge, legislature or competent body to an indicator.
- **For public services.** It connects quality, access, continuity, fairness, working conditions, trust, future capacities, full costs and the cumulative effects of each cycle.

- **For companies.** It makes it possible to examine their net contribution to the conditions of collective life beyond profit, while retaining financial performance as a real dimension.
- **For steering.** It requires a distinction between potential, mobilisability, probable capture, costs, effective net production and changes in the capacities of the next cycle.
- **For democratic debate.** It requires purposes, beneficiaries, losers, uncertainties and transferred costs to be disclosed, so that arbitration remains political and contestable.

10. Safeguards and limitations

Public value is not a ready-made technocratic truth. It depends on legitimate purposes, incomplete knowledge and genuine conflicts of value. Its assessment must therefore be pluralist, transparent, revisable and subject to the competent institutions. It replaces neither democracy, the judge, science, public accounting nor the experience of the people concerned.

- **No sovereign score.** An index may inform a decision, but never make it automatically.
- **No comprehensive monetisation.** Rights and critical limits do not become tradable merely because a price is assigned to them.
- **No fictitious causality.** Avoided or attributed effects must be accompanied by a method, a baseline scenario and a level of uncertainty.
- **No assumed capture.** Theoretical value, probability of realisation and capture rate must be distinguished; only observed gains can be described as effective.
- **No automatic acceleration.** Trust, motivation and capacities improve only if outcomes are visible, equitable, recognised and actually reinvested.
- **No erasure of minorities.** A favourable average does not neutralise a serious infringement or a disproportionate effect on a group.
- **No private appropriation of the public interest.** Private actors can contribute to public value, but cannot define its purposes or guarantees alone.

Conclusion

Return to the service counter replaced by an exclusively digital procedure. Public-value reasoning does not automatically require every counter to remain open or digitisation to be abandoned. It requires the decision to be reframed: how can the gains in speed and efficiency be achieved without making the exercise of a right impracticable, worsening inequalities of access or silently transferring the burden of assistance?

- **Make liberty effective.** Maintain genuinely usable, accessible and supported routes for people who cannot complete the digital procedure unaided.
- **Make equality effective.** Observe access, success, delay and non-take-up rates by population and territory, then adapt resources to the obstacles identified.
- **Make fraternity effective.** Recognise, organise and fund the necessary mediation and mutual assistance instead of invisibly transferring the burden to relatives, associations or staff.
- **Establish the full cost.** Compare the direct saving with errors, delays, emergencies, appeals, displacement and deferred burdens, as well as capacities preserved and harms avoided.

The solution may be a hybrid arrangement, mobile mediation, targeted support or a redesigned digital procedure. What matters is that observed effects feed back into the decision. The initial example is then resolved not by a slogan, but by an organisation capable of turning the republican motto into conditions genuinely experienced.

If this solution simultaneously reduces non-take-up, errors, emergencies, appeals and the burden shifted to relatives, it can produce more than an immediate benefit. Trust in the service may grow; staff and users may cooperate more effectively; remediation costs may fall; and the experience gained may facilitate the next cycle. Public value created then becomes a new capacity to create value. Conversely, if the reported saving conceals exclusion and deferred costs, distrust and implementation difficulties may reinforce one another.

DEFINITION TO RETAIN

In LUMEN, public value is the net contribution of a decision, policy, service, institution or organisation to the effective and equitable realisation of legitimately established rights, obligations and public-interest objectives, under conditions that are jointly viable in relation to living systems, coherent in relation to law and sustainable in relation to collective dynamics, taking into account positive and negative effects, resources mobilised, displaced costs, uncertainties, and capacities preserved or destroyed over time.

THE ROLE OF NLPI

NLPI is the indicator of the effective production of net public value. By comparing this production with legally established values, rights, obligations, objectives and limits in the applicable matrix, it also becomes a factor of coherence through the legal and normative lens. It articulates international, regional and national levels without replacing or homogenising States' own constitutional frameworks.

THREE COHERENCES AND ONE DYNAMIC

NLPI compares the effective production of net public value with law; OBI tests its scientific and systemic coherence; CEDI tests its socio-emotional coherence and the collective capacity for continuation. Financial analysis distinguishes theoretical value, mobilisable value, probable capture, full costs and effective gains. The outcome of each cycle changes the conditions of the next.

Public value thus answers a simple but demanding question: what do rights, collective commitments and resources actually become as they pass through institutions, organisations and policies? It can be reduced neither to expenditure, nor to the immediate result, nor to formal law, nor to stated wellbeing. Fundamental values guide purposes; law gives them authority and guarantees. Science tests their viability. Lived experience reveals their effectiveness, fairness and conditions of appropriation. Finance records resources, risks, losses and durability. Democracy determines and revises their purposes. Public value becomes observable and governable through their articulation — and through the capacity to correct action in light of its consequences.

The French motto that opens this note is therefore a national illustration of a more general architecture. In each country, other constitutional formulations can play this role. Universal or very widely shared convergences offer a common language; national differences retain their authority; and NLPI makes visible how international, regional and national commitments become — or fail to become — public value actually produced.

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