Everyday public service delivery and decentralisation, the issue of user access at local level in Benin

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1. Introduction

The current paper is an extract of one of the draft chapters in a PhD dissertation. The overall research is focused on public service delivery and recent, political decentralisation in Benin. A decentralisation reform meant the replacement in February 2003 of former sub-prefectures with municipalities that are directed by an elected council. In addition, a range of powers in public services are transferred from central government to these new municipalities[1].

However, whereas the reform is implemented in the name of political decentralisation, practice is more complicated. Changes in the organisation of public services are multi-dimensional and include recentralisation processes as well. Moreover, the reform is only very partially implemented "on the ground". It appears that public action, also before implementing the decentralisation reform, is very fragmented and informally privatised and decentralised. Formal rules and frameworks are important but they are largely incoherent and bypassed by actors inside and outside the state apparatus, including public employees themselves, donors and private organisations[2].

The present paper investigates user access to public services as an entry point to study the changes brought about by the decentralisation reform into the day-to-day functioning of the state. Fieldwork focuses on the deconcentrated state apparatus in the Borgou Department, situated in the Northern Part of Benin, and it includes two of the new municipalities, respectively Parakou and Bembéréké. Three public service sectors have been chosen as cases, respectively civil registration, primary education and drinking water supply.

The analysis of user access shows deep heterogeneity in conditions under what citizens access public services in practice. User access is extremely varied from one locality to another and from

[1] In many African countries new decentralisation reforms have been implemented since the late 1980s. As a difference to former experiences, mainly based on administrative decentralisation, these new reforms imply political decentralisation or the transfer of power and resources to elected local government institutions. In general, these reforms have become more substantial than previous experiences and have been labelled "democratic decentralisation". (Oluwu and Wunsch 2004:1). See also Smoke 2003 for an account of the new generation of decentralisation reforms.

[2] On the tendencies of informalisation in the day-to-day functioning of the state in West-Africa see Blundo and Olivier de Sardan 2006: 101) . There is a significant gap, which exists everywhere, but is more obvious in Africa, between the official or publicly assumed rules (themselves plural in nature) and the "real" rules (ibid 97)

one user to another. This is the case both in civil registration implemented by the municipality, in water supply which is in a process of privatisation and primary education under the responsibility of a large deconcentrated state apparatus. Whereas some heterogeneity will of course always exist in conditions of access to public services, I will argue that variations are extreme in a context of very fragmented public authority.

Inequalities in access to public services are profound and historical. The elite, often urban based, has been used to a very high level of services, whereas both rural and urban masses have benefitted from much more limited access. In the last decades, policies favouring broad access to public services combined with international donor funding and an increased local demand for services have contributed to increased access. However, looking at user access in detail shows still-existing dynamics of inequality and marginalisation.

Public action is not the only factor affecting inequality issues in access to public services. Inclusion and exclusion are linked to more broad processes of socio-economic development that may be influenced but not controlled by the state. For instance, in the area under study differentiated development dynamics between urban and rural areas are long and historical processes. Some citizens, by their place of living or by their economic, social and political resources, are in a better position to get access to and benefit from public services than others. However, it is argued in the chapter that the fragmented and informal character of public regulation of access to public services leaves room at local level for the marginalising of some groups and abuses of public authority despite official policies to ensure access for all.

The inquiry into practices of service delivery provides a new perspective on the debates around public services and decentralisation. Decentralisation does not only affect issues of efficiency, equity and accountability in public service delivery. It is a state building process. In many West African countries as Benin, decentralisation reform implies the establishment of municipalities with local elected bodies. The period preceding decentralisation reform was characterised by state withdrawal and the establishment of parallel bureaucracies in the framework of international development aid. Public services were delivered by a multitude of organisations not necessarily belonging to the formal state apparatus. Moreover, the state itself was characterised by processes of informalisation and privatisation. Institutionalisation of the new municipalities may imply reinforcement of public authority and of public regulation of service delivery[3]. In practice, however the process of implementing decentralisation reform is interpreted and negotiated by various actors and it is not the only policy affecting service delivery.

[3] In their article about local powers in Benin, Bierschenk and Olivier de Sardan, discusses the possible impact of decentralisation reform. It may represent a more intensive presence of the state and increased procedural homogenisation or further complicate the political game at local level leading to more fragmentation of local arenas. (Bierschenk and Olivier de Sardan 2003:147, see also Olivier de Sardan 2006: 417).

The paper is organised as follows. First, the issue of access is introduced in the three sectors under study, respectively civil registration, drinking water supply and primary education. Then, broader tendencies are discussed regarding informalisation and formalisation, the impact of decentralisation reform and, finally, the dynamics of inclusion and exclusion. Data were collected in the period of 2006-2008 during the first mandate of the new local councillors in Benin. Methods include interviews with users and public service providers as well as observation of public service delivery.

2. Civil registration

Civil registration services are delivered by the municipalities and include basic acts such as birth, marriage and death certificates. The formal framework implies that the municipality acts as an administratively, not politically, decentralised unit in civil registration. Thus, supervision is ensured by the Ministry of Interior[4]. Further complicating the analysis of decentralisation, the changes broad about in this sector implies a process of centralisation at local level. The new municipal level has been reinforced while civil registration services were delivered beforehand by smaller units[5].

The analysis of the day-to-day functioning of civil registration services in the two municipalities under study points to a broad and embedded informal functioning of the municipal administration. Delivery of civil registration services by the municipal staff actually "reproduces" the existing dynamics of informalisation and of corruption identified in central government units and their field offices[6]. Often services have an informal or formal cost even though death, marriage and birth certificates are officially free according to the law[7]. None of these prices, except for a formal fee (2400 F.CFA.) for establishing an identity card, are published or officially communicated to the users. The fees actually applied differ from one locality to another and from one user to another.

Official statistics estimate that around 60% of children less than 5 years are registered in Benin[8]. Demand for birth certificates and identity papers has increased and the use has become more common. Identity papers are useful when travelling, for primary school exam, access to some benefits such as credit schemes, etc. Whereas it was sufficient to have electoral cards and proofs having paid civil taxes before, birth certificates and identity papers are becoming more important today in the contact between citizens and public authorities. An exceptional procedure, a national

[4] The French administrative principle of "dedoublement functionnel" is applied. It is a hybrid between administrative and political decentralisation. Powers are delegated to the elected mayor in person, not the municipal council, and central ministries control execution.
[5] The former mayors were responsible for delivering civil registration acts. With the new reform, this territorial level has been transformed to the current "arrondissements" which are subdivisions of the municipality. In total, Benin has 77 municipalities and 546 arrondissements.
[6] See Blundo and Olivier de Sardan 2006 pp 69-80
[7] Article 38 and 54 in the code of persons and family, Benin Republic 2004
[8] Basic indicators Benin, Child protection, based on surveys. Average data covers urban rural disparities, 56% of children less than five years in rural areas and 68% of children in urban areas are registered. http://www.unicef.org/infobycountry/benin_statistics.html

administrative census organised by the government since 2006, facilitates broad access to birth certificates to all "stateless" adults in Benin. However as will be explained below, there are many barriers to access birth registration for children through regular procedures[9].

The difficulties of access to birth certificates, the basic document for other civil registration services and more broadly official citizenship, provides examples of some of the dynamics of inequality and marginalisation in the sector. First, the informal functioning of public services means that legal measures are only selectively implemented. Those favouring user access (gratuity and rapidity) are not implemented and corruption is widespread[10]. Especially, non privileged and non-educated users, often, have to pay more than socially well connected users. Non-privileged users have to wait, sometimes for months, and come back several times in order to get a certificate. Second, some of the new formal rules are very strict and costly. Once a person needs delayed registration, exceeding official delays of 10 days after birth, the procedure is very expensive and cumbersome including travelling to a Department city several times with witnesses. In the case of delayed birth registration, informal practice is less expensive than the formal procedure and widely used. It means that former public authorities or the current municipal authorities produce antedated birth certificates.

Surprisingly, the practice of birth registration contains a fundamental paradox. On one hand, is a government policy to favour birth registration of all children. On the other hand, it is also a government policy to reduce births at home. Without being legally sanctioned, children being born at home are denied access to birth registration by health care personnel and municipal authorities. Locally, different and varying fines are applied to women given birth at home when they want to get a birth certificate for their children. Many parents do not even attempt to get a birth certificate when the women have not given birth in a health centre. They wait to the age of primary school exam where the certificate is necessary for the children. However, delayed birth registration is far more costly than birth registration on time[11]. Therefore, in practice the poorest segments of the population often pay the highest price for birth registration.

3. Drinking water supply

Drinking water supply is characterised by privatisation and decentralisation reforms. In urban areas larger piped systems are managed by a national water company which is in a process of

[9] International focus on civil registration systems and access to birth registration in particular are only recent. Many civil registration systems in developing countries have been under-priorised resulting in the existence of an important number of non-registered citizens (UNICEF 2002, UNECA 2009).

[10] According to the code of persons and family any person having assisted the childbirth can declare the child and the birth certificate should be issued immediately without delay (article 61).

[11] Prices for birth registration"in time" vary from 0 to around 1600 F.CFA. The price for delayed birth registration on the "informal" market is around 4000-6000 T.CFA. Through official procedures the cost of delayed birth registration exceeds 10.000 F.CFA.

privatisation. In rural and semi-urban areas, management has been entrusted local community organisations since the 1990s. In recent years, both donors and the government have been in favour of shifting away from community management to market privatisation based on smaller companies. With the decentralisation reform, municipalities are entirely responsible for drinking water supply, but implementation is only partial. Urban water management has not been transferred at all and in rural areas, the Ministry in charge of water supported by international donors is still in charge of infrastructure construction.

There is a large sector for drinking water supply which is not regulated by the state. First, populations get water from water sources they manage without state involvement such as smaller wells and surface water. In the dry season, however, most of these sources dry out and there is a high demand for water from improved sources such as deep drillings. Water from improved sources generally has a cost, defined by different local committees in order to make cost-recovery and pay for maintenance. Second, informal wider-selling in urban areas of drinking water from the piped system is widespread. Access to piped networks (individual connections) is expensive which excludes the majority of the urban populations. Moreover, the existent networks are also insufficient covering only some parts of the cities. There is a sanitary risk with the use of surface water and non- protected wells.

The initial installation costs of improved infrastructure are supported by international donors, some government finance and some minor local contributions. There has been some alignment of donors in the sector which means that most new investments transit by the department field office of the ministry in charge of water. The process of getting improved infrastructure involves writing a demand, getting approval from the municipality and the ministry in charge of water and paying a contribution. Local NGOs have been employed to facilitate the process. Especially in rural areas, important funds have been invested in infrastructure construction. Average rates of infrastructure coverage in Benin in 2005-2006 are around 44% in rural areas and 50% in urban areas[12].

Drinking water supply is regulated through a mix of public and private logics. It is a public policy to favour access to drinking water for all. At the same time, costs should partly be supported by users but it is not realistic to attain complete cost-recovery. Therefore market mechanisms are not sufficient and public agencies have to intervene to some degree in order to ensure finance and regulation of the sector. This public regulation in practice is very fragmented and marked by the fact that there is no agreement upon which public institutions that have authority in the sector (between the national water company, the municipalities and the ministry in charge of water). Furthermore, "public finance" is actually mostly international donor finance and therefore substantial decision-making powers are located outside the national state apparatus. There are many open questions in the sector. What costs shall be covered by users, is it only operating and maintenance costs or capital costs as well? How shall poor people get access to water when the principle of paying for services is applied? What institution shall regulate prices? [13]

[12] Republic of Benin, National Water Policy, 2008, page 38
[13] On the debate about privatisation of water management and cost-recovery see Jaglin 2002.

There are several barriers for accessing drinking water supply. Dispersed and remote habitations are in a difficult position to get water infrastructure. As water sources are collective in rural areas, populations have to live close to each other in sufficient number in order to be able to pay the initial contribution and maintenance. In general, the smaller the village or hamlet, the longer distance to the nearest improved water point. Another barrier is the cost of water consumption. Prices vary from 5-40 F.CFA for bowls and bottles around 25-30 litres. Paradoxically, prices for water consumption in collective taps are higher in urban than rural areas where the population is dense and water supply should be more rentable. In rural areas, prices and the degree of cost-recovery vary as the public control systems only function on a very punctual basis. Access to individual connections through the larger piped systems in the cities is limited to a minority because of high initial installation costs for new subscribers[14].

In semi-urban and rural areas there is a recent shift in policy from community-management, experienced since the 1980s, to private outsourcing. In one case, a private firm was contracted by the Municipality of Bembéréké to take over community management of water supply networks in three smaller towns. In two out of the three water supply networks, community management had been quite successful so far and local solutions found to renewal of broken parts of the systems including new generators. In one of the towns, however, community management had been disastrous, all funds from selling water "disappeared" and external intervention was needed to renew the system. The private firm taking over water management in the three towns is based in Cotonou more than 500 km from the points of service delivery. The new company started by increasing prices for water which resulted in user dissatisfaction. Local employees were not paid regularly which resulted in strikes and disruption of water services. The process of privatisation was highly resisted by user organisations, and there was suspicion that the firm had corrupted the Municipality and the Ministry in charge of water[15]. Private outsourcing is promoted as a new standard model but there is no guarantee that services will be more reliable and accessible.

4. Primary education

The education sector was characterised by a huge crisis by the end of the revolutionary regime[16] in Benin in the 1980s where most public services broke down. A period of structural adjustment followed implying further state withdrawal in the sector. Community schools became common and parents paid varying fees including teachers' salaries, buildings and recurrent costs. The constitution from 1990, however, stated that the government should, gradually, ensure free primary

[14] Around 100.000 F.CFA.

[15] Only the chosen company had been consulted in the process of tendering. The head of the deconcentrated office of the ministry in charge of water explained that the same firm was promoted in the whole region, because it would not be rentable for a firm to work in one municipality only. The case is further discussed in the dissertation.

[16] In november 1974 socialism was officially announced as the ideology of Dahomey, later the People's Republic of Benin (Allen 1988: 32).

education for all (art. 13). This gratuity policy became a reality in 2006 where school fees were abolished and most "community" teachers employed by the government.

The municipalities play a minor role in education according to the decentralisation laws, they are in charge of infrastructure and equipment. In practice, the municipality is one among multiple actors intervening in school infrastructure without any clear work-divisions or hierarchy. As in the case of drinking water supply, most donors do not respect the new powers of the municipality in school infrastructure and continue to provide finance through parallel, institutional frameworks. Parents' associations and school directors co-manages a minor budget for operating costs. However, the management of teachers, the school map and curricula is centralised. It means that the former community teachers are now employed through procedures where decisions about recruitment and the place of work are taking in the Capital.

Practice is characterised by limited financial capacities of public authorities to meet an increased demand for schooling. School enrolment rates have been growing since the crisis in the 1980s and are close to 100%[17]. The gratuity policy which was widely communicated by the media, meant a new boom in school enrolment. However, buildings and teachers are lacking, and the number of pupils in public school classes often exceeds by far the norm of 50 pupils per class. The situation is worsened by repeated teacher strikes and contestation about a new curriculum introduced in the late 1990s. The sector is extremely dynamic with the intervention, also financially, of parents' organisations, private and international donors, military forces sending in short-term teachers and constructing school classes, the municipalities and, finally, the ministerial organisation in charge of primary education.

The issue of access to primary education is complex. Starting in primary school is not the same as getting benefits of primary education. Dropout rates are high and the pupils having difficulties are not necessarily followed by the teachers. Children of non-educated parents are worse off. The "out of school" environment plays an important role for results in primary school and the will to continue schooling.

"The beginning of everything is difficult. We, the parents, did not go to school. This is why our children do not want to go to school. All this is ignorance. We are the blind. We are the deaf. We do not know how to read and write. Who can help us? This is the big question." (Parent, Ourou Guérérou, Parakou).

Education is a sector where inequalities are remarkably persistent even though the school has become a familiar part of the local scene in most parts of the African Continent[18].

[17] A majority of children go to school but there are still some children out of school. Some never start school others drop rapidly out. See Fichtner 2009 concerning the problem of information systems and education statistics in Benin, page 27.

[18] Foster 1980 "Education and social Inequality in Sub-Saharan Africa", The Journal of Modern African Studies, 18,2, page 201 and 205.

The financial situation of the parents also plays a role in accessing primary education. Despite the formal gratuity policy, different costs still affect access to primary education. The costs still remaining as direct parent contributions, sometimes at a more hidden level, concern especially 1) the schools where the teachers are not (yet) paid by the government, 2) school books and photocopies of school material to be used in the schools 3) maintenance and enlargement of school infrastructure 4) parallel extra-teaching in the schools on Wednesdays and Saturdays quasi-institutionalised as part of the general course.

The issue of school material (reading and working books, photocopies of school material) shows the dynamics of informalisation and privatisation in the system. It is not clear if the parents shall pay the books or if the school shall provide the books. In some case the schools provide instruction or reading books (sometimes one per two pupils) but the parents are supposed to provide working books. Some pupils attend school but do not have the material and they are excluded from active participation in the classes. Some teachers use old working books from former years that they give the children. School material is provided by central government but it is insufficient compared to the number of pupils. Moreover, the distribution is highly criticised, books disappears and do not attain the schools or the pupils. The practical management of the issue of school material reintroduces heterogeneity in the financial conditions of access to primary education despite the formal gratuity policy.

The children not having school books risk being marginalised in the classes, they are present but they cannot follow education. In one case during our observation a child was send home. In this situation, one of the school principals in a larger school with several complexes had organised a parallel or illegal distribution network of school books where the parents could by books for their children. The child was send home because her parents did not pay for a school book. In another case, a child was send home because he did not pay the costs of photocopied education material to the teacher. If the parents get the money, they can send their children back to school, otherwise the children permanently drop out.

5. Different patterns of de facto and formal regulation

Regulation of access to public services differs across sectors. In primary education, formal rules are well known but there is a gap between policy intentions and administrative implementing capacities. In civil registration, formal rules exist but they are not well known and very selectively implemented. In drinking water supply, government regulation gradually increases and formal rules are not yet fully established.

In civil registration, the legal framework is quite comprehensive but only partly implemented. The sector is an example of deeply embedded informal functioning of the administration where petty corruption is widespread. Informal practice sometimes contributes to exclusion and inequality. Users are not treated equally, some are excluded for financial reasons, non official bureaucratic

barriers are established which further complicates access. However, informal practice also plays another role as "buffer" when formal rules are not adapted and rigid. This is the case for the official 10 days deadline for in time registration of birth which is difficult to apply for several reasons[19] and the official system of delayed birth registration which is expensive and time consuming. In these cases, informal practice by circumventing these formal rules favours user access.

The water sector already existed before government regulation. Populations were used to manage access to water through private and/or community arrangements. With the improvement of water sources and infrastructure construction, the public sector has become more important in management of water. The legal framework however is not yet comprehensive and public regulation in water is only fragmented. Most existent infrastructure has been build up by various donors having different rules-systems regarding daily management, cost-recovery and maintenance. Recently, donors have started to work on a more aligned and harmonised basis, and some common rules have started to be implemented. These common rules mostly concern newly built infrastructure. There is a current donor and national policy towards privatisation based upon a mixed public-private rule-framework. Public authorities are responsible for water supply, but service delivery is outsourced or delegated to private companies. At a policy level, the government should favour access for all and at the same time apply cost-recovery. There is no easy shortcut to equity in access to water. Prices for water vary and some populations have to pay much more for water than others. This is not automatically linked to the costs of providing water or a result of government regulation. There is a variety of local arrangements, rules are not clear and control systems are not effective.

In education, the situation again is different. Formal rules are quite clear and favour access for all. The degree of informal functioning in the sector is less manifest than the case of civil registration. According to the constitution, the state should gradually assure free primary education for all. The government by establishing and implementing a gratuity policy works towards implementing this national constitutional principle. Since the period of structural adjustment, crisis and state withdrawal, the primary education sector is clearly an example of "bringing the state back in". However, again actually regulating access to primary education implies controlling infrastructure distribution and the ratio of teachers to pupils. The retreat of the state in the primary education sector in the 1980s and 1990s did not create a power vacuum. Local dynamics, especially parents' initiative, continue to be strong in the sector even though they are not formalised in legal frameworks. There is a gap between policy intentions and implementation capacities in the administrative apparatus. Getting a school implies for most populations to start it themselves (including building provisory infrastructure) or being able to negotiate among multiple and non-coordinated external, private and public sources of finance.

[19] The delay for in time registration was 3 months before the new code of persons and family. The new rule has not been broadly communicated and therefore some parents get "trapped" without knowing the delay of 10 days. For others, birth complications, travelling, distances to civil registration offices or delays caused by health centres, makes it difficult to make declarations in time.

In practice, village or parents' demand plays an essential role in the spatial distribution of primary school infrastructure not local or central planning. The head of the school inspection in Bembéréké explained the process as follows: "*The village has to make a demand which includes the following elements: to have a classroom with furniture, have an important population to school, have a ground of at least 6 hectares, get approval from the mayor, the head of arrondissement and the head of the school inspection"*. The demand is evaluated by a council in the Department (in the ministerial field office) planned in the beginning of January each year and the final decision is taking in the ministerial head office. It is striking that the local population has to find the means to actually finance the school-buildings before asking for the official recognition of the school. Sometimes, the parents construct temporary buildings themselves, sometimes they get access to private or international donor contributions or central or local government finance. The government does not intervene to close non- recognized schools[20]. Globally, there is a tension in the sector between tendencies to formal centralisation and de facto decentralisation.

6. Reflections about the impacts of decentralisation reform

The Beninese decentralisation reform implied the creation of new municipalities in 2002-2003 and the transfer of some powers from central government to these new entities. In practice, the new municipalities function, councillors are elected and meet, they manage their own budgets and staff. However, changes in the balance of power between the centre and the periphery only progress slowly. The municipalities only have limited resources to perform their new duties. In many cases other public organisations such as national enterprises or ministerial organisations perform parallel functions in the same sectors. The implementation of decentralisation reform also reveals the existence of local power centres below the new municipal level. In this sense, the decentralisation reform implies local centralisation processes and it is also sometimes resisted from below[21].

Support from international donors to decentralisation reform is not always sustained. In many countries including Benin, donors made pressure for the organisation of local elections and implementation of the reform in the first place. However, the support to decentralisation as a long term institutional reform in practice is not so coherent[22]. In the water sector in Benin, most donors supported a strategy where the new legal powers of the municipalities where not respected. They continued to make new investments through the existent ministerial organisation in stead of the new municipalities. One of the reasons for this was the importance attached to attaining the quantitative

[20] "*school mapping, the traditional tool of the state as organizer is transformed from an a priori planning tool to a tool for a posteriori negotiation and regulation*" Lugaz and de Grauwe 2010:39

[21] Case of community management or user organisations in the water sector and parents' organisations in primary education. For a discussion on the problem of harmonising institutional frameworks and the relations between user committees and elected decentralised councils, see Manor 2005.

[22] In spite of much rhetoric, decentralisation remains marginalised in donor-policy dialogue often dominated by sectoral and macro-economic issues. It is not rare that some externally funded programs support decentralisation while others ignore or contradict it, Romeo 2003, pages 89 and 92

indicators of the millennium goals in terms of infrastructure coverage. Donors were afraid that transferring capital investments to the municipalities would slow down the process. Donor support to standard models such as privatisation policies also hinders flexibility in local decision making. The decentralisation laws in Benin state that the municipality can decide how to deliver the services under its responsibility[23], however, when donor finance is conditioned by a private delivery model as it is the case for the water sector, the actual room of manoeuvre of the municipalities remains limited.

The current democratic decentralisation reforms take place in a context of "bringing the state back in". Whereas the first reforms in the context of structural adjustment were focused on cutting down public expenditures and the role of the state more broadly in society, the new generation of reforms allow for the possibility of reinforcing public institutions in a context of liberal democracy. Donor policies also changed. Before, it was current to pass by non state organisations in service delivery and bypass public institutions. Currently, there is an increased agenda for national, meaning public ownership, and donor alignment to national procedures. In this sense, the municipality fills in a void for local level interventions. In the water sector this process started in some areas, especially the management of water supply in semi-urban and rural areas. In the region, the management of donor-financed contracts with NGOs for providing assistance to local communities in water management was transferred from ministerial field offices to the municipalities. It was an important step in the direction of consolidating the new power of the municipality in water supply *"From now on you cannot do anything in their territory without informing them*[24]" (agent working in a local NGO, APEM, in the water sector in Bembéréké). On the other hand, in the primary education sector, current tendencies seem to favour a return to a centralised functioning of the state, reinforcing central level ministries. The role of the municipality is only minor in the laws (limited to infrastructures) and even more limited in practice.

It is often argued that decentralisation will favour values such as accountability and responsiveness in public organisations to local populations and their needs[25]. In Benin as in many other countries decentralisation has not had a "fair trial" yet because the cases where significant powers have actually been decentralised to local governments are few[26]. In the Benin case where implementation is partial, it is therefore not surprising that the day-to-day functioning of the municipality does not represent a radical change with existent practices in the state. Paradoxically, looking upon civil registration services delivered directly by municipal staff, tendencies are even opposite. In general, delays for obtaining civil registration papers increased with the introduction of more centralised control procedures. Already existing tendencies of a general informal functioning of the administration and petty corruption are reproduced in the new Municipality. In most cases,

[23] The municipality is responsible for the construction of hydraulic infrastructure and for drinking water supply (Benin Republic, article 90 and 93). The municipality has to comply with national strategies and regulations; it can choose direct or indirect forms of management and ask for assistance of the technical units in the ministerial field offices (Ibid, article 108).

[24] "their" territory and "them" refer to the Municipality.

[25] Many arguments for decentralisation stem from a broad liberal political tradition ,Smith 1985, pages 19 and 26-30

[26] Conyers 2007, pages 22 and 28. For a discussion about implementation of decentralisation reform, see also Crawford and Hartmann, pages 14-16

the work of the agents in charge of civil registration is limited to the office and there are no strategies of meeting or communicating with the users in the villages or urban neighbourhoods[27].

Some of the examples from "practical politics" indicate that expectations to decentralisation may be too technical and apolitical. In the sector of primary education, the municipalities started intervening directly in school construction. The process of decision-making showed that the municipalities were accountable to "local populations". However, the municipality has to make priorities and decide among different and sometimes conflicting interests. In one case, it turned out to be important to have a councillor from the locality in the municipal council because he fought for the construction of a school in his village of origin. In other villages, the inhabitants felt bypassed. In another case, the Municipality of Parakou changed policy when the period of local elections approached and started concentrating construction of schools in the urban centre where the number of electors is highest[28].

> *"Concerning the construction of new class rooms, the Municipality tries as much as possible to privilege the schools of the peripheries. However at a certain moment we found ourselves obliged to concentrate the investments in the urban centre for political raisons uniquely, because the administered have to feel compensated. (*Mayor Adjoins in Parakou, responsible for education)

These political processes are not necessarily exceptional but often part of public decision-making. "Local populations" are no homogenous category and therefore there is not *one* relation but multiple and sometimes conflicting relations of accountability between the municipal council and local populations.

Both processes of national and local democratisation together with increased access to information may have an impact on corruption and abuses in the day to day functioning of public services. In civil registration, clientilism and favouritism is widespread. However, they are not the only logics transcending the sector. Local agents' discretion is not complete because of an increasingly important role of local media, especially radios. Thus, civil registration agents referred to the risk of being criticized in the radio if it turned out that one of the users had "good connections". In addition, local radios started introducing debate programs, where citizens could ask questions to local councillors, and programs where the municipalities made periodic information about their actions.

[27] In one arrondissement (Bouanri, Bembéréké), the agent in charge of civil registration, on his own initiative, started to facilitate birth registration by meeting parents just after delivery and by informing them when birth certificates were ready.

[28] The municipality financed the schools from their own budget and support in a twinning arrangement with the French town of Orleans.

7. Dynamics of inclusion and exclusion

In the three sectors under study, access rates to public services are growing. Public service delivery is by no means a complete failure. Especially the system of education has known an explosion in the number of pupils[29]. Increased public service rates imply enlarging the role of the state and intensifying contacts between an increasing number of citizens and state representatives. In the aftermath of Independency only a minority of privileged and educated citizens were concerned by services such as civil registration, primary education and drinking water supply.

Some variations in actual demand for public services exist across sectors. Demand is highest concerning primary education which is seen as a means to access other advantages or a "door opener". If a child succeeds primary and secondary education the door is open for a good position and influence which again can bring wealth to the parents and sometimes to village of origin. Demand for drinking water supply is highly seasonal, non improved sources are preferred in the period where water is abundant. When resources are few in the dry season demand for improved sources increase and tensions arise. Demand for civil registration is growing but it is not generalised. It is increasingly a problem not having birth certificates, or in some cases identity papers, when the citizen is in contact with the state. It is in itself a source of marginalisation. It means no access to primary school exam, some credit schemes, electoral office and a vulnerable position in contacts with the police.

The day to day functioning of public services is characterised by fragmented and highly informalised functioning of public administration. A myriad of local arrangements make service conditions deeply heterogeneous. In general, a privileged minority meaning educated, relatively wealthy families with good networks often based in the cities are in a privileged position to get easy, free or cheap services. In the primary education sector, they are able to pay private schools which, in general, offer a more reliable service without disruptions and a smaller number of pupils per class. In the water sector they have individual connections in the piped networks. A larger group of non privileged meaning not or little educated, peasants or urban poor, are in a much more vulnerable position. They meet bureaucratic barriers, risk paying the highest price and being excluded from the service. The system is not based on user rights but negotiation capacities and personal networks in a highly opaque universe. The dynamics of inclusion and exclusion are exemplified in the followed quotes with users concerning birth registration. In the first case, a woman did not give birth at hospital and she does not even try to get a birth certificate. The second user, a single mother, get trapped in a new, not formalised bureaucratic barrier applied in Parakou city, saying that without a "fatherhood certificate" it is not possible to get a birth certificate. The third user is privileged. She is a former agent of the Parakou Municipality and gets a birth certificate for free.

[29] Bierschenk points out that the development of primary education in Sub-Saharan Africa can be characterised as a success story. The number of pupils in Sub-Saharan Africa increased from around 27 millions in 1970 to 80 millions in 1990. No other educational system in the world has known a rapid expansion in such a short time (2007, page 260)

1) "Interviewer: Do your children have a birth certificate?
Interviewee: No not yet because they are not born in hospital. And to make their papers you need money.
Interviewer: About how much?
Interviewee: I don't know but I have heard that it is expensive.
(user, Parakou)

2) "I gave birth at "SC com"[30]. As my husband was not there I could not take the paper of my child. The father does not even give me any signs of life anymore. It was very difficult for me to pay the fees for healthcare. Now I don't know how to get the papers. I have a brother who is in the army and live in Cotonou. When he comes back I will ask him to help me. (user, Parakou)

3) "Everything went well. For the papers it was not at all difficult. I left the hospital already the day after delivery. Five days later I came back with my husband to take the bulletin that we send to the Municipality. We did not know that there was a delay of 10 days. But when we went to take the bulletin, the lady told us to hurry to the Municipality elsewhere it would be too late. We did not pay anything in the Municipality. Besides, I worked there before but in the section of transports and I entrusted my papers with the colleagues. I did not pay anything. After a month I got the birth certificate (user, Parakou)

Dynamics of inequality are multiple and they do not only appear in service delivery by public organisations. In the water sector, community management creates heterogeneity and inequalities in access to drinking water. The local appropriation of the water point has a consequence, it implies an informal definition of categories of "insiders" and "outsiders". From the point of view of the members of the community, responsibilities are defined and problems of "free riders" avoided. However, some groups may be excluded or treated differently. The local systems vary but in several cases the modalities are as follows: Daily water consumption is free for the "insiders" but they will contribute to pay punctually when the pump breaks down. The "outsiders", which may be a neighbouring village or hamlet without a pump, have to pay for daily consumption but not in case of break-down of the pump. When water resources are scarce and the queues are longue "insiders" have priority and "outsiders" have to wait or are even denied access to water[31].

8 Conclusions

The current paper investigates everyday practices of public service delivery at local level in two Beninese municipalities. As in many other African countries, the "participants" in this local scene are multiple and include local government, deconcentrated ministerial field offices, national

[30] Health institution in Parakou
[31] The groups who are generally in a precarious situation regarding access to drinking water are the Fulani and foreign migrants.

enterprises, local user organisations, NGOs, private and international donors, citizens or users. It could be expected that it would be relatively easy to access basic services such as drinking water supply, primary education and civil registration. However, policies are only partly transformed into practice and access is much more difficult for some citizens than others.

Dynamics in the three public service sectors differ: institutional set-ups, the characteristics of the public service, offer and demand are not the same. It is however a common feature that the formal state organisations are not in a position to regulate access according to publicly assumed rules. Access rates to public services are growing and public services are delivered but rules and conditions vary significantly from one locality and one user to another.

In civil registration, the legal framework is comprehensive and recent. Access to basic civil registration acts is supposed to be free and rapid. In practice, some exceptional measures such as administrative censuses favour broad access but there are many hidden barriers to access birth registration in every day practice. First, different "informal" bureaucratic barriers are instituted which include additional administrative documents before accessing a birth certificate (mid-wife's declaration, fatherhood certificate). Second, none of the localities practice free registration. Varying charges are perceived by municipal staff for all services. Third, delays often exceed a month. By consequence, many parents do not register their newborn children. Some of these children are registered when attaining the age of primary school exam following expensive procedures for delayed birth registration.

In the water sector, government regulation is partial and concern improved infrastructures such as deep drillings, water pumps and some larger piped systems in urban areas. Populations get drinking water as well directly from "free sources" such as surface water and smaller wells managed through private of informal community arrangements. Most improved infrastructure has been build up by various donors and government projects having different rules-systems regarding daily management, cost-recovery and maintenance. Recently donors have started to work on a more aligned and harmonised basis, and some common rules and strategies have started to be implemented. Remote and smaller villages and hamlets often lack improved water infrastructure. In the cities, piped systems are insufficient and installation costs for new subscribers are extremely high. Prices for drinking water vary and some citizens have to pay much more than others, this is the case for instance for inhabitants in urban areas that do not benefit from the piped systems. As a general rule, improved infrastructure potentially provide safe and reliable water services all year, whereas non-improved sources represent a sanitary risk and dry out some months a year. However, non-improved sources are free from charges whereas water consumption from improved sources has a (varying) cost.

In primary education, again, the issue of access is different. The government follows the constitutional objective to promote free primary education for all children. School fees have been abolished but some and varying costs remain for education material, teaching, infrastructure and teachers. Practice is characterised by limited financial capacities of public authorities to meet an increased demand for schooling. Buildings and teachers are lacking, and the number of pupils in

public school classes often exceeds by far the norm of 50. Starting in primary school is not the same as getting benefits of primary education. Dropout rates are high and the pupils having difficulties are not necessarily followed by the teachers.

It seems unrealistic to expect any easy shortcuts or blueprint solutions to improve equity in access to public services. Inclusion and exclusion are linked to broad processes of socio-economic development that may be influenced but not controlled by the state. Whereas informal functioning of the administration may open the door for corruption and abuse of public authority it is also a means, in some cases, to adapt rigid formal rules to local conditions. Whereas community management proved out not to be a panacea for reliable and accessible water services, privatisation is not necessarily a better solution. Whereas increased state intervention in the sector of primary education may reduce parents' charges, assuring a reasonable quality of education remains an unsolved problem.

Decentralisation reform intervenes in the context of fragmented and highly, informalised functioning of the public administration. One of the more profound and long term impacts of reform may be the consolidation of formalised public authority at local level. Seen from a local point of view, it may look like centralisation or an enlargement of the role of the state compared to the various existing local arrangements and informally, decentralised practices in public service delivery. In the three sectors under study, the water sector is the most striking example. The municipalities start intervening in community management of water infrastructure and this causes local tensions around power distributions.

In Benin, the reform is only in a starting phase. As in many other countries implementation is slow and there are already "set-backs". As is often the case, donors play an important role and their influence may alter the process in one or the other direction. It turns out, that support to implementation of decentralisation reform is not always a donor priority, and, therefore, at sector level it is current practice to intervene without respecting the legal powers of the new municipalities. It is difficult to predict the direction of the institutionalisation of the new municipalities. The municipality may become one organisation that act among others at local level without any significant authority or it will become a new centre of public decision making in local affairs.

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