Accountability of Religious Organizations in Situations of Political Instability: The Nigerian Case

Omobolaji Ololade Olarinmoye*

Introduction

Religious organizations are very important as religion is “an important dimension of the central processes of identity formation, social inclusion, and boundary maintenance”, operating as a “sacred canopy,” permanently providing identity, meaning, inspiration, and consolation to very large numbers of people” (Beckford 2007). Religious organizations more than any other organization have the capacity to interpret and represent existing social conditions in a way that convinces their members that social change is desirable (diagnostic framing), that it is possible (prognostic framing), and that their participation is required to produce the desired change (motivational framing). (Snow 1992; McVeigh 2005)

The ability to engage in diagnostic, prognostic and motivational has made religious organizations key actors in the political and developmental processes of post-colonial states such as Nigeria, especially those currently engaged in democratic consolidation processes such as Nigeria. Democratic consolidation is a multi-stage process which involves, first, a bargaining process between groups as to the validity or not of the rules that come out of the transition process and two, the institutionalization of the results of the bargaining process (Guilhot & Schmitter 2000).

States engaged in democratic consolidation are in a situation of political, social and social flux, one within which organizations that can engage in framing and creating meaning in a situation of

* Dr. Omobolaji Ololade Olarinmoye is a Research Fellow in Niehaus Center for Globalization and Governance, Princeton University.
instability for their members such as religious organizations come into their own. Religious organizations can use their framing/meaning creating abilities to either stabilize the flux that is endemic in democratic consolidation by mobilizing their members for developmental purposes as non-state service providers of health, education, water, orphans and vulnerable children services or on heighten the instability by engaging in anti-state and counter-religious mobilizations and contestations such as has marked Nigerian political landscape since the beginning of the Nigerian 4th Republic in 1999 (Yamold 1991).

The ability of religious organizations to play a key role in stabilizing or heightening flux associated with democratic consolidation makes the issue of their accountability a key one for the citizens and governments of democratically consolidating states such as Nigeria. Accountability, means having “to have to answer for one’s actions or inactions and depending on the answer, to be exposed to potential sanction (Dann, 2006). Accountability implies that institutions and individuals are answerable for their commitments and responsibilities (Collins, Coates & Szekeres, 2008).

The accountability of religious organizations is of utmost importance in order to enhance their ability to stabilize unstable political situations and minimize their hijacking by extremists or cynical politicians to enflame already volatile situations. The question of accountability of religious organizations in Nigeria is a very contentious one as opponents see it as an excuse for state regulation of religion which is contrary to the provisions of the Nigerian constitution which guarantees freedom of religion and freedom of association for all its citizens.

Accountability does not mean government regulation; rather accountability promotes a culture and practice of compliance with organizational policies. It advances learning and innovation and enables the organization to maximize its potential in relation to internal and external actors. The constitution of Nigeria that
guarantees religious and associational freedom of citizens of Nigeria also provides for the protection of such freedom through mechanisms of accountability such as CAMA 1990 and the FIRS acts. Other mechanisms for holding religious organizations accountable include oversight of their service provisions and self regulation.

The question that arises for the Nigerian case especially in the light of the serious religious conflict that has bedeviled the state since 1999 and threatened its corporate existence, is how effective are these accountability mechanisms. Do they hold religious organizations accountable at all? If they do how? If they do not, why not. What are the consequences of their success or failure for the process of democratic consolidation in Nigeria? Focusing on mechanisms such as legal, tax, service regulation and selfregulation, this paper assesses the effectiveness of accountability mechanisms for ensuring religious organization accountability in Nigeria. It argues that the ability of such mechanisms to ensure the accountability of religious organizations in Nigeria is limited by political and structural inadequacies bom of the weak nature of the Nigerian state and the loopholes in the constitutional provisions and legislations backing such mechanisms. This helps to explain in a large way the high profile assumed by religious organizations as tools of conflict generation in Nigeria's 4th Republic

Accountability

Accountability means “to have to answer for one’s action or inaction, and depending on the answer, to be exposed to potential sanctions” (Dann, 2006). It refers to a chain of relationships in which actors are accountable upwards (to donors and other actors that have formal authority over the organization), downwards (to target groups and beneficiaries but also to other groups and Individuals that the organization might affect directly and indirectly) and inwards (to organizational missions, vision and values).

Underlying accountability is the notion “that progress towards goals, commitments or responsibilities are assessed, and
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those responsible for action in these areas are held to account in some public fashion” (Collins et al, 2008). Therefore, accountability has beneficial effects not only for an organization's stakeholders, but for the organization itself. The ultimate aim of accountability is not to pass judgment but to improve performance “either because outside critiques help those responsible learn to refine their work, or because accountability mechanisms bring with them a perceived price to pay for underperformance” (Collins et al, 2008).

Promoting accountability therefore requires identifying who is to be held accountable for what, to whom and how. In other words, “It is [...] essential, in thinking about accountability in a given situation, to distinguish between agents, individuals or organizations that make decisions, and their principals, who have authorized their actions” (Keohane, 2002). To ask who is “accountable” focus on the agent. Ebrahim (2003) has identified three possible types of agents (NGOs): Membership NGOs; Service NGOs and Network NGOs.

Membership NGOs are largely oriented towards serving the interests of their members. They operate on the basis of common interests and pooled resources and are not always non-profit. Service NGOs are organizations whose orientation is charitable in the sense that there is no profit motive. Network organizations operate through networks that may be regional, national or transnational in scale. They are usually involved in issue-based advocacy work and structurally can be formal or informal/fluid in nature.

To “Whom” they are accountable enables us to identify the “principal” to whom the agent is accountable. Following Ebrahim and deploying the principal-agent model theory, membership NGOs are accountable largely to their members. Service organizations are responsible to their funders (Public agents, foundations, individual donors, corporate sponsors, international organizations and Northern NGOs); sector regulators (Government as well as self-regulating groups) and clients and communities such as beneficiaries, users of
services and members. Finally, network NGOs are accountable to their members individual and organizational.

“How” covers the issue of the mechanisms of accountability available to principals. Mechanisms of accountability refer to “devices that serve to secure whatever it is (actions, results or intentions) for which people are accountable. They are instruments for calling people into account, for judging the adequacy of the accounts rendered, and for bringing sanctions to bear for failures to produce an adequate account” (Goodin, 2003). Members as principals of membership NGOs can exercise accountability through franchise (voting) and revoking of membership and dues. Principals of service NGOs can hold them accountable through control of funding, reporting, evaluation and performance assessments; the law and disclosure rules; codes of conducts, stakeholder authority (voice) and refusal of service (exit). Accountability mechanisms available to members of Network NGOs include lobbying.

<table>
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<tr>
<th>NGO Type</th>
<th>Orientation</th>
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<td>Self-help development</td>
<td>Member or self</td>
<td>Franchise, reform (voice); dues (exit)</td>
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<td>Service organisation</td>
<td>Charitable development</td>
<td>Funders, sector. regulators, clients</td>
<td>Future landing, reporting, evaluation and performance assessment; laws and</td>
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disclosures, codes of conduct, stakeholder authority (voice), refusal of services (exit)

Network organization | Issue-based policy change | Individual members, organizational members | Lobbying, litigation, protest, fact finding, transparency, coordination | Collective and negotiated

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Table 1: Accountability Among NGO Types (Ebrahim, 2003)

Religion in Nigeria

Nigeria is characterized by a rich variety of religious tendencies. Christianity, Islam and African Traditional Religions dominate the religious landscape of Nigeria. Muslims and Christians in Nigeria are organized in denominations (Christians) and sects (Muslims). Amongst the Christians, the most prominent denominations are:

- The Protestants (mainstream such as the Anglicans, the Baptists, Methodists) grouped in the Christian Council of Nigeria
- The Catholics grouped in the Catholic Bishops Conference of Nigeria (CBCN) which has the Catholic Secretariat of Nigeria (CSN) as its administrative secretariat,
- The Indigenous churches grouped in the Nigerian Association of Aladura Churches,
The Reformist/Born-Again churches grouped in the Pentecostal Fellowship of Nigeria (PFN) and TEKAN/ECWA, a fellowship of six indigenous churches that grew out of the Sudan United Mission in North-eastern Nigeria (Suberu, Mala & Aiyegboyin 1999; Adogame, 2010).

The Roman Catholic constitute the largest Christian single denomination in Nigeria (28%). The Protestants (Anglicans, Baptists, Presbyterians, Methodists and Lutherans) total 31%. The Evangelical and Pentecostal Institutional Churches make up the rest of the Christian population in Nigeria (Pew Forum, 2006; Odumosu & Simbine, 2011). The organization of Muslim faith in Nigeria follows the broad line that exists within the Muslim faith worldwide: Sunni and Shi’a. Majority of Nigerian Muslims belong to the Malaki School of the Sunni branch of Islam. The main difference is that what is referred to as the Shi’a movement in Nigeria is actually a blend of blend of Shia and Sunni Islam introduced by Ibrahim el- Zakzaky (Umar 2001).

Active religious organizations can be found in almost all the states of the Nigerian federation. Religious organizations in Nigeria show variations in size (Odumosu & Simbine, 2011) from organizations with national presence such as Christian Association of Nigeria and FOMWAN to local/district/city-wide FBOs such as pro Lahore missionary group or Abuja Muslim Movement. Religious organizations in Nigeria provide health and educational services through their hospitals, clinics and maternitys, schools and colleges, vocational training centers, seminaries and universities.

Religious organizations in Nigeria own economic institutions such as bookshops, hotels, banks, insurance, mass media and ICT companies and are also prominent owners of real estate in the form of sacred cities and prayer camps which cover thousands of hectares of land. The land on which their hospitals, schools and orphanages are situated also make up part of their real estate portfolio (Adogame, 1999). In Nigeria where religion is closely associated with ethnic identity and acts as a marker of access or lack of access
to state resources in a context of repressive state-society relations and religious organisations take up strongly political identities\(^1\) and pursue political goals objectives through a mixture of development, missionary and radical organisations\(^1\). religious organizations are best seen as service providers as they provide meaning frames that motivate their adherents to mobilize for either developmental or social/political contestations (Olarinmoye 2011). As service organizations, they have as their principal donors (state), sector regulators (religious networks, state ministries and agencies) and their clients (users of their services). The principals of religious organisations in Nigeria have at their disposal for ensuring the accountability of religious organizations legal (registration and reporting), taxation, service regulation rules and self-regulation mechanisms.

**Accountability of Religious Organisations in Nigeria: Legal Context**

The types, functions and context of operations of the mechanisms for ensuring accountability of religious organisations in Nigeria are established by the constitution of the Federal Republic of Nigeria. Specifically, four constitutional provisions are of importance in any discussion of religious accountability in Nigeria. They are:

- Section 38 (1) of the 1999 constitution states that: Every person shall be entitled to freedom of thought, conscience and religion . . . and freedom (either alone or in community with others and in public or in private to manifest and propagate his religion or belief in worship, teaching, practice and observance’.
- Section 10 of 1999 states: The Government of the Federation or of a State shall not adopt any religion as a State Religion.
- Section 40 of the 1999 constitution grants the right to peaceful assembly and association in the following terms: “Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form
or belong to any political party, trade union or any other association for the protection of his interests.

- The Constitution empowers the federal legislature, to the exclusion of the states, to legislate on the "Incorporation, regulation and winding up of bodies corporate, other than cooperative societies, local government councils and bodies corporate established directly by any law enacted by the House of Assembly of a State." (Iheme 2001)

Sections 10 and 38(1) establish the right of all citizens to practise any religion without fear or favor from the Nigerian government and more importantly, legitimizes religious pluralism in Nigeria. Section 40 provides for free association. Sections 10; 38(1) and 40 provide legal backing for internal regulation and selfregulation by religious organisations themselves in Nigeria. On the other hand, the empowering of federal legislature to legislate on the "Incorporation, regulation and winding up of bodies corporate" in Nigeria enables the Nigerian state to ensure external accountability oversight of religious organisations in Nigeria.

**Internal Accountability in Religious Organisation in Nigeria**

Sections 10, 38(1) and 40 of the Nigerian constitution grants religious organizations right to practise, associate and regulate their religious affairs independent of the Nigerian state’s interference. In other words, the right to internal accountability. Internal Accountability which is usually ensured through hierarchical and horizontal accountability mechanisms refers to the accountability of an organization to:

- Its stakeholders: target groups and beneficiaries and other groups and individuals that the organization might affect directly and indirectly
- Organizational missions, vision and values.

Internal accountability in religious organizations is guided by internally by a particular *versiehen* (Abdul-Rahman & Goddard 2003; Olson 2008) or understanding which gives premium to personal accountability-accountability to God for one’s actions- over organizational accountability. For example, In Islam,
accountability or *Taklif* means that all Muslims are accountable for their actions or inactions on the Day of Judgment. Al Safi notes that:

“Every person is responsible for his own deeds and everyone has a “book”, as a register of acts in which all deeds - small or great - are written down. God Almighty will bring all people to life after death and bring them from their graves so that each one of them will meet the result of his deeds, reward or punishment” (Afifuddin & Siti-Nabiha 2010; Lewis 2006).

Similar emphasis in orientation towards personal accountability is seen in Christian doctrine (AccountAble 2005):

“Will a mere mortal -rob God? Yet you rob me. “But you ask, ‘How are we robbing you?’ “In tithes and offerings. You are under a curse—your whole nation—because you are robbing me. Bring the whole tithe into the storehouse, that there may be food in my house. Test me in this,” says the LORD Almighty, “and see if I will not throw open the floodgates of heaven and pour out so much blessing that there will not be room enough to store it.

**External Accountability Mechanisms:**

External accountability refers to a chain of relationships in which actors are accountable upwards to actors that have formal authority over the organization such as the State. In Nigeria, the constitution empowers the federal legislature to make laws on the "Incorporation, regulation and winding up of bodies corporate" Nigeria. Two key legislations are available to guide state

**Companies and Allied Matters Act (CAMA) 1990:** In Nigeria, the basic legal standing of religious organisations is established by the Companies and Allied Matters Act (CAMA) 1990. Section 590 of CAMA 1990 defines a non-governmental organization (NGO) as “an association of persons registered for the advancement of any religious, educational, literary, scientific, social development, cultural, sporting and charitable purpose. Under CAMA 1990, NGOs in Nigeria may register as a company “limited by guarantee” [CAMA §26(1)] or as an “incorporation of trustees” (by which the trustees of the NGO, rather than the NGO itself, obtains the status of a body corporate regulated by Section C of CAMA 1990.

Association by incorporated trustees can take two forms: where the trustees are appointed by any community of persons bound together by customs, religion, kinship or nationality and the trustees are appointed by anybody or association of persons established for any religious, educational, literary, scientific, social, development, cultural, sporting, or charitable purpose) [CAMA §673]. The overwhelming majority of religious organizations in Nigeria are registered under Section C of CAMA 1990 and so mostly take the form of trustee incorporated NGOs.

The primary regulator of NGOs in Nigeria is the Corporate Affairs Commission (CAC). CAC is charged with the regulation and supervision of the formation, incorporation, management and winding up of companies via the Companies and Allied Matters Act 1990 (Iheme 2001). CAC is empowered by Section C of CAMA to ensure: The registration of organizations as “Association by incorporated trustees” for operations in Nigeria (S. 673-678);
That boards/governing councils of trustee incorporated associations are properly constituted with trustees included as members of the board/council (S.684);

That there is no conflict of interest involving the members of the governing boards/council in the form of their deriving pecuniary benefits from activities of the organization [S.686(2)]

That the powers of the trustees shall be exercised subject to the directives of the association or the council or governing body (S.684);

Proper winding up/dissolution of the organization via the courts upon a petition brought for such a purpose by a governing council or one or more trustee or fifty percent of the total membership or CAC [691(1); S.21 (9)];

Submission of annual returns not earlier than 30th of June or later than 31st of December each year (S.690);

Levy a fine on each defaulting organization.


- Monitor NGOs compliance with the tax incentives offered by the Government of Nigeria to NGOs established in Nigeria in order to ensure that the tax incentives or benefits are appropriately enjoyed and not abused (FIRS, 2010). The tax incentives enjoyed by Nigerian NGOs and monitored by FIRS include: exemption of their profits (other than those derived from trade or business carried out by them) from income tax; zero rate of Value Added Tax (VAT) for their humanitarian services; tax deductible donation not exceeding 10% of the total profits for the year for any company making donations to an NGO listed under the 5th schedule to CITA;

- Ensure that the obligations associated with the tax benefits are complied with by the NGOs. the obligations include: pay
income tax (on income derived from NGO investment of its assets in any institution), capital gains tax (where assets are disposed of by the NGO at a gain; Value Added Tax (VAT) on goods and services consumed except those purchased exclusively for its humanitarian projects or activities) and tax as when due on non-exempt activities; register with the nearest Integrated Tax Office (ITO) of FIRS; file tax returns; maintain accurate record of employees; maintain proper books of accounts; deduct Pay As You Earn (PAYE) from employees’ salary and remit same to the appropriate tax authority and deduct withholding tax (WHT) on payments made to its contractors/suppliers and remit same to appropriate tax authority (FIRS, 2010).

**State Regulation of FBO Services Provision:** in recent times, especially with the increase in importance placed on concept of public-private partnerships, the regulation of the services provided by non-state service providers such as religious organization has become an instrument for ensuring state external oversight of religious organizations in Nigeria. State regulation of services provided by religious organizations and other non-state service providers seeks to ensure that services are provided in an efficient, fair and sustainable manner, whilst bearing in mind social priorities set out by policy makers (both at national and local government level) (Batley & Mcloughlin, 2009).

State regulation can take two broad forms: command and control approach which is known as the stick (e.g. registration) which seeks to place controls on “entry” into the market and facilitation: the carrot, where incentives are used to provide stimulus to conform. Regulation through command and control involves using force of law to impose fixed standards e.g. health and safety regulations while regulation by facilitation can involve the use of incentives (e.g. payment or inputs such as training and equipment) in return for compliance with required standards.

**Self-regulation or voluntary peer regulation:** a fourth type of external regulation is self-regulation or voluntary regulation by
peers. The term self-regulation refers to a set of institutions in which standards and rules of conduct are set by an industry-level organization, rather than at the governmental or firm level (Gunningham & Rees 1997). Self-regulatory regimes may be fully private, that is, may operate without any authority from or coordination with the state, or may involve some public-private coordination or delegation of authority to non-state actors. Thus self-regulatory regimes can operate either as a substitute for or a supplement to government regulation (Gugerty 2007, 2009).

African NGOs favour three models of self-regulation: National Guilds: consists of a collaborative arrangement between governments and NGOs; NGO-led Clubs which are associations that create a set of standards, reporting requirements, and monitoring mechanisms to which participating organizations agree to adhere and Voluntary Codes of Conduct developed and sponsored by an industry association. Of the three, Voluntary Codes are the most widely adopted by NGOs in Africa seeking to self-regulate because they often have broader standards and weaker enforcement hence do not require strong institutions and are easier to construct (Lloyd & de las Casas 2006).

**Religious Accountability Mechanisms in Nigeria: Assessment and Limitations**

**Internal Accountability:** As pointed out by Abdul-Rahman et al: “If each person is personally responsible to God, then Organizational accountability is attributed much less importance. Consequently, processes which are designed to achieve organizational accountability such as accounting are also attributed less importance”

In other words, personal accountability muddles up the determination of who is accountable for what, to whom and how that guides the functioning of accountability mechanisms. When
the logic of personal accountability is combined with a market to orientation towards the production and consumption of service (Gifford 2004) provided by religious organizations in Nigeria, internal accountability becomes threatened. A market or service orientation is one which views the religious organization as providing or supplying a series of services (religious) in response to demands of consumers. Spiritual shopping refers to the phenomenon where religious seekers assess; pick and choose from a vast array of religious options” (Wuthnow 1998; Lee, Shayne & Sinitiere 1999; Iannaccone 1991; Hungerman 1999) In a situation of spiritual shopping, accountability is seen as being determined by the market in the form of the acceptance or rejection of the religious services offered by religious organisations and not necessarily the outcome of the operations of internal accountability mechanisms.

Furthermore, as pointed out by Wuthnow (1988), spiritual production is a two-way street, finding its roots in the “patron-client mode”. It opens the church to the influence of the wider society and its marginalization of the ideal of accountability, as a leading Nigeria Pastor acknowledged when he said:

The church cannot help fight corruption in the country because it is itself corrupt. How can you fight corruption when you are corrupt yourself? ...if the river is polluted from the fountain it is flowing from, everyone who drinks it will drink poison. When you run a church like a market place, the customer is king. […] They [the pastors] say what the people want to hear, they no longer talk about sin. When somebody gets born again overnight […] If they are Permanent Secretaries in Abuja, they are made deacons. They are made elders. […] The [Pentecostal] ministry has become a secure place for many people who are jobless. […] When you are not called by God, the power of God cannot be there” (Bakare 2005; Ukah 2007)

Simply put, an understanding of internal accountability as personal accountability to God combined with a market orientation towards
the production and consumption of services provided by religious organizations confers on religious leaders a huge capacity to effectively block change without commensurate empowering members to hold them accountable. It limits organizational accountability to state holders and organizational goals, missions and visions.

**CAMA 1990:** the CAC is limited in its exercise of the powers of oversight conferred on it by CAMA 1990- by the following inadequacies in CAMA 1990 and in its own administrative structure:

- CAMA does not distinguish between religious organizations and secular organizations
- Under the laws of Nigeria, most organizations need not be registered before they can be recognized in law as existing even if not as body corporate. This loop hole provides organizations protection from the oversight function of CAC
- The CAC does not keep a general register of NGOs in Nigeria rather it keeps a register of all companies it registers (including NGOs) in Nigeria such a lack in the light of CAMA 1990 not distinguishing between secular and religious organizations limits the ability of CAC to maintain oversight of religious organisations in Nigeria,
- The CAC does not purge defunct organizations from its register nor maintain a list of organizations denied registration or sanctioned and so cannot adequately ensure that boards of trustee incorporated organizations are properly constituted or that there is not conflict of interest in the activities of its members
- CAMA (1990) lack of provision for the enforcement of the rights and duties of the members on their behalf by CAC limits CAC’s ability to hold board accountable to their members
- CAMA (1990) provisions that internal governance of trustee incorporated organizations be governed solely by their constitutions and that third parties including public
authorities would usually lack the *locus standi* to bring suits for the enforcement of rules of internal governance places internal accountability of these organizations completely outside the oversight of the CAC

- CAMA lack of special rules for the regulation of foreign NGOs in Nigeria other than that they go through registration like all other NGOs or they will be in the same position as an unregistered Nigerian NGO effectively placing them outside the oversight of CAC a situation that is made worse by the fact that CAMA makes no special rules for the regulation of receiving of grants from foreign agencies

- CAMA 1990 does not preview a situation whereby trustee organizations can engage in merger or split-up outside the provisions for their dissolution/winding up. It thus means that these organizations can avoid CAC oversight of their activities especially of their investments and properties by engaging in mergers and split ups

- CAMA 1990 does not adequately empower CAC to keep an eye on the investments of the property or funds of trustee incorporated associations. Therefore, CAC’s ability to ensure that there is no conflict of interest in the activities of the boards or management is restricted.

**CITA 1961/2004:** In carrying out its accountability functions as stipulated by CITA (1961/2004) the FIRS faces the major problem of enforcement capacity. The World Bank, in its report on the Observance of Standards and Codes (ROSC) on Nigeria, observed that accounting and auditing practices in Nigeria suffer “from institutional weaknesses in regulation, compliance and enforcement of standards and rules” (World Bank, 2004). The resulting poor financial reporting and auditing regime cannot sustain an efficient tax administration system in Nigeria. The situation is worsened by:

- Absence of rules to regulate receiving foreign exchange
- Absence of special rules to regulate foreign NGOs in Nigeria
- Permissive character of CAMA (1990) on the issue of mergers and split-ups of NGOs
Permissive character of the Trustee Investment Act of 1957 which encourages but does not compel boards to invest in certain types of securities (government bonds, stocks and debentures of quoted companies)

Lack of limitations on administrative expenses an NGO can claim

Limitation on CAC or third parties to monitor internal governance of trustee NGOs

Limitation bom out of the fact that NGOs report on the basis of fund accounting, receipts and expenditures rather than on a balance sheet and statement of profit and loss especially where the organization is not engaged in commercial or business activities (Iheme, 2001)

Regulation of Religious Social Service Provision: Assessments of the use of command and control regulation/facilitation mechanisms to regulate the activities of non-state service providers in Africa shows that they face enforcement limitations linked to corruption, weak administrative and accounting skills, low capacity for monitoring, performance assessment and enforcement; vested professional interests; inadequate information on price and performance; state bureaucrats lack of experience of regulation;mistrust between regulators and non-state service providers; blurred boundaries between state and non-state activities - the regulators and the regulated; economic and politic instability;political pressure on regulator (Larbi et al 2004; Larbi 2005; Palmer 2006; Bano 2009; Batley 2006; Batley & Mcloughlin 2009).

This is the case in Nigeria where regulatory quality as measured by the World Governance Index from 2002 to 2010 was never above 25.4 (2009) on a possible percentile rank of 100 or was “government effectiveness” ever above 22.0 (2005) within the same time period. The situation is worsened by the fact that a lot of service providers in Nigeria prefer to remain unorganized because of
the corruption of state officials, lack of voice and accountability, poor rule of law. The highest value of the “control of corruption index” for the period 2002 to 2010 was 21.4 (2008).

For “voice and accountability”, it was 30.8(2006) while the rule of law index for Nigeria maxed out at 12.0 (2007) (World Bank 2011). These low values are in spite of the Nigerian state’s massive investments in accountability oversight mechanisms in its public services such as “Due Process Mechanism and Transparency through the Budget monitoring and Price Intelligence Unit; the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC)

**Voluntary Regulation through Peers/Self Regulation:**

Voluntary codes, the form of self-regulation most widely adopted by NGOs in Africa seeking to self-regulate do not have strong institutional designs. Their standards of entry are very broad and their enforcement mechanisms are very weak. Furthermore, in Nigeria, a dedicated national selfregulation system covering all religious organizations does not exist. The Civicus Civil Society Index survey for Nigeria has shown that only a small majority of Nigerian NGOs (including religious organisations) belonged to umbrella organizations (CIVICUS 2007) the effectiveness of which were doubted.
When self-regulation is specifically discussed, the responses from the community survey showed that a small minority of stakeholders (11.7%) felt that mechanisms for self-regulation were in place and functioned effectively. By contrast, about one-third of the stakeholders were of the view that no efforts are being made by Civil Society Organisations to establish codes of conduct or other means of self-regulation. A further one-third of the stakeholders were of the view that some mechanisms for self-regulation are in place but there is limited impact. The overall assessment of peer regulation by NGOs in Nigeria is generally poor and this fits into the broader pattern in Africa associated with the adoption of voluntary codes of conduct: broader standards and weak enforcement.

**Conclusion**

Religious organizations, because of their capacity to engage in meaning creation, are important political, social and developmental actors in a state. Their ability to mobilize adherents for both political contestation/conflict and development purposes should make them key targets for accountability oversight by state governments. Accountability of religious organizations becomes even more important in the light of the fact that the freedom (free association and thought to all Nigerian citizens and recognition of religious pluralism in Nigeria) granted by the constitution makes the direct regulation of religious organizations by government legally untenable.

The same constitution that recognizes freedom of association, though and religious pluralism also confers on the federal legislature the right to legislate on matters of incorporation, regulation and winding up of body corporate in Nigeria. In other words, it provides the Nigerian state with the means of holding religious organizations accountable through mechanisms such as CAM A 1990, CITA 1961/2004 and
Organizations such as the Corporate Affairs Commission (CAC) and Federal Inland Revenue Service (FIRS).

Other mechanisms available for holding religious organizations accountable include regulation of their social service provision (education, health, water, Orphan and Vulnerable Children care) through ministries and agencies of government and self or peer regulation. All these mechanisms are in addition to internal mechanisms which religious organizations are supposed to have in place for ensuring accountability to their members and clergy.

The problem is that internal accountability based on a logic of personal accountability encourages a top-down system of accountability and frowns at horizontal accountability (to clients, staff and rules of the organization), a situation that is worsened by the marketization of the provision of religious services which encourages a larger than life posture for religious leaders and the discountenancing of internal principles of accountability. A combination of marketization of religious service provision and logic of personal accountability provides a recipe for the hijacking of religious organizations by fanatics or worse still, the break-up of religious organizations into warring/scrabbling factions that can generate instability in the country.

The conflict-generating potentials of the inadequacies of internal accountability of religious organizations in Nigeria simply heightens the importance of the external mechanisms such as CAMA 1990, CITA 1961 and of organizations such as the CAC and FIRS. Unfortunately, as seen from the analysis above, political and structural inadequacies born of the weak nature of the Nigerian state and the loopholes in the constitutional provisions and legislations backing these mechanisms render them unable to hold religious organizations accountable.

The weaknesses of internal and external mechanisms for holding religious organizations accountable is encouraging
the conflict tendencies of religious organizations which in politically unstable situations such as periods of democratic consolidation can be devastating as the Nigerian situation since 1999 has shown. It is also encouraging the adoption by states in situations of social instability or draconian regulatory measures that subvert constitutional guarantees of religious freedom and a restriction of citizen access to the public sphere.

i For example, the Muslims were represented by the NSCIA and the Christians by CAN during the Sharia debate at the Constitutional Assembly in 1977. The CAN has also been the spokes person for Christians during the various anti-Christian riots in muslim dominated Northern Nigeria that followed the introduction of Sharia legal system in 2001. The CAN also acted as a strong spokes person for the pro-democracy movement during military rule when political activity was seriously curtailed.

ii Religious organisations in Nigeria engage in development and missionary work simultaneously. For example, the Adventist Church has been able through the provision of medical and veterinary health services through its hospitals in northern Nigeria, to establish an active missionary presence amongst the Fulani of northern Nigeria as the Fulani's claim that “if the LIKITA N'DABQBI (Vet doctors) at Jengre cannot handle your case, then none else can because that God they call upon before their treatment is a very powerful God!”, WNC Newsletter 2004)

iii The accounting Verstehen or understanding refers to the set of values and beliefs held by individuals that causes them to develop particular accounting practices..


v Section 25(3) of CITA (Companies Income Tax Act)

vi Section 3 of Value Added Tax Act (VATA) Cap. VI LFN 200* as updated and 1st Schedule to the Act on goods and Services exempted and zero rated goods

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