

On Church Registration and Matters Arising
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PROLOGUE: *Coolidge Akpan Okon Essien (C. A. O. Essien) was born April 15, 1915 of the Efik tribe in eastern Nigeria. He had grown up in and was educated by the Presbyterian school. He was always interested in religion and Bible study and had been associated with two different denominations, neither of which he found to conform to the church he read about in the New Testament. He concluded, therefore, that New Testament Christianity no longer existed on earth. Wishing to better his English, Essien responded to an ad to learn English that he saw in a magazine. It was an ad from the International Correspondence School in Munich and Anna Marie Braun became his teacher. At the bottom of one of his English lessons, Essien scribbled a note, "Do you know of a Correspondence Course that teaches the Bible?" On the graded return form Braun wrote, "Try the Lawrence Avenue Church of Christ in Nashville, Tennessee." He wrote for a course and began studying the Bible in this way. During the year he finished the course and had requested another 140 courses to give to others. The church also sent him 24 copies of a little brochure entitled "Facts Concerning the Church." Through his study he came to believe that this was the church that he read about in the New Testament and he began preaching what he was learning. He wrote to the Lawrence Avenue church and asked them to send some missionaries. In July 1950 the elders of that church asked Boyd Reese, who was working with the Nhowe Mission in Southern Rhodesia and Eldred Echols who was working in Johannesburg, South Africa, to make a trip to visit Essien... The above summarizes the origin of the Lord's church in Nigeria and its original quest for conformity to the New Testament pattern [1].*

"Church of Christ - Nigeria" was registered and Certificate of Incorporation was issued on 23rd July, 1955. The registration number was 387, with three Americans then residing in Nigeria as "registered trustees." ...The existence of this document (with its Board of Trustees) was largely unknown to the generality of brethren across Nigeria until 1971 when the members of the Board started to exercise their powers over the churches. The specific event that blew this open in 1971 was the litigation at the instance of the Board seeking to "sack" brother John Obijuru (deceased), the preacher working with the church at Owerri then and take effective occupation of the church building. (At that time there was just only one congregation at Owerri). ...It is instructive to note that when the original members of the Board were leaving the country, they unilaterally handed over the affairs of the Board to bro. Eno Otoy. When Eno Otoy (a Nigerian of South-South extraction) left the country for America, he also in the same way handed over the mantle of leadership of the Board to bro. E. Young Owukiabo (deceased). When bro. Young Owukiabo died in 2006, bro. Peter Ejure, one of the elders of the church in Kaddo, Abuja took over the Chairmanship of the Board. This latter observation by another writer summarizes the evolution of the matter we herein address; please download his full article [2].

INTRODUCTION: In recent time, some brethren have expressed concerns about the way the Lord's church was registered in Nigeria and attendant issues such as;

1. The registered name – "Church of Christ, Nigeria"
2. The Incorporated National "Board of Trustees" or BOT
3. The "Constitution" drafted and submitted upon registration and amended periodically by the Trustees.
4. The emergence of "National Conferences under divers Forums" to administer the church.

Many see nothing wrong with the above and wonder what the fuss is all about. Some others have conceded that these are unscriptural but claim that such are 'forced' upon the church by government regulations and expediency. Their general line of defense is that:

1. The Nigerian law demands that every organization, including churches be registered.
2. The Bible enjoins us to obey civil authorities so we must comply with government regulations concerning registration.
3. The registration and trusteeship are necessary for the church to be a legal entity in order to own immovable property and bank accounts.
4. It is expedient for the BOT and officers forum to coordinate the churches to ensure unity and growth.

This study is an effort to scrutinize the claims of proponents of Church Registration and the highlighted issues in light of the scriptures, the Nigerian Constitution and the requirements of the Corporate Affairs Commission (CAC), the statutory body responsible for company registration and allied matters. Please be informed that I have nothing personal against the Trustees, past or present. I believe that the vast majority of people who are in the Lord's church are sincere Christians who want to obey the truth in order to go to heaven, labouring for Christ to the best of their respective understanding and ability. Thus we should not close our minds to study on

the subject but must continually examine ourselves whether we ‘be in the faith (2 Cor 13:5)’ for it is the truth that is known that sets us free –John 8:32.

ON REGISTRATION: Chapter 2; sections 38 and 40 of the Nigerian Constitution (1999) states:

38. (1) *Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, 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.*

(2) *No person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if such instruction ceremony or observance relates to a religion other than his own, or religion not approved by his parent or guardian.*

(3) *No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination.*

(4) *Nothing in this section shall entitle any person to form, take part in the activity or be a member of a secret society.*

40. *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:*

Provided that the provisions of this section shall not derogate from the powers conferred by this Constitution on the Independent National Electoral Commission with respect to political parties to which that Commission does not accord recognition.

The quoted sections respectively guarantee FREEDOM OF RELIGION and FREEDOM OF ASSOCIATION! Consequently, registration is **not** requisite to the formation or operation of political or religious groups (e.g. churches, mosques, shrines...), etc. Just as people sharing a political ideology do not have to register and seek permission to assemble, same goes for people sharing religious persuasions. Everyone knows that while one may freely attend political forums, it is not compulsory to belong to a registered political party unless one wants to contest for an elective position. (Even this will change whenever independent candidacy is introduced as envisaged in the proposed constitutional amendment). Are the various shrines of the numerous traditional religions in Nigeria registered with government? The worshippers of the numerous native deities exercise their fundamental human rights and are not disturbed by government officials. Also, many Islamic faithfuls who have the resources simply build a mosque for their community, oftentimes as adjoining-part of their houses and freely practice their religion. Similarly, Christians may likewise freely assemble to ‘manifest and propagate their religion’ without let or hindrance. Admittedly, some state governments show partiality in this matter between Christianity and Islam, tacitly supporting the dominant of either religion in their area but they usually avoid confronting the traditionalists. **Government may expect churches to register with the CAC and Christian Association of Nigeria (CAN) for them to enjoy certain privileges but government does not require that churches must register and enjoy such privileges, it is optional NOT compulsory!** It is usually those who are interested in establishing a religious sect which expressly seeks to differ and be differentiated from others (the existing order) that registers, and that is why government classifies such as a denomination or a division / subgroup of a recognized faith! As far as the Nigerian government is concerned, by our registration, we constitute a denomination and operate as such.

The US Department of State [3] reports on Nigeria: “...*The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance, and while the Federal Government generally respects religious freedom, there were some instances in which limits were placed on religious activity in order to address security and public safety concerns... Christian and Islamic **groups planning to build new churches or mosques are required to register** with the Corporate Affairs Commission (CAC). The law requires that such groups name a board of trustees, place a notice of the group's intent to organize in three nationwide newspapers, and send trustee information to the CAC. If no objections are received, the group can proceed with its meetings. **This law was put into effect to stem the proliferation of new buildings in the absence of zoning laws, to resolve legal questions arising from disputes over church ownership and control, to provide a single registry for government reference in the event that compensation is demanded following civil disturbances, and to allow for legal solemnization of marriages.** The CAC did not deny registration to any religious group during the period covered by this report; however, some religious groups experienced delays in obtaining permission from local zoning boards to build houses of worship. Many nascent churches and Islamic*

congregations ignored the registration requirement, and a small number have had their places of worship shut down because of enforcement of zoning laws. Some persons claimed that enforcement of these laws was selective.” Emphasis Mine for **bold** and underlined text. Another website offering legal opinion [4] states that **“An unregistered body or association is not recognised under Nigerian law. It cannot enter into legally binding contracts; it cannot sue or be sued in the name of the association save where each individual member or principal officers of the association are sued or sue others in their individual capacity. To assume legal protection, every association must be registered under Nigerian law.”**

The observations of the US Foreign Service and Proshare highlight some privileges that registration with government confers on religious associations. Thus if a religious group does **not** plan to own a building in its own name, dispute ownership, engage in contracts and litigation, seek government recognition and compensation, conduct legal marriage solemnizations or foreign pilgrimages, etc. it does not have to register! The Lord’s church as revealed in the New Testament is a spiritual body that concentrated on her divine work without those encumbrances; so give me that old-time religion. We are not compelled by the law to register the Lord’s church provided we are willing to forgo those “privileges” associated with official recognition. Many have [mis]interpreted the CAC law as mandating registration for groups by fiat but the wording and intent of the Federal Constitution on fundamental rights is very clear. The ground norm provides for freedom of religion, worship and assembly and these would not be FREEDOMS if one needs governmental approval to exercise them. It is trite in law that any decree, edict, act or regulation which contravenes the Constitution is null and void and of no effect whatsoever. For certainty, the religious aspect may be tested at the Supreme Court which has upheld the right of political associations to exist and meet without government permits.

If we however CHOOSE to register, ideally each congregation should register on its own; using its own local name and representatives e.g. The Church of Christ, Akoka. Each should submit the New Testament as its Constitution or if inadmissible, quote only the relevant verses (on terms of membership & termination, privileges & discipline, officers’ qualifications & functions, the work of the church, etc.) as General Meeting resolutions. That is what self-government or congregational autonomy demands (1 Pet 5:1-4, Acts 14:23) if we are not to go beyond that which is written -2 John 9. Some would assert that such approach is burdensome and to be pragmatic, we should register a single name with collective representatives. **Assuming without conceding** that collective action is the best option for registration, what should be the registered name and how are the representatives to be selected? A writer [5] has forthrightly shown that the most appropriate name would be “Churches of Christ In Nigeria or Churches of Christ, Nigeria.” As for the selection process, churches have adopted representation by election across the six geopolitical zones of Nigeria using mechanisms such as the ‘Preachers and Leaders Forum’ in constituent states. I would have suggested a modification of this mode for two reasons:

1. The ‘Preachers and Leaders Forum’ as a standing body is an unscriptural entity.
2. Pure electioneering in the kingdom of God is undesirable. The recent BOT member replacement conducted in Lagos witnessed campaigning and such likes [6].

Thus it could be better for interested congregations within a geopolitical zone to nominate individual representatives who may be pruned, if necessary by ‘prayerful casting of lots’ -Acts 1:21-26. Alas, voting is actually prescribed by the CAC regulation for any Trusteeship! For general and legal information on Trustees, see [7]. Specifically, Section 4 of the GUIDELINES FOR INCORPORATED TRUSTEES UNDER PART C OF CAMA NO.1 OF 1990 [8] requires the provision of a filled Application Form accompanied with...

C. 2 Copies Of Applicants Constitution;

D. Minutes Of The Meeting Whereat The Trustees Were Appointed And Absent And Showing The Voting Pattern, Signed By Chairman And Secretary Of The Board.

E. Minutes Of The Meeting Where The Special Clause Rules Was Adopted Into The Constitution Of The Organisation; Signed By Secretary And Chairman.

H. The Impression Of The Common Seal Should Be Affixed On Page 11 Of The Form..

The question now is should we have registered collectively given those conditions contrary to what we believe and preach from the Bible? Essentially we were asked by the registration requirement to be guided by human commandments (church constitution adopted by vote), take on a symbol (seal), and be ruled by national overseers and a General Overseer (Chairman). **I find it difficult and indeed impossible to reconcile that with the divine injunctions in Mt 15:8-9, Col 2:8 & 1 Pet 5:1- 4.** It is evident that one’s fears are justifiable for reports have it that:

1. The BOT Chairman recently stated that they “hold ...property in trust for churches, ...huge funding was necessary for the board to function properly... some of the areas begging for attention ...include dispute and conflict resolution, litigation issues and filing of Annual Return...” [9].
2. The BOT has been offered “the gift of a building by a local church in Akwa Ibom state for the trusteeship for a permanent secretariat” [6]. That is a stealthy attempt to host the national headquarters!
3. The BOT sells copies of the Certificate of Incorporation to churches and promoted the last fee-charging ACAC program in Nigeria [CRV Magazine reports].
4. The BOT fashioned a constitution [10] for the church, amends it periodically and recently agreed at a meeting with the churches delegates at Abuja, to embark on its “review and amendment” at a future National General Meeting [11].
5. Concerning a troubled congregation, the BOT is being called upon to “step into the matter whether invited or not [12].” This is even beyond their empowerment in Section 2 (b) (iii) of the church constitution. That call is alarming considering that a Trustee purportedly propelled by “personal grievances... sealed up a church building” in Akwa Ibom state a few years back [5]. Such invitation or imposition would ensnare the BOT into meddling with the internal affairs of the local churches rather than serving as the supposed arm for external affairs.

ON OBEYING GOVERNMENT: Those who insist on complying with the registration requirements often cite Mt 22:21, Rm 13:1-7 and 1 Pet 2:13-17 on ‘giving unto Caesar... and obeying every ordinance of man for the Lord's sake.’ Such people should be discerning when Caesar attempts restructuring the organization and religious constitution of God’s worshippers. They are forgetting that not only is registration optional but that *“We ought to obey God rather than men ... whether it be right in the sight of God to hearken unto you more than unto God, judge ye.”* –Acts 4:19 & 5:29. The moment government put stumbling blocks or antisciptural conditions on our way to registration we should have requested for waivers and refused to comply. Since registration is voluntary it simply means we forfeit whatever benefits it would confer. If registration were compulsory it would simply amount to defying an ungodly decree to suffer persecution for His name. That was what the churches of Christ did in Jerusalem and the entire Roman world at the beginning! The book of Acts and Revelation are filled with details of such accounts. Perhaps the pioneer brethren who registered the Church in Nigeria compromised because of unawareness of the facts enunciated and the government then operated a different Constitution. The current national law and our knowledge of the scriptures now demand that we revise the existing setup and scenario... unless brethren desire that we be like the denominations and would do anything to avoid persecution.

ON ACQUIRING IMMOVABLE PROPERTY AND BANK ACCOUNTS: Some use this excuse to insist on registration with government as if the churches can not exist without owing ‘property and bank accounts.’ The early churches did not focus on physical and material properties but on people –Acts 2:44 & 4:32, 1 Pet 2:5, 1 Cor 3:9, Heb 3:6. It is not compulsory for the church to own such and it is never expedient if doing so would require that we sin by having men usurp the law and position of Christ! Any local church which desire to own property and bank account in its own name should be fully in charge by registering independently to fulfill that desire. The problem is when strangers called Trustees (in Abuja, Calabar etc.) have powers over a local church's properties as stated in Section 22 of the church constitution. The Nigerian Constitution states in section 43 that *“Subject to the provisions of this Constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria.”* Thus the church need not struggle to become a property-rich corporate citizen, individuals may (in their own names, on behalf of the church) provide or rent meeting places for collective use, aside worshipping freely in open or hidden places -Luke 7:5, Acts 19:8-9; 28:30-31, Romans 16:5. If opportuned, one should build an event center and allow the local church to freely use it in perpetuity, and document such in one’s will. Though banking institutions existed back then (Mt 25:27 & Luke 19:23), the apostles and early church never kept money with such but always appointed one or more brothers to take custody and keep on behalf of the group –John 12:6, Acts 4:34-37, 1 Cor 16:1-4. We should do same today. A possible way of escape from temptations for the treasurer is to let him and one or two others operate a joint bank account in their personal names on behalf of the church and present monthly bank statements. After all, if the church registered to open an account, trusted individuals would still be designated as signatories! So why not just let faithful individual members function without putting on ourselves the **yoke** of CAC registration?

ON CORPORATE IDENTITY: Some contend that failure to register might deprive us of the use of the name ‘Church of Christ’ if someone else registers it and that such could claim our landed property. They also declare that the church needs representatives in case she is sued or needs to sue anyone and that the Trustees are to serve this purpose. While it is possible that another could register the name if we do not, there are many appellations and descriptive names for the church in the Bible by which we may call ourselves. Chances are

that denominations will not exhaust these or register in plurality or congregationally as ideal. Besides, we have shown that to avoid tainted registration, individuals in personal names may give or hold things in trust for the church NOT as a collective 'body' such as the BOT. Churches may transfer holding of their properties to local officers. It will take more than sharing an identical name for someone to claim and appropriate another's property. A church need not be interested in suing anyone and if sued, should be represented by local members and her own solicitors.

ON FORUMS AND REGIONAL / NATIONAL MEETINGS: Not only do we have the BOT calling statutory National Delegates Meeting (NDM) like the Conventions, Congresses, etc. of denominations, we also have in recent times, various segments and officers of the church organizing their own forums and national conferences purportedly to foster interaction and coordination of the churches. Proponents claim such is good to establish unity of faith and practice in the churches as well as plan their work for growth. However, only Christ, the early apostles and prophets are the universal church officers who function **in and over all** churches of the saints. All other true church officers are appointed at the congregational level and have local jurisdiction, they should always report to those who sent them out on assignments. This is the foundation and fundamental principle underlying autonomy of the assemblies. To upturn this is to destroy our uniqueness and depart from the faith. Respect for and submission to the word of God is the true basis for unity (Jude 3, Phil. 3:15-17, 1 Thess 4:1-2, Eph 4:3-16) not human rendezvous. Some now allude [13] to the 'Jerusalem meeting' of Acts 15 to justify the modern Preachers Forum, Elders Forum, Brethren Interactive Forum, etc. It is worrisome that some desire to organize-and-guide the brotherhood through the formation of these forums "**over and across**" the local congregations. One equally wonders if these new groups are established to function as trade unions or as a platform to promote personal preeminence preparatory to electoral ambition into the BOT or as competitor superstructures to the BOT itself.

Preachers, Elders, Deacons, etc. have the constitutional right to form associations but are such in accordance with God's will? -1 Cor 10:23. The Jerusalem meeting does not justify NDM or forums today because:

1. It did not involve all regional or existing churches. Members of Paul's team and the newly came Judaizers in Antioch went back to the Jerusalem church where the proponents came from -vs 1-2. The Judaizers purported authority from their home congregation was debunked and disclaimed -vs 24.
2. It was needful to go to Jerusalem because the truth was still being progressively revealed through the Apostles (John 16:12-15 & Eph 3:1-5) and Paul's apostleship was contested by some who knew he was not one of the original disciples of Christ -1 Cor 9. It was therefore not surprising that they consulted the original apostles for ultimate validation -1 John 1:1- 4 & 4:6. Thus Paul went up by divine revelation and first privately conferred with his apostle colleagues (Gal 2:1-10), he did not have to strike his opponents miraculously to prove his authority on this sensitive issue.
3. It was a special meeting of the Jerusalem church with members present [vs 4, 7, 12-13, 22-23] to contribute to the discussions and letter as decided by their leaders and communicated to the Gentiles. It was not one of several regular, scheduled meetings of 'Preachers only' or 'Elders only' or all Christians from all the churches of Jerusalem, Samaria, Antioch, Troas, Ephesus, Galatia, Asia, Italy, etc.
4. It was circumstantial in that contending parties freely sought recourse at Jerusalem, it was not based on an originating summons from Jerusalem (as perceived or pretended headquarters) calling for a conference or forum of all Preachers or all Elders or all Christians in the churches of Christ.

On the contrary, NDM and forums are over several churches with each forum having its own aims, rules, purse, officers, regular meetings, etc. They inevitably constitute parallel bodies distinct from the church. Every forum will seek to protect its members' interest and regulate their activities. Each will first seek acceptance, then relevance and eventually dominance; by trying to monitor, outclass and direct the affairs of churches of Christ. What the early apostles did in commanding and coordinating churches should not be attempted by any officer or group today for we lack such mandate; they are still doing their work through their inspired writings which are available unto each congregation. It is a truism that the forums are 'unbiblical' and that logically one cannot call for the dissolution of one while supporting others so the call on Christians to be "watchful in what the forums (sects) in the churches are doing" [14] is inadequate. Forums should therefore be challenged until they all self-dissolve. This author has remarked as a Guest Speaker (recall Acts 17:18-23?) at one lectureship [15] that "it is wrong for such program to be held 'under the auspices' of a forum; stop usurping the church!" Let each local church organize lectureships for officers and invite others as it is done for Youths or Sisters. While a church may invite Christians from other places to her programs for fellowship and edification, the invitees have the power to honour or reject such invitations. It is the local church, not the regional or universal church that is commanded to come together into one place, and thus the one in which one must not forsake the assembly. Each congregation is responsible and accountable for her own beliefs and practices as evident in Revelation 2-3.

CONCLUSION: The issues of Trusteeship, Constitution, Delegates Conference, Forums, etc. are fallouts of “church registration.” Brethren assume their necessity based on the presumption that religious groups must register to operate in Nigeria and as such must be represented and guided by national officers. We have shown that the supposition of compulsory registration is incorrect and that even if true, we ought to refrain should we be required by the government to disobey God in the process. It is untenable that uninspired men should write a revisable constitution for the Lord’s church and attempt to administer it on national scope. It is high time that Christians and churches of Christ who have supported the prevailing registration status reconsider their stand and dissolve all resulting entities that are contrary to sound doctrine. Unless we wish to wallow in self-deceit and bury our heads in the sand like the proverbial ostrich, the present truth and reality is that the ‘Church of Christ, Nigeria’ is hardly different from denominations with their Constitution, Synods, G.Os, etc. This information is however unknown to most members who at conversion were taught that we are the New Testament church headed by Christ and not by a man; “*we speak where the Bible speaks and are silent where the Bible is silent.*” **Please search your conscience as to whether we need to repent and practice what we preach.** Why not let us shame the Devil by putting aside personal and collective pride? Brethren, let us do the right thing and stop misinforming the prospects! Otherwise, the denominations will soon publicly accuse us “*of speaking lies in hypocrisy*” and the day will soon come when some BOT members and Chairman shall fully assume and execute all the powers legally vested in them. It is a question of when, not if these will eventually happen. Imagine that... it would be a sorry, messy scenario which will do inestimable damage.

EPILOGUE: It is unfortunate that the simple Christianity received around 1950 in Nigeria was gradually corrupted by some over the years. No-one needs be afraid of this write-up, let the matter be studied and discussed. Rejoinders are welcomed so long as it is ultimately based on the scriptures, not sentiments. I will continue to espouse my views unless scripturally convinced otherwise. For instance my previous article [16] has remained uncontroverted yet many congregations continue to recruit Preachers using UNBIBLICAL criteria. I maintain that such have departed from the truth of God’s word; relying upon their own wisdom. I challenge every local church that utilizes such unscriptural adverts to a Bible-based **debate**; let them name their representative, and let us schedule a date and venue! Such have an obligation to either repent or to refute my assertions (Col 3:17, 1 Pet 3:15, 2 Tim 2:19) otherwise they should stop claiming to be a *church of Christ* or the church of the Bible.

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