Vindicating and Defending Lay Church Workers' Rights against Poor Remuneration in the Catholic Church in Nigeria

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Abstract

Right must not only be theoretical but practical. If there is right, there should be means for its vindication and defence. The paper aims at creating awareness of canonical provisions for the vindication and defence of right and dignity of human person. It identified the following problems: (i) ignoble respect for human dignity, (ii) ignorance, (iii) exploitation, (iv) injustice, and (v) insensitivity. The following approaches were applied; expository, analytical, exegetical and deductive. The findings of this paper revealed the poor economic situation of the country and the fact that most of the salaries paid to lay Church workers could not meet even their basic needs. One wonders how the Church as the voice of the voiceless and the beacon of hope in social justice, in defending the rights of the poor and the oppressed in the society can fall victim of the very injustice she stands often to condemn. The paper examines canon 221 and its implications for vindicating and defending lay Church workers' rights against poor remuneration in Nigeria. Finally, it recommended the following: creating awareness of canonical provisions, entrenching the culture of vindication and defence, remuneration policy for lay Church workers, periodic review of workers remuneration as well as setting a monitoring team and establishment of arbitration and ethics office.

Key words: Church workers, Defence of rights, lay faithful, Remuneration, Right, Vindication of rights, Workers

1. INTRODUCTION

In the light of the holy gospel of our Lord Jesus Christ and faced with the commitment of living out what the Church stands for and preaches, justice must not be alien in the Church. In the Church, justice should be rooted in fairness springing forth from faith and charity. The Church as an ardent proponent of justice must be seen to foster fairness, equity, the rule of law and due process as well as promoting vindication and defence of rights in practical terms and not only theoretical. Vindication and defence of right, protect the dignity of human person because the right human person has elevates him or her above all other creation of God.

It is very unfortunate that most of the salaries paid to lay Church workers could not meet even their basic needs. Some of such needs include decent accommodation, good health, food, clothing and other personal and family challenges. It suffices to note that most of these lay Church workers are among the poorest paid in our communities; some of them are almost being exploited and are virtually working for free.

Hence, the need for vindication and defence of lay Church workers' rights against poor remuneration. Most of these lay Church workers have no other option than to remain in such ugly situation due to the bad socio-economic reality of the country and their inability to find other better paying jobs. But, this is not enough to justify the situation since the Church ought to follow her social teachings that favours the poor and try to be light of the world and salt of the earth [Mtt. 5: 13–16].

More so, the position of the Church on the right of workers to a just, honest and worthy remuneration is very clearly stipulated in canons 231 §2 and 1286 §2. These canons emphasize the right to a decent remuneration befitting their condition; a remuneration that can enable them provide for their own need and the need of their families; a remuneration that can cover their insurance, social security and medication.

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The 1983 Code of Canon Law has provided the processes for the vindication and defence of people's rights in the Church when they are offended, aggrieved or accused. Thus, the lay Church workers should follow the process already laid down by the Church instead of becoming angry with the Church.

2. Definition OF PERTINENT TERMS

2.1 Church

The term Church designates the universal community of Christian, gathered assembly or the people of God. In this paper; Church refers to the Catholic Church, as the people of God.

2.2 Defence

The word defence in the paper is used in the context of the Latin *defensio, defensionis* meaning defence or protection. It is "an argument in support or justification".[1] It is an action that is taken to protect someone or something against attack.

2.3 Lay

A lay person is a singular form of laity, that is, all the members of the Church, who are not clerics (canon 207). In this paper, lay (person) refers to a member of the Church who is not a priest or cleric.

2.4 Remuneration

It is a reward for employment in the form of pay, salary, or wage, including allowances, benefits (such as company car, medical plan and pension plan), bonuses, cash incentives, and monetary value of the non-cash incentives. In this paper, remuneration means reward for services rendered.

2.5 Right

Right is seen as the freedom or power to act, speak or think as one wants without hindrance or restraint. It is the ability to act or produce an effect, possession of control, authority or influence over others as seen in this paper.

2.6 Vindication

To vindicate comes from the Latin verb *vindicare* meaning to lay claim to or to avenge. It is "justification against denial".[2] It means in this paper to prove that somebody is not guilty when one has been accused of doing something wrong or illegal; to prove the truth or virtue of, after this has been questioned or denied. The essence of the vindication of rights is to guarantee that rights do not become meaningless.

2.7 Workers

The term "worker" designates someone or a person who works in a particular job or in a particular way. In this paper, a worker refers to someone who works for the Church in order to earn his or her livelihood.

3. POOR REMUNERATION AND ITS CHALLENGES

3.1 Exploitation by Employers

One of the major challenges faced by workers in general today is the issue of exploitation by employers of labour. Businesses today desire to buy labour at the lowest possible cost for maximum profit. As noted by Sasa in his article, "Labour Measurement and Remuneration in the

[1]Merriam-Webster.Com Dictionary, <https://www.merriam-webster.com> accessed 28 June 25.
[2]Merriam-Webster.Com Dictionary, <https://www.merriam-webster.com> accessed 28 June 25.

Light of Justice" observes that "even in the case of those who are considered skilled, some if not majority of employers, take advantage of some new starters at a job to pay mere paltry sum, in the name of "no experience" yet".[3]

Some make such workers remain on such low salary scales for a long time, the aim of which is to maximize profit. By this he suggests that man must devise adequate means of measuring labour that will equally attract just payment. He implies further that some employers take advantage of their workers by paying low salaries for a long time; the aim of which is to maximize profit. By so doing, justice is trampled upon. He equally says that "by way of example, some hospitals and clinics employ highly unskilled or semi-skilled nurses, often females, and make them dress like the skilled, well-trained nurses".[4]

3.2 Perpetual Complaint of Lack of Fund

Nweze in his article, "Remuneration of Ecclesiastical Workers: A Fundamental Step towards Social Justice: With Particular Reference to canon 1286 § 2" suggests that adequate remuneration requires adequate funding or adequate source of income. In his opinion remuneration of ecclesiastical workers is still illusive and almost unrealistic due to the perpetual complaint of lack of fund by the ecclesiastical employees. He also pointed out that "even in the civil society; the government still finds it hard to afford the minimum wage of the workers".[5] Similarly, the Church that speaks so much about just remuneration of workers is somehow handicapped in its implementation for her own workers.

3.3 Fear of Vindictive Reaction of Authority

Another challenging area in the vindication and defence of right is the fear of vindictive reaction of the authority as well as uncertainty of getting justice and ignorance of canonical provisions. It is good to note that many of the lay Church workers may not know that there is provision in the law for the vindication and defence of rights. This canonical provision seems alien to majority of the workers. When they were aggrieved and wronged, they do not know what to do, thereby living solely at the mercy of the employer. In the canonical provision, no one is to be punished without following the due process enshrined in the law. Many Church workers may even know the provisions of the law but are too timid to stand up and vindicate their rights.

4. REMUNERATION AS A BASIC HUMAN RIGHT

4.1 Catholic Social Teaching

In Catholic social teaching, work is not seen as a way to accumulate power and influence but rather to play our part in being co– creator in God's loving act of creation. Moreover, economy should serve people and not the other way round. Consequently, the Church administrator should not be treating his worker as 'no body', 'never do well' or even slave but upholding the dignity of work and workers by paying them a just remuneration which is their right. Furthermore, they should not be tempering with workers savings, and should allow them attend their religious and family obligations when the need arises. Remuneration of the worker ought to meet the basic

[3]Michael Sasa, 'Labour, Labour Measurement and Remuneration in the Light of Justice', (2016). 8(1) The Aquinas Journal, 30.

[4]Sasa, 45.

[5]Charles Nweze, 'Remuneration of Ecclesiastical Workers: A Fundamental Step towards Social Justice: With Particular Reference to Canon 1286 § 2', (2016). 8(1) The Aquinas Journal, 96.

needs of the person. That is the essence of working; if not, there should be no need of working in the first instance.

Based on the teaching of the Catechism of the Catholic Church, Enemali in his article, "Remuneration of Ecclesiastical Workers: The Case of Laity in Nigeria." states that remuneration for workers must be just. He submits that "a just wage is the legitimate fruit of work" and refusing or withholding it can be a grave injustice".[6] He maintains that just remuneration is an inalienable right of the worker. Moreover, he argues that what actually constitutes a "just wage or remuneration" in the light of the Church's understanding is to be set by the market, not a minimum wage or a subsistence wage that only guarantees that the worker will be able to come back to work the next day.

The agreement between the employer and the employee with regard to what should be the remuneration for labour is not enough to qualify remuneration as just. This is because any remuneration that cannot provide the basic needs of a person cannot be said to be just no matter the agreement. Enemali believes that a just remuneration must go beyond the contract as a way of acknowledging the dignity of the human person. It must not fall under the level of subsistence of the worker.[7] That is to say, a remuneration that is not able to sustain a worker is not just. Enemali observes that in Nigeria, the lay Church workers are left at the mercy of the respective institutes that engaged them in service. The remuneration of lay Church workers in Nigeria is not adequate talk less of being "just" in the light of the social teachings of the Church and canon law. He, therefore, recommends that the Church as a responsible employer should take the lead in paying "just wage" to those who work for her.

4.2 Work as Foundation of Workers Remuneration

Work is the foundation of every worker's wage or remuneration. People who are in various kinds of work are entitled to adequate remuneration in order to meet their personal and family needs and other social responsibilities. Based on this, Asanbe in his article, "Reciprocal Partnership of Employment Relationship between the Employer and the Worker in the Church in Nigeria" enlisted right to adequate remuneration among the plethora of obligations and rights, which bind and are enjoyed by both the employer and the employee. Accordingly, he opined that the following obligations and rights characterize and define the interrelationship between the employer and the employee: "duty and right to work, respect for human dignity, right to safe working conditions, right to form associations, right to adequate remuneration, right to adequate rest and right to decision making".[8]

4.3 Payment of Just Remuneration

Akpan in his article "Remuneration of Lay Church Workers in Canon 221§ 2: Appraisal of the Theory and Praxis in Our Time" states that those who work for the Church have the right to a worthy salary befitting their condition, in accordance with the law of the Church, in order to enable them provide for themselves and their dependants and do other charitable works. He maintains that their right to have insurance, security and health benefits should be duly

[6]Aloysius U. Enemali, 'Remuneration of Ecclesiastical Workers: The Case of Laity in Nigeria', (2012). 13(1) Journal of Inculturation of Theology, 111.

[7]Enemali, 113.

[8]Jude A. Asanbe, 'Reciprocal Partnership of Employment Relationship between the Employer and the Worker in the Church in Nigeria', (2016). 8(1) The Aquinas Journal, 53.

safeguarded.[9] Examples of people employed by the Church's administrators include drivers, cooks, drycleaners, gardeners, secretaries, security men etc.

In accordance with the stipulations of the Code of Canon Law, Akpan equally maintains that Church workers have the right to be paid just salaries based on their conditions and needs, which also is restated by various papal documents. They do the menial, tedious and hardest jobs but get the most insignificant pay. For him, Church workers in praxis are wretchedly remunerated in most places, and their salaries could be best described as ridiculous. This, according to him, is a violation of justice and a case of double standards, where the Church's law says one thing whereas the Church administrators do another thing.

Nweze subscribes to the fact that workers deserve just and decent remuneration. In line with the Catechism of the Catholic Church, he stated that "a just wage is the legitimate fruit of work. By just wage, he does not mean that which merely provides sufficient food, clothing, and shelter. To live at such subsistence level is to live at the minimum condition of human dignity.

A just wage, then, should provide a worker with, not just enough to live, but enough to live becomingly. Adequate remuneration is, therefore, the most essential means for achieving justice in work relationships. Nweze maintains that this right of the worker is in his nature as a human person and on his transcendent dignity.[10] Just wages no doubt, promotes the dignity and independence of the worker, and leads to stability and cohesion in society. Apart from the worker's own dignity, another practical reason for paying a worker a decent wage is to enable him meet his needs and those of his family.

4.4 The Church as the Bearer of Justice

The Church is expected to be the bearer of justice, peace, and fairness in the world. This is why the issue of making recourse is very plausible. St. Paul said that anyone who failed to work should not eat, this implies that anyone who works should eat.[11] Our Lord Jesus Christ puts it succinctly when he said that the labourer deserves his or her wages. All hope is not lost because the lay Church worker can defend and vindicate his or her right against poor remuneration from the administrator's superior when the administrator goes contrary to approved salary scheme by a competent ecclesial authority. However, the process begins with the lay Church worker meeting with the administrator, if nothing good is coming out of the meeting, he or she will then proceed to meet the administrator's superior.

5. EXEGETICAL STUDY OF CANON 221

Canon 221 states:

> §*1 Christ's faithful may lawfully vindicate and defend the rights they enjoy in the Church, before the competent ecclesiastical forum in accordance with the law.*
>
> *§2 If any member of Christ's faithful are summoned to trial by the competent authority; they have the right to be judged according to the provisions of the law, to be applied with equity.*

[9]Stephen Akpan, 'Remuneration of Lay Church Workers in Canon 231$ 2: An Appraisal of Theory and Praxis in Our Time', (2016). 8(1) The Aquinas Journal, 77 - 79.
[10]Nweze, 96.
[11] 2Thessalonians 3:10, Matthew 10:10.

> *§3 Christ's faithful have the right that no canonical penalties be inflicted upon them except in accordance with the law.*

5.1 Historical Development of the Concept of Vindication and Defence of Right

The source of this canon is the Vatican Council II declaration on religion liberty which says:

> *The right to freedom in matters of religion is exercised in human society. For this reason, its use is subject to certain regulatory norms. In availing of any freedom, men must respect the moral principle of personal and social responsibility; in exercising their rights individual men and social groups are bound by the moral law to have regard for the rights of other, their own duties to others and the common duty to all.*[12]

Another source to this canon can be found in the schema drawn for the Book II of the 1983 Code, The People of God {*De Populo Dei}*). This schema details the processes that can be followed by Christ's faithful in the vindication of rights.[13] It has foundation in the draft of *Lex Ecclesiae Fundamentalis.*

5.2 Evolution of Canon 221

The 1983 Code is founded on the ecclesiology of the Second Vatican Council, which holds that there is only one Lord, one faith, and one baptism for God's people.[14] The importance of upholding a person's freedom to practice any religion or worship style of his choice is highlighted in the Declaration on Religious Liberty (D.H. 7). Filibeck notes that:

> *This canon 221 has as its base the De Populo Dei Schema (cf. canon 35) which is emphatic on certain judicial procedures on defence of rights. Canon 36 of this schema itemized the due process of law and legality of penalties as key judicial procedures for defence of rights. There is also a foundation of canon 221 in the 1980 draft of Lex Ecclesiae Fundamentalis. Its final text is almost "a verbatim rendering of canon 21 and 22 of Lex Ecclesiae Fundamentalis.*[15]

5.3 Textual Analysis

This method of interpretation allows the text to speak through the operative terms. The original Latin text renders this as *legitime vindicent atque defendant*. This means that legitimacy of defence is based on (a) the legitimacy of rights which means that the vindicator must be a person in the Church through baptism (can. 96), in ecclesiastical communion and with no rightly imposed sanction standing as barrier.[16] ; (b) a violation of an actual ecclesiastical right indicates that there has truly been a violation of a right for one of Christ's followers.

The Church is a mother and therefore does not treat the members of Christ's faithful as slaves but as children and citizens with rights, hence the right they enjoy in the Church. These rights are based on one's membership of the Church. They affirm one's dignity through baptism and one's freedom as a child of God. When these rights are denied, withdrawn or violated, canon 221

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[12]Augustine Flannery (ed), '*Gaudium et Spes*', (1981). *Vatican Council II: The Conciliar and Post Conciliar Documents,* 999.

[13]Pontifical Commission, *Justitia et Pax,* (1975). The Church and Human Rights, 18.

[14]Ephesians 4:5, *Lumen Gentium* 33.

[15]Glugli Filibeck, 'Human Rights in the Teaching of the Church', (1995). Lecture presented to the Plenary Assembly of Episcopal Conferences of Anglophone West Africa, 4.

[16]Canon 205.

stipulates that the law backs any effort to get redress. This support which the law gives is "founded on the dignity of the human person, the principles of fundamental fairness and the universally applicable presumption of freedom".[17]

Due process of law refers to the right of Christ's faithful to be judged with justice and legal safeguards. It follows that "when one is called to judgment by competent authority, a Christian has the right to be judged according to the prescriptions of law with justice and equity".[18] Precautions are taken to see that "the course of justice is furthered by every adjudication hence the application of the law with equity".[19]

Violation of the due process of law in instruction of cases in the judicial process vitiates a judicial act and therefore renders it void or voidable. This "provokes a legal redress through hierarchical recourse through administrative tribunals (can. 1400§2). This violation of law (*violatio legis*) can be positive or negative through *error iuris or ignoratio iuris* (error of law or ignorance of law) which can occur either in procedure or in decision making".[20]

Legality of punishment in contrast to the broad powers to impose penalties even if they were not previously established in law is the modus operandi of the 1917 Code.[21] In the 1983 Code, sanctions are to be imposed only according to the prescriptions of the law. Therefore, no sanction can be imposed unless a person has externally violated a law or precept, and has done so gravely, and is personally imputable for the act.[22] Canon 221 is essentially about avoiding using arbitrary punishment for followers of Christ inside the Church. When administering punishment, the administrator must adhere to a set protocol. This necessitates clarifying the 1983 Code's provisions about the duties and rights of Christ's followers inside the Church. The act is vitiated when a court or administration imposes a sentence based only on sentiment, prejudice, or other human factors.

The pastoral dimension of the revised code de-emphasizes punishment in favour of fraternal correction, warnings and creative solicitude as better options to repair scandal, restore justice or lead to a change in the problematic way of acting. The principle *nulla poena sine lege* (no punishment without a law), that is, nobody is punished where law has not been contravened, is moderated by canon 1399 which enjoins that "external violation of divine or canon law can be punished with a just penalty even where there is no law containing or threatening punishment only when the special gravity of the violation requires it and necessity demands that scandal be prevented or repaired".[23]

5.4 Juridical Contents

The juridical content means the law that is contained in this canon. The canon is both prescriptive and procedural. In compliance with the law, members of Christ's Church may legitimately defend and assert their rights inside the Church before the appropriate ecclesiastical tribunal. This means that when it comes to the rights of the faithful, the actions of the ecclesiastical authority, whether in the local or global Church, cannot be disregarded or ignored.

[17]Istavan Meszaros, 'Procedure of Administrative Recourse', (1984). 46(1) Jurist, 108.
[18]Hillary O. Okeke, 'Administrative Justice in the Church: A Study of canon 1400§2', (1999). A lecture presented at the Catholic Institute of West Africa Port Harcourt, 4.
[19]James Coriden et al, *The Code of Canon Law*, (1995). A Text and Commentary, 153.
[20]George Raw Daw (ed), *Resolving Disputes in the Church,* (1981) 5.
[21]Canon 2222 of the 1917 Code of the Canon Law.
[22]Canon 1321 §1 of the 1983 Code of the Canon Law.
[23]David Brennan, 'Parishioner Bringing Suit against a Priest in Vann', (1996) 70.

If any members of Christ's faithful are summoned to trial by the competent authority, they have the right to be judged according to the provisions of the law, to be applied with equity. When any member of Christ's faithful infringes the law and is summoned to a trial, the summoning and trial must be done by the appropriate authority and not by anybody else. The offense must be externally manifested and imputable before Christ's faithful is summoned to trial. It is not just a hearsay. Eventually, when the tribunal/court sits and invites the faithful, they have the right to be judged according to the provisions of the law. The tribunal's proceedings shall not exhibit any indications of arbitrariness. The offense is not imputable if it is not covered by any laws. Lastly, the law's provisions must be implemented with justice, fairness, and compassion.

Christ's faithful have the right that no canonical penalties be inflicted upon them except in accordance with the law. The content of law within this provision is that when Christ's faithful have been tried and found guilty of the offense committed then there is a provision for penalties for such offenders. Again there should be no arbitrariness in the infliction of penalties; it must be in accordance with the code of canon law and with equity and fairness especially if the faithful is a first offender. Writing on conflict resolution in the church, Nwagwu stated:

> *These principles of action were directly absorbed in canons 221 and 1400 of the code. From these canonical provisions, vindication of personal rights is a matter of major importance since it "coincides with the universal concern and sensitivity of the modern day societies and organisations over their protection in a legal document, and the observance in civil and ecclesial societies, of the fundamental rights of the human person.*[24]

The above quotation buttresses the importance of the innovation of canon 221 in the 1983 Code of the Canon Law. The juridical content of this canon is therefore the preservation of the rights which Christ's faithful enjoy in the Church.

5.5 Other Related Canons

There are many canons that are related to canon 221 with regards to the vindication of the rights which Christ's faithful enjoy in the Church, namely: canons 96, 1342, 1400, and 1446.

a. Canon 96

Canon 96 deals with the origin of the right of Christ's faithful. It provides: "By baptism one is incorporated in the church of Christ and constituted a person in it, with the duties and rights…." The Church is the people of God. Personhood within the church is acquired through baptism. Canon 96 gives the basis of this personality as baptism which inserts and incorporates one into Christ's faithful. In the civil legal system, age, consanguinity and other factors define the basis for personhood in a given state or group.

b. Canon 1342

Canon 1342 legislates:

> *§1 Whenever there are just reasons against the use of judicial procedure, a penalty can be imposed or declared by means of an extra-judicial decree; in every case, penal remedies and penances may be applied by a decree.*

[24]Mary Gerard Nwagwu, *Judicial and Administrative Processes in the Church,* (2013) 13.

> *§2 Perpetual penalties cannot be imposed or declared by means of a decree, nor can penalties which the law or precept establishing them forbids to be applied by decree.*
>
> *§3 What the law or decree says of a judge in regard to the imposition or declaration of a penalty in a trial, is to be applied also to a superior who imposes or declares a penalty by an extra-judicial decree, unless it is otherwise clear, or unless there is a question of provision which concern only procedural matters.*

c. Canon 1400

According to Canon 1400§ 1, the objects of a trial are:

(1). To pursue or vindicate the rights of physical or juridical persons or to declare juridical facts.

(2). To impose or to declare penalties in regard to offences.

According to paragraph 2 of the canon, disputes arising from an act of administrative power, however, can be referred only to the superior or to an administrative tribunal.

d. Canon 1446

Canon 1446 provides:

> *§1 All Christ's faithful, and especially bishops, are to strive earnestly, with due regard for justice, to ensure that disputes among the people of God are as far as possible avoided, and are settled promptly and without rancor.*
>
> *§2 In the early stages of litigation and indeed at any other time as often as he discerns any hope of successful outcome, the judge is not to fail to exhort and assist the parties to seek an equitable solution to their controversy in discussion with one another.*
>
> *§3 If the issue is about the private good of the parties, the judge is to discern whether an agreement or a judgment by an arbitrator, in accordance with the norms of cannons 1713-1720, might usefully serve to resolve the controversy.*

6. PROCESSES FOR VINDICATION AND DEFENCE OF RIGHT

6.1 Dialogue, Love, Mercy, Fairness and Justice

The Church in imitation of God who is a merciful Father should be a merciful mother. Dialogue, forgiveness and giving of other chances must not be strange in the Church because our Christian faith is to be seen in our day to day lives. We should always give room for people to improve and become better people. It is said that change is the only thing constant in the world. People can truly change for good because man is a bundle of possibilities. The Church is called to make disciples of all nations.[25]

God keeps forgiving us, and who are we to stop forgiving other people. If God keeps on giving us other chances, who are we to stop giving people other chances. God has done all things well, the Church should live up to expectation in doing all things well (Gen. 1:31, Mk. 7:37).

[25]Matthew 18:21-31; 28: 18-20, John 21:15-19.

The Church is not supposed to increase the pains and sufferings of people but help in solving their problems and healing them (Matt. 11: 28). Nonetheless, justice, truth and reason should not be sacrificed for compassion because ecclesiastical penalties are meant to reform the offender, repair scandal and restore justice and it is also geared towards maintaining canonical equity in Christian community. Prayers and preaching on justice and equity should be reflected in the daily activities of Christ's faithful. The ecclesiastical administrators together with the lay Church workers are to be in continues dialogue and relationship through which they will know themselves better and appreciate one another. They should settle their differences amicably. They should remember that through their good works, people will surely glorify God and testify that the Lord is good indeed.

6.2 Pastoral Approach, Judicial Process and Administrative Recourse

The Church requires her members to follow certain procedures in order to vindicate and protect their rights in the event that they feel mistreated or insulted within the Church. These procedures are outlined in the 1983 Code of Canon Law. In the event that none of these processes work, there is a tribunal or judicial process. These procedures include equitable mediation, arbitration, settlement and reconciliation. The processes of vindication and defence of rights besides the pastoral process are three types namely: judicial process for contentious cases, penal process for criminal cases and administrative process for administrative acts or purposes. Administrative recourse can be directed to the bishop of a diocese for administrative convenience and quicker results.[26] Thus, according to Ojemen, "where there is no recourse, there is no right".[27]

The authority should establish competent ecclesiastical forum where aggrieved lay Church workers can go for the vindication and defence of their rights. No one should die in silence or see himself as an outcast because he is a co-workers in the vineyard of the Lord. In the Church, there should always be avenues for justice and peace. Lay Church workers should strive to vindicate and defend their rights against poor remuneration using the already established processes. They should give no room to fear or intimidation but be courageous enough in seeking justice and fairness. Okuta states that:

> *This right is often not used due to either ignorance or the fear of winning the battle and losing the war. The right of recourse is a canonical right available to all Christ's faithful and should be pursued when necessary. However, the fear of vengeance from the authority is often the hindrance to its use. Such ecclesiastical authorities who go on such vengeance mission fail to live out the Christian value of humility in admitting their error of judgment.*[28]

7. CONCLUSION

The Church has always been an advocate for vindication and defence of human rights. With the Second Vatican Council and the 1983 Code of Canon Law, it will continue to take a more proactive stand in this area. Vindication and defence of lay Church workers' rights are relevant because everyone is happy when justice, fairness and equity are practiced in the community. The lay Church workers should reach out to the ecclesiastical authorities when they are facing challenges with an open mind, without grudges and bitterness for the solution of their difficulties.

[26]Canons 1713-1716, 1400 – 1401, 1732 – 1735.

[27]Cosmas A. Ojemen. 'Justice in the Church, Administrative Justice and Hierarchical Recourse', (2020/2021). First Semester unpublished lecture note, 51.

[28]Patrick O. Okuta, *Imputability in Ecclesiastical Penalty*, (2023) 59.

In exchange for the services rendered, a lay Church worker who has devoted his or her life working for the Church deserves a corresponding just remuneration that can cater for decent accommodation, good health, food, clothing, means of mobility and other personal and family needs. However, when these are not the case, the lay Church worker has the right to vindicate and defend his or her right against poor remuneration.

> *It is clear that some salary structures for the lay Church workers cannot be justified and very far from meeting the demands of justice and fairness. Urgent attention is needed in this regard. Hence, no lay Church worker should live unbecomingly because he or she is working for God. While the Church is saving the soul, she must not forget the fact that the soul is nothing in this world without the body. If God will reward; at least, let the reward be seen in the Church as an instrument of hope and salvation. The Church administrators should be careful so that the lay Church workers do not lose faith in God and the Church because of their actions. The golden rule states: "do to others what you would like done to you (Matthew 7:12).*

8. RECOMMENDATIONS AGAINST POOR REMUNERATION

8.1 Creating Awareness of Canonical Provisions

The Church is in an urgent need of having seminars and workshop to create awareness of canonical provisions towards vindication and defence of rights because some of our lay Church workers are not happy. Such workers could be ready to quarrel with anyone who says that justice and fairness are found in the Church. However, the Code of Canon Law has provisions whereby anyone could reclaim his or her lost right. In the Church, no one is a stranger, everyone is a child of God.

Lay workers should not die in silence; they should speak out. They should make use of the canonical provisions in the Church for without the law, the Church will be a disorganized society. Furthermore, the law is not just a sign-post but is meant to be implemented. Whenever a worker feels that his or her right has been trampled upon, he or she may vindicate and defend his or her right by approaching the competent ecclesiastical forum when dialogue, arbitration, settlement and reconciliation have failed. The worker should note that no one should be punished for an offence that is alien to the law or punishment that is far beyond what is specified by the law for the offence committed.

However, if the worker wishes to bear whatever comes his or her way as a spiritual sacrifice; it is okay. Thus, the workers who noticed that their rights have been violated should follow the legitimate process to get them back through vindication and defence.

8.2 Entrenching the Culture of Vindication and Defence

Effective and practical ways must be provided to pursue claims of injustice in the Church. Every system of law needs an effective means whereby persons can vindicate and defend their rights not forgetting that right which cannot be vindicated is meaningless and where there is no recourse there is no right because violation of justice is injustice. Canon 221 provides for the possibility of vindication and defence of rights of members of Christ's faithful in the Church. There are several ways for doing this, however, it would be expected that in the ordinary circumstances of life and interaction of the faithful, that those who perceived that their rights have been violated could seek immediate redress through administrative recourse. This refers to judicial protection of one's right by means of a process with sufficient safeguards.

Aggrieved lay Church worker may decide to proceed to the tribunal for judicial process or penal process or administrative process only when pastoral admonition, fraternal correction and formal warning have failed. Members of Christ faithful should be judged according to the provisions of the law in accordance with the rules and laws laid down for the trial. No canonical penalties should be inflicted on them except in accordance with the provisions of the law. There is nothing wrong for lay Church worker to vindicate his or her right.

8.3 Remuneration Policy for Lay Church Workers

The aim of this is to balance the equation whereby some workers of particular regions are paid salaries that are less than what their counterparts in other communities receive. There should be a common policy for the remuneration of lay Church workers to ensure that justice is done to all the lay workers. This can eliminate unhealthy variations in salaries that may arise among lay workers. Such a policy should also tally with the canonical provisions for lay Church workers' remuneration in order to enable them meet up with the socio-economic challenges of the time. The policy must also factor security, health, and even retirement benefits into lay workers' remuneration scheme. It ought to be so since the Church cannot divorce faith from her praxis.

8.4 Periodic Review of Workers Remuneration As Well As Setting Up Monitoring Team

In the Church, there should be periodic review of remuneration scheme to ensure that the salaries of lay Church workers are up-to-date with the reality on ground. The Church as an advocate of justice should see they are not deprived of their right to adequate remuneration, which is equally a fundamental human right - a right deriving from their human nature. So, based on the current economic instability that is affecting the cost of living in Nigeria today, it is only fitting that the logistics for the periodic review of remuneration of lay Church workers be put in place. A monitoring team should be set up to see to it that the policies are carried out accordingly. It is recommended that such review should come at least once in every three years to ensure that these lay Church workers are remunerated adequately at all times.

7.5 Establishment of Arbitration and Ethics Office

Since making of recourse, that is defending and vindicating of right lawfully is enshrined in the Code of Canon Law, it will be good to have an office where lay Church workers rights can be lawfully defended and vindicated. It will also checkmate the laissez-faire attitude of some Church administrators and their insensitivity to the plight of poor Workers.