

# The Declaration of Nullity of Marriage Due to Force and Grave Fear in the Diocese of Ruteng, Indonesia and Its Implication to Premarital Pastoral Care: Case Studies 2012-2022

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## Abstract

This article aims to examine the issue regarding the declaration of nullity of marriage in the Ruteng Diocese based on coercion and serious fear in the 2012-2022 period. By using qualitative methods with a literature study approach, the author tries to collect and analyze data obtained from various sources, especially diocesan Tribunal documents as the main reference, and other sources that are relevant and support the author's argument. The results of this research show that compared with other cases, the number of declarations of nullity of marriage in the Ruteng Diocese based on force and grave fear in the past 10 years is very high. This coercion and serious fear is caused, among other things, by family pressure, threats of physical violence and murder, threats of cutting off one's genitals, and threats of suicide. The author argues that this problematic fact carries certain implications for pre-marital pastoral care. Serious attention to marriage preparation courses and canonical inquiry as part of pre-marital pastoral care is essential as an instrument for detecting defects of consensus.

## Keywords

declaration of nullity, force, grave fear, pastoral care

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## INTRODUCTION

The problem of coercion and grave fear in the context of marriage is one of the serious problems that receives serious attention from the Church. Specifically, coercion is an example of the explanation of the three common causes of marriage annulment, namely: the couple's personal incapacity from the beginning or before the marriage, a flawed marriage consent, or the unfulfilled form of the celebration (Driyanto & Soelasih, 2021). This is understandable because in the Catholic Church's marriage law system, the validity of a marriage is also determined by the factor of the extent to which a man and a woman at the time of their bilateral and reciprocal expression of will to give and surrender themselves totally to each other are truly free from elements of coercion and grave fear. If there is coercion and grave fear then the consent given becomes flawed and as a consequence, the marriage becomes invalid (Navarrete, 2006). Thus, even if a person is capable of carrying out a juridical act called a marriage consent, the marriage agreement can be considered legally flawed and therefore does not create a marriage if the person concerned experiences coercion or serious fear in the marriage consent (Paolis, 2012). In other words, the person concerned himself must know and want the marriage and not the wishes of the other party (Ruiz, 2012).

In connection with this, canon 1103 of the 1983 Code of Canon Law explicitly states that marriage is invalid if it is entered into due to coercion or grave fear imposed from outside, even if not intentionally, so that in order to escape from that fear a person is forced to choose marriage (Kitab Hukum Kanonik, 1983). The focus of attention in this canon is defects of consent as coercion imposed on the prospective bride or groom and serious fear which provokes her or his mind to choose a marriage that she or he does not really want or coercion carried out through fear or apprehension that arises as a result of coercion (L. Ghisoni, 2009).

The coercion discussed in canon 1103 above is physical and moral violence imposed from outside so that a person is unable

to choose other possibilities other than marriage. Coercion makes someone powerless to do something. This action causes stress to a person's soul. Physical and moral coercion basically interferes with and even prevents someone from acting freely. And even if someone can carry out certain juridical actions, it is only done to escape from greater danger or difficulty. Therefore, marriage as a juridical act is said to be invalid if it takes place due to certain coercion and pressure (Mauro, 2006).

Apart from coercion, grave fear can also make a marriage invalid. Fear is understood as anxiety and mental confusion caused by a very close or impending threat or danger and this is closely related to objective threats imposed from outside and which greatly affects a person's will capacity. So, what is affected by fear is a person's internal mental status. In other words, there is an evil that is used as a threat, and this threat directly affects a person's mind or soul which encourages him or her to choose one of two possibilities, namely marriage as a way to free himself or herself from that evil or not getting married and enduring that evil.

Defect of consent resulting from coercion and grave fear are strongly influenced by various factors, both internal and external, which are closely related to each other. For example, there are couples who are forced to marry with pregnancies that were not planned or expected (Aiello, 2019). This problematic fact brings fear of being abandoned by a partner and rejected by the family. It often happens that the family intervenes unilaterally by forcing and threatening the person concerned to get married in order to cover the family's disgrace (Dastoli, 2019). In connection with this, the party who is the victim is often in a dilemma situation between the desire to submit to parental coercion and not wanting to disappoint them and the fear of the big risk that he will receive if he opposes the parent's request (Forlini, 2010). The compulsion to marry can also be caused by threats of death and destruction of body parts. Apart from that, certain cultural customary factors directly or indirectly influence a person's decision to marry under

duress or in a state of severe fear (Morattil, 2009).

In the Church's legal system, a declaration of the nullity of a marriage based on coercion or serious fear can only be carried out by the Church Tribunal as a formal institution that carries out judicial decision-making power (Llobell, 2015). In handling marriage cases, judges pay careful attention to various procedural steps and legal principles as stated in the 1983 Code of Canon Law and avoid all forms of case resolution that violate the rules and that are detrimental to the good of the souls of the parties in conflict (Pozzo, 2014). In connection with cases of marriage due to coercion and serious fear, the judges go through the judicial process and syllogism of evidence (Bernardo, 2010), investigate and find objective truth regarding defects of consent due to coercion and serious fear which are grave, extrinsic and causative (Schöch, 2006).

In relation to the severity of the fear, the judges paid close attention to the Church's jurisprudence which makes a distinction between two types of grave fear, namely absolute grave fear and relatively grave fear. Absolute grave fear is a threat such that even normal people feel afraid. Meanwhile, relatively grave fear is a threat that only causes fear in certain people. The absolute grave fear usually stems from threats of death, physical abuse, loss of property, loss of livelihood and so on. Meanwhile, relatively grave fear presupposes actions such as beatings, expulsion, banishment, continuous reprimands or pressure, and so on. In Church jurisprudence, both absolute grave fear and relatively grave fear cause the marriage to be invalid. In this context, it is enough if subjectively someone feels very afraid (Caberletti, 2003).

Apart from that, the judges also confirmed whether the coercion was truly extrinsic or imposed from outside. This fear does arise from within, but the source is from outside or from another party. External parties can be marriage partners, parents or relatives, superiors. Fear caused by parents, relatives or superiors in Church jurisprudence is called reverential fear. A fear caused

by threats or intimidation from parents who must be respected or superiors who must be obeyed.

Dependence or reverence of a child or subordinate to a parent or superior is not based on juridical status but also social status, economics or ethical motives. The threat does not need to be explicit. It is sufficient if it is read through the danger or loss it causes in a particular subject, such as expulsion, dismissal from work, hatred, rejection as a child, threat of loss of inheritance rights, and so on. The focus of attention in this case is fear as an effect of threats imposed from outside (Schöch, 2006).

Another thing that is no less important is paying attention to the causality aspect of the fear. A marriage can be declared invalid if a person is forced to enter into an agreement simply to escape the fear of a greater evil. In this case, marriage is the effect of the main and determining cause, namely fear. If fear as a cause does not exist, then marriage as an effect also does not exist.

After there is moral certainty obtained from acts and the results of the evidence regarding the existence of coercion and grave fear, the judges hand down a declarative decision which officially states that the marriage that was previously held was invalid because there was a defect of consent (Salvatori, 2010).

In other words, through this decision the Church, through the tribunal judges, proved that in fact at the time of the previous marriage there was a legal defect, which caused the marriage to not exist due to a defect of consent, in this case coercion and severe fear. Because the previous marriage actually did not exist, the Church returned each person who was thought to have been bound by marriage to their initial status, namely not yet and not bound by marriage. In making decisions, judges carefully pay attention to various procedural steps and legal principles as stated in the 1983 Code of Canon Law and avoid all forms of case resolution that violate the rules and that are detrimental to the good of the souls of the parties involved in the problem (Pozzo, 2014).

Cases of marriage annulment based

on coercion and serious fear also occurred in the Ruteng Diocese. Based on data submitted by the Tribunal at the beginning of 2022, cases of declaration of nullity based on coercion and serious fear during 2021 topped the list, namely 29 and it is indicated that cases like this were also the dominant cases in previous years (Tribunal Keuskupan Ruteng, 2022). This problematic fact of course has certain impacts both for the couple concerned and the family as well as the Church as an institution in relationships with its implications for the pastoral care of marriage and family.

It must be acknowledged that so far there has not been a single scientific article that specifically explores the marriage problems that occur in the Ruteng Diocese from a canon law perspective. Unpublished research conducted by Jehaut et al in 2019 entitled: "Marriage Annulment at the Ruteng Diocese Tribunal: Case Study of Marriages from Parishes throughout the City of Ruteng" only provides a general overview of marriage issues in the Ruteng Diocese without going into further detail. analysis concerns more specific issues (Jehaut, et. al., 2019).

The novelty of this article lies in the fact that this is the first document study conducted in the Ruteng Diocese which specifically highlights cases of declaration of marital nullity based on coercion and grave fear within the last 10 years. Apart from that, this study makes an important contribution to the Diocese of Ruteng Diocese in seriously considering concrete steps related to contextual pre-marital pastoral care in order to prevent cases of marriage based on coercion and serious fear in the future.

The entire argumentative description contained in this article boils down to an attempt to answer several basic problem formulations, namely first, how has the practice of handling marriage cases based on coercion and serious fear been carried out at the Tribunal of Ruteng Diocese so far? Second, how many cases of marriage based on coercion and serious fear were declared invalid by the Ruteng Diocese Tribunal in the period from 2012-2022, including the

gender and area of origin of the plaintiff? Third, what factors condition a man or a woman to marry based on coercion and serious fear?; Fourth, what are the implications of the declaration of nullity for pre-marital pastoral care in the Ruteng Diocese?

From the formulation of the problem above, this article aims to describe the practice of handling marriage cases based on coercion and serious fear in the Tribunal of Ruteng Diocese so far; describe the many cases of marriage based on coercion and grave fear which were declared invalid by the Tribunal in the period from 2012-2022, including describing the gender and area of origin of the plaintiff; describe the factors that condition a man or a woman to marry based on coercion and severe fear; describe the implications of the marriage annulment for pre-marital pastoral care in the Ruteng Diocese.

## METHOD

In dissecting this issue, the author uses qualitative methods with a literature study approach. The documents studied were documents of the Tribunal of Ruteng Diocese for the last 10 years, namely 2012-2022. The reason for selecting documents in the last ten years, apart from limiting the scope of research, is also based on the consideration that in that time period there has been more or less complete documentation of marriage cases by the Ruteng Diocese Tribunal, and at the same time provides an overall picture regarding the dominant factors which is the legal basis for marriage annulment and this in turn helps the Church in the Ruteng Diocese to take various necessary handling steps both pastorally and juridically.

In this study, thirteen informants participated, three of whom were officials who usually handle marriage cases at the Ruteng Diocese tribunal and the rest represented parties whose marriages were annulled. The selection of informants was based on considerations regarding the objectivity of the data contained in the documents studied as well as to confirm the findings.

With this methodical knife, research-

chers collect and analyze all the data contained in these documents, including books, articles and previous studies (Smith, 2023). So, in conducting this research, researcher relied on various information contained in documents or various available literature then confronted with statements from the informants interviewed and the researcher's own observations.

By using this method, researchers take several steps that are closely related to each other (Smith, 2023a), namely first, searching for and collecting various documents that are relevant to the research theme; secondly, with the documents that have been collected, the researcher then selects documents that are relevant and significant for research and then the data is organized and categorized so that it is easy to access during analysis; third, analyze the contents of these documents to look for themes or information relevant to the research objectives; fourth, on the basis of analysis, the researcher then interprets the data found to formulate conclusions or research findings; fourth, triangulating document data with interview data and researcher observations; fifth, on the basis of analysis, the researcher then interprets the data found to formulate conclusions or research findings.

## RESULT AND DISCUSSION

### Handling Cases of Marriage Due to Force and Grave Fear

Procedurally, the handling of marriage cases at the Tribunal of Ruteng Diocese follows the mechanism outlined in canonical norms. The process of handling marriage cases begins with an initial consultation service with interested parties to ensure that the case submitted to the Church Tribunal has really been carefully considered and that there is no other way other than going through the marriage annulment process through the Tribunal (Conde, 2014). The importance of this initial consultation is also based on the consideration that the services provided by the Tribunal are part of the Church's pastoral services which ultimately aim for the good of the individual

concerned and the common good.

In the context of the Diocese of Ruteng, this initial consultation is also an opportunity for the Tribunal to ascertain whether there is a resolution that involves problematic parties both in terms of civil law and customs related to marriage cases. This internal Tribunal policy was taken to avoid problems occurring in the future after being issued, for example regarding inheritance, children, and so on.

Furthermore, after receiving the application letter, the Tribunal makes a decision to accept or reject it based on certain considerations. In the case of accepting the application, the Tribunal then forms a collegium of judges to hear the case and then at a predetermined time summons the parties to the case including witnesses for thorough interrogation (Moran, 2012).

In proving the existence of coercion and grave fear, the judges of Tribunal tried to find out whether there were external facts in the form of serious threats, whether there were internal facts in the form of serious fear, and whether there was causality between the fear and the statement of the marriage agreement. This is extracted from the confessions of the parties concerned, documents and testimonies, direct evidence both before and after the confirmation of the marriage.

Next, to assess the existence of grave fear, the judges pay attention to the individuals involved, namely the provocateur of fear and the victim of provocation, from the perspective of age, gender, as well as the situation and condition of the two people. What is their respective personalities and the relationship between the two people? A reverential fear which is essentially light, in certain situations and conditions can become serious, so that it can result in the marriage consent being invalid. The assessment in this case is not only the evil that is threatened, but also the difficulty of the victim to distance or free himself from the threat.

The fact that there is a threat must also be proven directly considering that it is very external, real and clear to several or

even many people. This evidence includes, for example, the person who threatened them, the harm they threatened if they did not want to marry, the means and methods used to threaten them. Indirect evidence can be extracted from attitudes of antipathy, hatred and hostility towards the partner's personality or towards the married life of the partner, or towards both. On the other hand, inner fear or confusion is proven indirectly through external manifestations or expressions of inner fear and the severity of that fear.

Likewise causality, namely fear as an effect of a threat, and the reasons for choosing marriage are closely related to a person's inner reality. Indirect proof is very important, namely through presumptions and indications that appear significant, for example behavior during courtship or weddings, whether or not there is an affective relationship between the bride and groom, certain expressions of resistance. It needs to be seen whether the victim is withdrawing or opposing the marriage plan based on the context of his or her situation, family situation, social situation and work environment. It is also necessary to see the victim's reaction during the wedding celebration and the days after the wedding.

Apart from that, the judges also pay attention to the situation or surroundings of the victim before the marriage. Are there any arguments in the family regarding marriage plans? What is the form and content of the dispute? What is the solution? How did the victim proceed with her marriage plans? Did he run away from home to express his rejection? The situation and surroundings after marriage are also very useful for describing the quality of rejection of the marriage or the partner's personality, especially how long does the antipathy or hatred last?

The presumption that the marriage was forced or caused by fear was also explored from the authentic reactions of the victim before marriage, at the celebration and in the early moments of marriage. Here the judges look at whether there are signs of sadness, bitterness, depression on the victim's part before and during marriage.

After a thorough investigation of all the factors above, the judges, in accordance with their authority, handed down a declarative decision which annulled a previous marriage which legally did not exist due to a defect of consent, namely coercion and grave fear. So, the judges actually did not annul a valid marriage but simply made a declarative decision stating that the marriage that had previously been held was invalid from the start because it had certain legal defects.

The entire process and steps for handling marriage cases at the Ruteng Diocese Tribunal as described above were confirmed by one of the judges of Ruteng Diocese Tribunal. When interviewed, he stated that the process of handling marriage cases at the Tribunal strictly followed the procedural steps as outlined in the Code of Canon Law (Jehaut, et.al., 2023). Regarding this matter another judge added that apart from following the provisions of church law, the plaintiff's family was also asked to resolve marriage problems peacefully with a cultural customary approach in order to avoid problems in the future. This customary peace settlement must be made in writing and submitted to the Tribunal as supporting documents (Jehaut, et. al., 2023).

### **The Case of Declaration of Nullity of Marriage**

A careful search of the Ruteng Diocese's tribunal documents shows that there has been a very significant quantitative jump in the number of annulment cases based on coercion and serious fear over the last 10 years, from 2012-2022. The number of cases per year, gender and origin of the plaintiff can be seen in the table 1.

From the table 1 we can obtain some important information. First, it becomes clear that the legal basis for the annulment of marriages in the Ruteng Diocese is dominated by a flawed consensus of coercion and serious fear with a score of 78.19%. Second, since 2016 there has been a very significant increase in the number of cases of coercion and serious fear in the Ruteng Diocese compared to previous years from 5.44% in 2012 to 21.09% in 2022. In an interview with

Table 1. Cases Of Force And Grave Fear 2012-2022

| Year       | Total De-<br>cisions | Force and<br>Grave Fear | Porsentation of Force<br>and Grave Fear | Gender |       | Area      |             |
|------------|----------------------|-------------------------|---|--------|-------|-----------|-------------|
|            |                      |                         |   | Female | Male  | City area | Suburb Area |
| 2012       | 11                   | 8                       | 5.44                                    | 4      | 4     | 5         | 3           |
| 2013       | 6                    | 3                       | 2.04                                    | 2      | 1     | -         | 3           |
| 2014       | 6                    | 4                       | 2.72                                    | 2      | 2     | -         | 4           |
| 2015       | 5                    | 3                       | 2.04                                    | 1      | 2     | -         | 3           |
| 2016       | 11                   | 7                       | 4.76                                    | 3      | 4     | 1         | 6           |
| 2017       | 14                   | 11                      | 7.48                                    | 6      | 5     | 7         | 4           |
| 2018       | 25                   | 16                      | 10.88                                   | 8      | 8     | 7         | 9           |
| 2019       | 31                   | 20                      | 13.61                                   | 11     | 9     | 6         | 14          |
| 2020       | 16                   | 15                      | 10.20                                   | 9      | 6     | 7         | 8           |
| 2021       | 31                   | 29                      | 19.73                                   | 16     | 13    | 9         | 20          |
| 2022       | 32                   | 31                      | 21.09                                   | 14     | 17    | 12        | 19          |
| Total      | 188                  | 147                     | 5.44                                    | 76     | 71    | 54        | 93          |
| Percentage | 100.00               | 78.19                   |   | 51.70  | 48.30 | 36.73     | 63.27       |

the Notary of Ruteng Diocese’s tribunal, this information was confirmed and supported by objective data stored in the Tribunal’s archives (Jehaut, et. al., 2023) Third, in terms of the gender of the plaintiff, there does not seem to be a striking difference between men and women, namely 51.70% women and 48.30% men. This fact implies that in the face of severe coercion and fear, the gender of the victim is not very relevant. In other words, both women and men can be passive subjects who are helpless in the face of external forces that present certain threats that can be executed at any time. Fourth, in terms of the area of origin of the plaintiff, the majority of plaintiffs come from villages, namely 63.27%, while the remaining 36.73% come from cities. This fact can indicate the influence of the cultural environment on the attitudes and life choices a person makes. A person who lives in a homogeneous rural environment and is strongly characterized by an attitude of submission to parental authority tends to simply accept parental decisions. On the other hand, someone who lives in a heterogeneous urban environment and has received sufficient education tends to have more freedom in choosing and is less influenced by their parents’ decisions.

**Causal Factors**

A critical examination of the causal factors that make someone marry because of force and grave fear shows that there are various factors behind it. The table below illustrates the diversity of these factors.

From the table 2, it can be seen that the factors of family pressure due to being pregnant and the threat of expulsion and no longer being recognized as a child are at the top with the number of cases being 94 (69.63%). Of the twelve informants interviewed to confirm the data regarding their marriage cases, eight of them stated that pregnancy and the threat of eviction from their home were the reasons why they made the decision to get married. This problematic fact is also a reason for parents to apply certain psychological pressure (Jehaut, et. al., 2023). In many cases, parents “force” the couple to get married immediately in order to uphold honor and cover family disgrace as well as obtain a clear legal status for the mother and child who will be born. Technically, this causal factor is related to referential fear.

The threat of physical violence and murder by the family was in second place with 22 cases (16.30%). Three people who previously filed marriage lawsuits with the Tribunal confirmed this data when interviewed (Jehaut, et. al., 2023). Threats like this basically come from outside parties who

Table 2. Factors Causing Force and Grave Fear

| Factors Causing Force and Grave Fear   | Number of cases | Percentage |
|--|-----------------|------------|
| Threats of physical violence and murder by the family  | 22              | 16.30%     |
| Threats to return the dowry (sum of money or animals given by the groom's family to the prospective bride's parents) | 6               | 4.44%      |
| Pressure from the family because of pregnancy and threats of expulsion and no longer being recognized as a child     | 94              | 69.63%     |
| Threat of genital mutilation   | 1               | 0.74%      |
| Raped  | 2               | 1.48%      |
| Threat of dismissal from Civil Servants  | 4               | 2.96%      |
| Suicide threat   | 1               | 0.74%      |
| Threat of expulsion from school  | 3               | 2.22%      |
| Arranged marriage  | 2               | 1.48%      |
| Total Cases  | 135             | 100.00%    |

have the power to do something that can cause harm to other people and eliminate a person's freedom to do something according to their wishes.

The threat factor for returning the dowry was 6 cases (4.44%). A person is forced to marry due to coercion or moral pressure on the part of the family who feel embarrassed and are unable to economically return the dowry to the man's family who have provided a certain amount of the marriage dowry.

Threats of dismissal from civil servants amounted to 4 cases (2.96%). This threat relates to the possible loss of a person's permanent job or livelihood. The danger of losing a job can condition someone to be forced to marry.

Threats of being expelled from school were 3 cases (2.22%). Two people confirmed this when interviewed (Jehaut, et. al., 2023). Sanctions for moral violations, in this case pregnancy out of wedlock, pose a serious threat to someone who de facto has no intention of getting married. The hope of completing studies and getting a degree will be ruined if they continue to live together without a legal marriage bond. Apart from that, the feeling of fear of disappointing parents who have paid for their education is also very strong. Marriage then becomes the only way out to free oneself from this threat.

Forced marriages also occur in cases of

women who are raped. Even though it is not desired, marriage is a way to restore tarnished dignity.

Cases arranged marriage by parents were 2 cases each (1.48%). This case is closely related to the traditional marriage model in Manggarai culture which is called '*tungku cu*' marriage, namely a marriage between two parties who are still close blood relations, in this case a marriage between cousins, between the son of a biological sister with a sibling's daughter.

Threats of suicide and genital cutting were 1 case each (0.74%). For normal humans, threats like this give rise to serious fears that can affect a person's capacity to think and act.

### Implications to Premarital Pastoral Care

The high number of cases of marriage annulment based on coercion and grave fear implicitly shows that there are serious marriage problems in the Diocese of Ruteng. The results of this research have several serious implications for pre-marital pastoral care that Church pastors must pay attention to. In collaboration with the Tribunal, pastors can utilize the Tribunal's data as reference material in carrying out pre-marital pastoral care. Of course, in its implementation, it also involves other believers who, with their capacity and expertise, can help the Church pastors.



We think that in the context of the Ruteng Diocese, it is very important to pay attention to pre-marital pastoral care as a form of catechetical, pastoral and legal service and formation that the Church provides to parents, young people and couples who have decided on the choice to marry. Concretely, this pastoral care is realized, among other things, through marriage and family catechesis. In addition, pastoral care is also carried out through marriage preparation courses and canonical inquiry. These two things are part of the immediate and direct preparation for marriage which requires great attention from the pastors of the Church.

### **Catechesis of Marriage and Family**

A correct understanding of Catholic marriage is very important for believers. Only on the basis of correct understanding can a person appreciate the nobility of marriage and the responsibilities that arise as a consequence of married life. In this catechesis, it is also important to emphasize the aspect of proper attention from parents who do not intervene too far in their children's life choices, but instead provide the right motivation for them to build their marriage and family life.

In relation to catechesis, the role of the parish priest is very decisive. A scheduled catechesis program needs to be created and evaluated periodically. The involvement of catechists in marriage catechesis programs also needs to be encouraged according to their capacity, knowledge and experience in marriage and family life.

### **Marriage Preparation Course**

In the Apostolic Exhortation *Familiaris Consortio* no. 66, Pope John Paul II emphasized the importance of developing better and more intensive marriage preparation program (John Paul II, 1981). Pope Francis also emphasized the importance of preparation for marriage on various occasions (Francesco, 2016).

One form of preparation is a marriage preparation course. This course is intended to equip those who want to get married with various fundamental things regarding Cat-

holic marriage, such as the nature of marriage, the sacramentality and morals of marriage as well as other things that are useful for them. Another important thing that must receive great attention is the freedom to choose one's life status. Prospective couples who want to get married must be given adequate enlightenment regarding the aspect of freedom in choosing a life partner. Course facilitators must pay serious attention to this very fundamental aspect because it greatly influences the marital consensus expressed at the time of confirming the marriage vows.

In relation to marriage preparation courses, if there is no reasonable and reasonable reason, it is best not to provide dispensations for these preparation courses or as far as possible not to provide crash courses that appear to be just to fulfill the mere formal administrative requirements for marriage. Those who want to get married must take adequate training for several days according to a predetermined schedule. The inappropriate practice of some parish priests in the Diocese of Ruteng who give 'short and fast courses' without sufficient reasons to prospective couples who want to get married needs to be avoided because it seems like they are just trying to get a certificate without having sufficient understanding of the nature of Catholic marriage (Jehaut, et. al., 2023).

### **Canonical inquiry**

According to Church law, before a marriage can take place, it must be certain that there is nothing preventing it from being valid and licit. From this statement it can be concluded that the canonical inquiry aims to guarantee the confirmation of a valid and licit marriage in all its aspects, namely concerning verification regarding the 'free status' of each partner, the integrity of the consensus as a deliberative and free act, the correspondence between the will to marry and the essence of marriage, the purpose and essential characteristics of Catholic marriage as well as whether there are obstacles that thwart marriage.

The canonical inquiry is the final stage of preparation before the marriage is confir-

med and is part of the most important direct preparation and is the duty and responsibility of the parish priest. If we refer to the purpose of canonical inquiry as mentioned above, it becomes clear that this is not just to fulfill formal-administrative demands. It is an anticipatory juridical instrument to determine whether the prospective bride and groom really have the free will to marry as well as detecting defects of consent and various obstacles that thwart marriage (Ghisoni, 2015).

If in the investigation there are strong indications that there is an element of coercion and serious fear in someone who wants to get married, then the parish priest must stop the marriage plans. It is better to avoid an invalid marriage which must then be declared void by the Tribunal than to allow the planned marriage to continue at the risk of spiritual and material losses in the future (Franceschi, 2009).

Given the importance of this canonical inquiry, parish priests must pay serious attention to it. The practice of entrusting this investigation to certain parties who are not at all competent or handing over the canonical inquiry form to the prospective bride and groom to be filled in by the person concerned is a practice like this which is of course pastorally incorrect and contrary to the provisions of applicable church law.

## CONCLUSION

This research found that in the last ten years, coercion and grave fear have been the dominant factors or reasons for marriage annulments handled by the Ruteng Diocesan Tribunal as an official ecclesiastical institution. The handling of this case has strictly followed the mechanisms and various provisions outlined in Church law. And everything is as well documented as it should be.

Critical analysis of documents, confirmation from informants and researcher observations shows that there are various factors that are the reasons behind this coercion and fear. Factors of pressure from the family due to being pregnant and threats of expulsion and no longer being recognized

as a child, threats of physical violence and murder, threats of cutting off one's genitals, threats of suicide, rape, being fired from work, are some of the reasons that force someone to get married.

This problematic fact has certain implications for pre-marital pastoral care. Marital and family catechesis needs to be carried out periodically. Apart from that, marriage preparation courses and canonical investigations must receive more serious attention from parish priests and those responsible for pastoral care for the faithful and must not be impressed as mere formal-bureaucratic demands. This is important because through marriage preparation courses and especially canonical investigations, marital nullity can be detected early and can then be handled quickly as it should be before getting married.

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