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*L'intelligenza artificiale nei Tribunali ecclesiastici:
sfide, opportunità e rischi per la salus animarum nel processo canonico*

*Artificial intelligence in ecclesiastical tribunals:
challenges, opportunities and risks to the salus animarum in canonical process*

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RIASSUNTO

Il contributo affronta il tema dell'impiego dei sistemi di intelligenza artificiale nei processi canonici di nullità matrimoniale, analizzandone sfide, opportunità e rischi, tanto nella dimensione del supporto organizzativo e decisionale quanto della cd. giustizia predittiva. Principi e postulati fondamentali del processo canonico aiutano l'interprete e l'operatore della giustizia ad orientarsi responsabilmente tra algoritmi ed outputs, resistendo alla tentazione di consegnarsi completamente alla macchina.

PAROLE CHIAVE

Intelligenza artificiale, processo di nullità del matrimonio, giustizia predittiva

ABSTRACT

The paper examines the use of artificial intelligence systems in canonical processes of marriage nullity, analysing the challenges, opportunities and risks involved, both in terms of organisational and decision-making support and in the context of so-called predictive justice. Fundamental principles and postulates of canonical procedure help the interpreter and the legal practitioner to navigate responsibly between algorithms and outputs, resisting the temptation to surrender completely to the machine.

KEYWORDS

Artificial intelligence, marriage nullity process, predictive justice

CONTENTS: 1. *Canon law, procedure and artificial intelligence*; 2. *Conditions and principles for a possible use of AI in procedural contexts: magisterium, canon law, Vatican legislation and supranational guidelines*; 3. *Potential and limits of the use of artificial intelligence in ecclesiastical tribunals*; 4. *Conclusion*

1. Canon law, procedure and artificial intelligence

“*Omne verum, a quocumque dicatur, a Spiritu Sancto est*”: every truth, whoever speaks it, comes from the Holy Spirit. This well-known statement, long attributed to Saint Ambrose¹ and authoritatively taken

* The paper is intended for publication in the volume edited by Antonio Fuccillo – Paolo Palumbo, *Enti religiosi e mondo digitale*, Editoriale Scientifica, Napoli, 2026.

¹ See AMBROSIASER, *Commentaria in Epist. I ad Corinthios*, XII, 3,2

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up by Saint Thomas Aquinas², offers a theological basis for recognising the value of truth even outside expressly ecclesial settings. It suggests that, although it may come from human or technical instruments, every real form of knowledge - including the kind developed through digital technologies and artificial intelligence - can, if properly ordered, contribute to the good of the person and of society. Yet precisely because of this principle, it is necessary to ask critically under what conditions such “truth” is compatible with the anthropological, legal and salvific vision of the Catholic Church. The arrival of digital technologies and, especially, the development of artificial intelligence have deeply changed legal systems³. If in state courts the use of artificial intelligence is already a reality in many respects, and regulatory measures at supranational level are numerous⁴, the Catholic Church too must reflect on the appropriateness, limits and implications of introducing this tool into its procedural system. In a context in which legal knowledge increasingly relies on algorithm-based logic, able to analyse large amounts of data, generate forecasts and guide judicial choices, the temptation of technical efficiency can prevail over the need for a justice based on the truth of the concrete case. Hence the need for the Catholic Church to discern, with theological seriousness and pastoral prudence, the meaning and consequences of integrating artificial intelligence into its judicial structures. The issue is not only technical or technological; it touches the very understanding of canon law as an expression of the salvific dimension of the Church and therefore of its pastoral vocation⁵. Canon law is not merely a regulatory instrument, but the legal mediation of Grace, ordered to the *salus animarum* (which can. 1752 CIC indicates *as the supreme* law of the Church). It follows that every innovation must be assessed in light of the spiritual good of the faithful, so that a technocratic paradigm⁶ does not weaken the centrality of the person and the ecclesial relationships that stand at the basis of every judicial act in the Church. The urgency of this reflection is especially clear in ecclesial justice, and in particular in marriage cases, where digital practice⁷ has already entered in various ways, and where judicial decision-making must bring together truth, justice and mercy in a perspective that is not only legal but also ecclesiological and anthropological.

The distinction between artificial intelligence and human intelligence has decisive importance in the context of canonical procedure, which is not only a way to resolve a dispute but also an instrument ordered to the shared search for truth and *to the service* of the *salus animarum*. The Note Antiqua et nova of the Dicastries for the Doctrine of the Faith and for Culture and Education⁸ underlined that, although

² See THOMAS AQUINAS, *Summa Theologiae*, I-II, q. 109, a.1, ad.1

³ GIOVANNI BUONOMO, GIANLUIGI CIACCI, ANGELO COSTANZO, *Macchine intelligenti e diritto*, Giappichelli, Torino, 2025; LUISA TORCHIA, *Lo Stato digitale. Una introduzione*, Il Mulino, Bologna, 2025.

⁴ See Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonized rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139, and (EU) 2019/2144, and Directives 2014/90/EU, (EU) 2016/797, and (EU) 2020/1828 (Artificial Intelligence Act – AI Act)

⁵ See RAFFAELE SANTORO, PAOLO PALUMBO, FEDERICO GRAVINO, *Diritto canonico digitale*, Editoriale scientifica, Napoli, 2024.

⁶ FRANCIS, ENCYCLICAL Letter *Laudato si*, on care for our common home, May 24, 2015, the full text of which is available on the Holy See’s official website (www.vatican.va), no. 106 ff.

⁷ RAFFAELE SANTORO, PAOLO PALUMBO, FEDERICO GRAVINO, *Diritto canonico digitale*, cit., chap. X; PAOLO PALUMBO, *Marriage and canonical process in the digital era*, in *Stato, Chiese e pluralismo confessionale*, (www.statoechiese.it), 9, 2022, p. 103 ff.

⁸ DICASTERY FOR THE DOCTRINE OF THE FAITH – DICASTERY FOR CULTURE AND EDUCATION, *Note Antiqua et nova, on the relationship between artificial intelligence and human intelligence*, January 28, 2025, the full text of which is available on the Holy See’s official website (www.vatican.va). PAOLO BENANTI, *L’uomo è un algoritmo. Il senso dell’umano e l’intelligenza artificiale*, Lit Edizioni, Roma, 2025.

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artificial intelligence can simulate some expressions of human intelligence, it remains fundamentally confined within a functional and computational logic. It lacks the experiential, relational and moral depth that belongs to human rationality, understood *in the fullness of intellectus and ratio*⁹. As a result, justice, if reduced to computational reasoning and simple learning from large data sets, risks losing its soul, that is, its capacity to grasp the irreducible uniqueness of human events.

Unlike secular legal systems, where jurisdiction is mainly called to ensure legal certainty and administrative efficiency, in the Catholic Church the judicial process, no less than administrative procedures, has an intrinsically pastoral purpose¹⁰: to accompany persons in their spiritual history, offering guidance, justice and reconciliation. From this perspective, the process cannot be reduced to a formalistic or statistical procedure, but is configured as a locus veritatis, an expression of *that* “institutional conception of process” already outlined by Pius XII in 1944¹¹. The canonical judgment, especially in marriage nullity cases, is deeply linked to the personal and intimate history of the faithful, to their affective maturity, and to the relational and spiritual dynamics that marked the marital bond. As John Paul II stated, “the process is essentially inconceivable outside the horizon of the ascertainment of truth.”¹² It is therefore not possible to automate the interpretation of the deepest and most delicate human acts, nor to subject the evaluation of marital capacity to statistical or algorithmic parameters. Every case is unique and unrepeatable, and it requires a complete view that only a trained, prudent and attentive human operator can offer. In canon law, truth is not simply factual reconstruction, but a truth directed toward salvation, which implies spiritual discernment. The judge - and the same applies to every operator of ecclesial justice - does not act as a mere applier of the law, but as minister - *cooperator - veritatis*¹³ called to go beyond appearances and to judge or illuminate, in the light of faith and justice and naturally *ex actis et probatis*, the validity of the marriage bond. From this perspective one understands the centrality of the human element, intended not only as rational intelligence but also as the capacity to understand with empathy the suffering, fragility and hopes of the persons involved in canonical process. To this must be added the sacramental dimension of marriage: the marital bond is not a simple contract, but a mystery involving freedom, corporeality, faith and grace. Every marriage case is a “history of salvation” of souls and relationships and must be treated with respect, attention and mercy. It is therefore clear, as a preliminary point, that the nature of canonical process excludes a totally automated exercise of jurisdiction.

2. Conditions and principles for a possible use of AI in procedural contexts: magisterium, canon law, Vatican legislation and supranational guidelines

⁹ *Ivi*, n. 14.

¹⁰ JUAN IGNACIO ARRIETA, *La funzione pastorale del diritto canonico*, in PAOLO PALUMBO, ANTONIO FODERARO (ed.), *Diritto Canonico: Persone, Comunità, Missione. A 40 anni dalla promulgazione del Codice per la Chiesa latina*, Editoriale scientifica, Napoli, 2024, p. 39 ff.

¹¹ PIUS XII, *Address by the Tribunal of the Sacred Roman Rota*, October 2, 1944; the full text is available on the Holy See’s official website (www.vatican.va).

¹² JOHN PAUL II, *Address to the Tribunal of the Roman Rota on the occasion of the opening of the judicial year*, January 29, 2004; the full text is available on the Holy See’s official website (www.vatican.va).

¹³ LEO XIV, *Address to the Prelates of the Roman Rota on the occasion of the opening of the judicial year*, January 26, 2026; the full text is available on the Holy See’s official website (www.vatican.va).

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The reality principle¹⁴ - together with the comparison with judicial experiences now found throughout the world and with the rooted entry of digital tools into canonical procedures¹⁵ - still requires reflection on possible uses of AI in ecclesiastical tribunals, based on a prudent and gradual approach justified by specific theological, ethical and legal criteria. Any attempt to design a framework for integrating artificial intelligence into ecclesiastical tribunals must begin from a basic principle: technological innovation can never replace the centrality of the person or distort the pastoral dimension of canonical procedure. It must instead be directed to strengthening justice, charity and truth, which are foundational values of the ecclesial legal order. In this sense, it is clear that a regulatory framework is needed which, while realistically opening itself to the use of AI and valuing technology as a space in which the ethical call to co-creation is realised, also limits its fields, methods and purposes in accordance with the identity proper to canonical process.

As anticipated, this reflection must begin with some clear and non-negotiable premises concerning *decision-making*, the typical process that moves from the identification of a case and, through determined and transparent procedures, reaches the final declaration. These premises may be summarised as follows:

1. “Between a machine and a human being, only the latter is truly a moral agent, that is, a morally responsible subject who exercises freedom in decisions and accepts their consequences; only human beings are in relation with truth and the good, guided by moral conscience which calls them ‘to love, to do good and to avoid evil’”¹⁶;
2. “only human beings can be sufficiently self-aware to listen to and follow the voice of conscience, discerning prudently and seeking the possible good in every situation”¹⁷;
3. AI systems lack the “unique human capacity for moral judgment and ethical decision”¹⁸;
4. “In the face of the wonders of machines, which seem able to choose independently, we must be very clear that the decision must always remain with the human being, even with the dramatic and urgent tones with which it sometimes appears in our life”¹⁹;
5. “AI should assist and not replace human judgment”²⁰;

¹⁴ FRANCIS, *Apostolic Exhortation Evangelii gaudium, on the proclamation of the Gospel in today’s world*, November 24, 2013; the full text is available on the Holy See’s official website (www.vatican.va), nos. 231–233.

¹⁵ See RAFFAELE SANTORO, PAOLO PALUMBO, FEDERICO GRAVINO, *Diritto canonico digitale*, cit., cap. X.

¹⁶ DICASTERY FOR THE DOCTRINE OF THE FAITH – DICASTERY FOR CULTURE AND EDUCATION, *Note Antiqua et nova*, cit., n. 39.

¹⁷ *Ibidem*.

¹⁸ FRANCIS, *Message for the 57th World Day of Peace*, January 1, 2024, the full text of which is available on the Holy See’s official website (www.vatican.va), no. 6.

¹⁹ FRANCIS, *Address at the G7 Session on Artificial Intelligence in Borgo Egnazia (Puglia)*, June 14, 2024; the full text is available on the Holy See’s official website (www.vatican.va), no. 2.

²⁰ DICASTERY FOR THE DOCTRINE OF THE FAITH – DICASTERY FOR CULTURE AND EDUCATION, *Note Antiqua et nova*, cit., n. 70. As preceded by CONSEJO EPISCOPAL LATINOAMERICANO Y CARIBENO, *La Inteligencia Artificial. Una mirada pastoral desde America Latina y el Caribe*, Bogotá, 2025, pp. 30-31: «La IA puede ayudar en las tomas de decisiones, proveer velozmente información necesaria para eso, e incluso predecir y controlar comportamientos, proponiendo opciones y maximizando cálculos estadísticos. Sin embargo, esto no quiere decir que anule completamente la libertad humana de manera determinista, aunque no cabe duda de que está siendo seriamente amenazada». Also regarding the Latin American Church, it is worth noting the reflections of several Episcopal Conferences, as evidenced by the publication of documents such as *Artificial Intelligence: A Galaxy of Distinct Realities* (cec.org.co, accessed: March 5, 2025), by the Commission for Doctrine and the Theological Committee of the Episcopal Conference of Colombia (CEC), and *Artificial Intelligence and the Church*, by the Reflection Group on Communication of the National Conference of Bishops of Brazil (Grecom/CNBB) (available at pascombrasil.org.br).

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6. “insofar as AI can help human beings in making decisions, the algorithms guiding it should be reliable, safe, sufficiently robust to handle inconsistencies, and transparent in their functioning so as to reduce bias and unwanted side effects”²¹;

7. “In social and economic decision-making, we must be cautious in entrusting judgments to algorithms that process data collected, often in hidden ways, about individuals, their characteristics and their past behaviour. Such data can be contaminated by social biases and preconceptions. All the more so because a person’s past conduct should not be used to deny that person the opportunity to change, to grow and to contribute to society. We cannot allow algorithms to limit or condition respect for human dignity, nor to exclude compassion, mercy, forgiveness and, above all, openness to hope for a person’s change”²²;

8. “If ‘thought’ is attributed to machines, it must be specified that one is referring to calculation procedures, not critical thought. Likewise, if it is said that such devices can operate according to logical thought, it **should** be clarified that this is limited to computational logic. Human thought, by its nature, is a creative process capable of going beyond the data initially available to it”²³;

9. “We need to guarantee and protect a meaningful space for human control over the process of choosing artificial intelligence programs: human dignity itself is at stake”²⁴;

10. “users should be careful not to become excessively dependent on AI for their decisions, increasing the already high degree of subordination to technology that marks contemporary society”²⁵.

11. “it is important that the one who makes decisions on the basis of AI be held responsible for them and that it be possible to account for the use of AI at every stage of the decision-making process”²⁶.

To these premises must be added the only legal provision that currently deals with the use of artificial intelligence in judicial activity, although in a limited way and mainly with reference to the territory of Vatican City State: “§ 1 Artificial intelligence systems may be used exclusively for the organisation and simplification of judicial work, as well as for jurisprudential and doctrinal research. § 2 The decision on the interpretation of the law, the evaluation of facts and evidence, and the adoption of every measure is reserved exclusively to the judge”²⁷.

The framework becomes broader and stronger, as regards the premises outlined above, when compared with the principles and directions expressed in European and international documents and

²¹ DICASTERY FOR THE DOCTRINE OF THE FAITH – DICASTERY FOR CULTURE AND EDUCATION, *Note Antiqua et nova*, cit., n. 46.

²² FRANCIS, *Address to the participants in the “Minerva Dialogues” meeting*, March 27, 2023; the full text is available on the Holy See’s official website (www.vatican.va).

²³ DICASTERY FOR THE DOCTRINE OF THE FAITH – DICASTERY FOR CULTURE AND EDUCATION, *Note Antiqua et nova*, cit., note 12.

²⁴ FRANCIS, *Address at the G7 Session on Artificial Intelligence in Borgo Egnazia (Puglia)*, cit.

²⁵ DICASTERY FOR THE DOCTRINE OF THE FAITH – DICASTERY FOR CULTURE AND EDUCATION, *Note Antiqua et nova*, cit., n. 46.

²⁶ *Ivi*, n. 44.

²⁷ PONTIFICAL COMMISSION FOR THE STATE OF THE VATICAN CITY, Decree No. DCCII, *Guidelines on Artificial Intelligence*, December 16, 2024, the full text of which is available on the official website of the State of the Vatican City (www.vaticanstate.va), Art. 12.

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guidelines. These cannot fail to be an important point of reference for a modern ecclesial²⁸ justice that is open to dialogue and fully inserted in the territorial contexts in which ecclesiastical tribunals operate and with which they often interact, also because ecclesiastical decisions may in some cases receive recognition at state level.

Looking only at the most recent documents, and mainly at the European context, the policies and regulations on artificial intelligence in the field of justice seem in many respects to have been influenced, positively, by the moral suasion that the *Catholic Church* has promoted for years in favour of an artificial intelligence that respects human dignity, fundamental rights and the integral development of the person and society²⁹. For example, one of the principles repeatedly recalled in the European AI Act (2024)³⁰ with regard to the use of any AI technology is anthropocentrism (man in the middle)³¹. The same *idea is also found* in the Council of Europe Framework Convention on artificial intelligence and human rights, democracy and the rule of law (2024)³², in UN Resolution 78/265 of March 2024³³, in the *Handbook* of the JuLIA project (2024)³⁴, in the Italian law on the matter (2025)³⁵, in the JUSTICE report on AI in the UK justice system (2025)³⁶, and also in the UNESCO Guidelines on the use of AI systems in Tribunals and Courts (2025)³⁷. A specific expression of this principle is the role given to human intervention and human oversight³⁸ in AI systems. In the judicial field, this means the right to receive judicial *decisions that are the result of a process that has kept a meaningful human contribution* - a “human reserve” in every decision-making process supported or implemented by AI - thus preserving independence in the analysis of facts, law and evidence.³⁹ In short, AI should assist or support, not replace, human judgment.

²⁸ AMEDEO SANTOSUOSSO, GIOVANNI SARTOR, *Decidere con l’IA*, Il Mulino, Bologna, 2024; FILIPPO DONATI, *La giustizia e le nuove tecnologie*, in DARIO BUZZELLI, MASSIMO PALAZZO (edd.), *Intelligenza artificiale e diritti della persona*, Pacini Giuridica, Pisa, 2022, p. 247 ff.

²⁹ RAFFAELE SANTORO, *Chiesa cattolica e intelligenza artificiale: dalla Rome Call for AI Ethics alle Linee guida vaticane*, in *Stato, Chiese e pluralismo confessionale*, (www.statoechiese.it), 4, 2025, p. 37 ff.

³⁰ See the AI Act, recitals 2 and 27.

³¹ The AI Act establishes a requirement for all entities that use AI systems to conduct a fundamental rights impact assessment (FRIA).

³² Cfr. COUNCIL OF EUROPE - COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAI), *Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law*, 17 may 2024, in www.coe.eu.

³³ UNITED NATION, Resolution “*Seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable development*”, march 21 2024, in www.un.org.

³⁴ Cfr. JuLIA project, Justice, Fundamental Rights and Artificial Intelligence, *Handbook, Artificial Intelligence, Judicial Decisions-Making and Fundamental Rights*, October 2024, il cui testo integrale è edito nel sito www.julia-project.eu.

³⁵ L. 132/2025: «Art. 3, paragraph 3. Artificial intelligence systems and models for general purposes must be developed and deployed in a manner that respects human autonomy and decision-making capacity, the prevention of harm, traceability, transparency, explainability, and the principles set forth in paragraph 1, while ensuring human oversight and intervention.». See GIANCARLO TADDEI ELMI, ALFONSO CONTALDO, CECILIA CAVACEPPI, SOFIA MARCHIAFAVA (edd.), *Intelligenza artificiale. Legge 23 settembre 2025, n. 132. Il nuovo scenario giuridico italiano*, Pacini Giuridica, Pisa, 2026.

³⁶ JUSTICE, *AI in our Justice System*, january 2025.

³⁷ Cfr. UNESCO, *Guidelines for the use of AI systems in courts and tribunals*, december 3 2025, il cui testo integrale è edito nel sito www.unesco.org

³⁸ Secondo gli orientamenti dell’AI HLEG con «intervento e sorveglianza umani» si intende che i sistemi di IA sono sviluppati e utilizzati come strumenti al servizio delle persone, nel rispetto della dignità umana e dell’autonomia personale, e funzionano in modo da poter essere adeguatamente controllati e sorvegliati dagli esseri umani.

³⁹ Cfr. UNESCO, *Guidelines for the use of AI systems in courts and tribunals*, cit., 1.13.

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Because of the Regulation’s *risk-based* approach, the⁴⁰ AI Act considers as “high-risk”⁴¹ (therefore not prohibited) those artificial intelligence systems intended to be used by or on behalf of a judicial authority to assist judicial authorities in research and interpretation of facts and law and in the application of the law to a concrete set of facts, as well as AI systems intended to be used by alternative dispute resolution bodies when the results of those proceedings produce legal effects for the parties⁴². It does not extend this classification to AI systems intended “for purely ancillary administrative activities, which do not affect the actual administration of justice in individual cases, such as anonymisation or pseudonymisation of decisions, documents or judicial data, communication between staff, [and] administrative tasks”. More specifically, with regard to the decision phase, European legislation states that the use of AI tools may support judges and the independence of the judiciary, but must not replace them, since “the final decision-making must remain a human-led activity”⁴³. In line with the European Regulation⁴⁴, and on the basis of a principle of technological subsidiarity⁴⁵, the Italian law on AI states that “In cases of use of artificial intelligence systems in judicial activity, every decision on the interpretation and application of the law, on the evaluation of facts and evidence, and on the adoption of measures is always reserved to the judge”,⁴⁶ while allowing - subject to Ministry of Justice rules - “the use of artificial intelligence systems for the organisation of services relating to justice, for the simplification of judicial work and for ancillary administrative activities”.⁴⁷

⁴⁰ The AI Act defines four risk categories for artificial intelligence systems: unacceptable/prohibited practices, high risk, limited risk, and minimal or no risk. Regarding prohibited practices, see EUROPEAN COMMISSION, Guidelines on prohibited artificial intelligence practices under Regulation (EU) 2024/1689, July 29, 2025, available online.

⁴¹ See AI Act, Annex III, No. 8(a). A high-risk system must undergo a conformity assessment/certification prior to being placed on the market to ensure that the technology used meets the mandatory requirements for trustworthy AI. On the topic of AI reliability, EUROPEAN COMMISSION, INDEPENDENT HIGH-LEVEL EXPERT GROUP ON ARTIFICIAL INTELLIGENCE, Ethics Guidelines for Trustworthy AI, April 8, 2019, available online.

⁴² Within sectors classified as high-risk, the Regulation provides for an exemption for activities that do not pose a significant risk of harm, including those that do not materially influence the outcome of the decision-making process.

⁴³ *AI Act*, recitals 61.

⁴⁴ The European GDPR (2016) also already provided for the right of individuals not to be subject to a decision based solely on automated processing that produces legal effects or significantly affects their personal interests, although it limited this protection by providing for an exception in cases where the data subject has given explicit consent.

⁴⁵ L. 132/2025, art. 13.

⁴⁶ L. 132/2025, art. 15 c. 1. As specified in the Recommendations on the Use of Artificial Intelligence in the Administration of Justice issued by the Superior Council of the Judiciary on October 8, 2025: “AI can effectively assist judges in consulting institutional and commercial databases, constructing complex search queries, and categorizing the retrieved material by subject. In this case, the activity constitutes technical and organizational support, falling within the scope of limited procedural tasks as defined in Article 6(3)(a) of EU Regulation 1689/2024. However, where systems are designed to automatically select the ‘most relevant’ case law, to suggest prevailing interpretative approaches, or to generate reasoning templates based on recurring patterns, such use potentially impacts the evaluative process and legal reasoning, and thus falls outside the scope of Article 6(3). Strict oversight is therefore necessary on three levels: 1. the nature and architecture of the systems used; 2. the transparency of the selection and classification algorithms; 3. the active and critical role of the judge in reviewing the results. In any case, the output produced must be subject to independent evaluation and verification by the judge, as the sole holder of the judicial function. Automated search tools cannot replace the legal acumen required to contextualize case law”.

⁴⁷ L. 132/2025, art. 15 . 2. Here is the English translation:

As clarified by the Recommendations on the Use of Artificial Intelligence in the Administration of Justice issued by the Superior Council of the Magistracy: «[...] Article 6(3) of the AI Act provides that the obligations applicable to high-risk systems shall not apply where the activity carried out: a) is limited to procedural tasks; b) improves the result of a human activity already completed; c) detects patterns or deviations without replacing human judgment; d) prepares an evaluative

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3. Potential and limits of the use of artificial intelligence in ecclesiastical tribunals

It is not easy to apply the principles outlined above to the specific ecclesial context, distinguishing the field of the organisation of justice and of procedure from that of the judge's decision-making activity (organisational and decisional *support vs* predictive justice). Although artificial intelligence cannot replace the judicial function in the canonical context, it can make a meaningful contribution in ancillary or support areas, favouring greater administrative and organisational efficiency in ecclesial justice. In this sense, the use of intelligent digital tools for case-file management, document analysis, classification of evidence, archiving and indexing of judgments can be a valuable resource.⁴⁸ The canonical “online” process, at least as regards the possibilities offered by the digitalisation and dematerialisation of the case file or remote taking of evidence, has already produced positive effects in terms of speed and reliability, while respecting the specific needs of canon law.⁴⁹ But with artificial intelligence the issue is deeper and more systemic.

One of the main advantages of the use of artificial intelligence, as regards the organisational side of ecclesiastical tribunals and the efficiency of procedure, could lie in the possibility of reducing the workload of judicial offices, which are often limited in human resources. In this sense, AI systems could

activity to be carried out under human supervision. These scenarios delineate a grey area between properly judicial activities and organisational or ancillary activities, with respect to which the use of AI may be considered compatible with the existing legal framework. In this perspective, the following activities may be regarded as permissible uses — provided they are conducted in a traceable, secure manner, with human review, and within the applications made available within the justice domain (this list is non-exhaustive): 1. Doctrinal research: assistance in consulting databases and constructing search strings aimed at identifying relevant scholarly literature. 2. Summarisation of disclosable decisions and doctrinal contributions: creation of abstracts for the thematic classification and archiving of decisions and essays, including for the development of internal case-law databases within the office. 3. Organisation of judicial work: support in drafting statistical reports on office performance; compliance analysis between case management programmes and registry data; automated document comparison; drafting of preliminary reports or opinions on managerial and semi-managerial appointments; management of hearing schedules based on workloads and deadlines. 4. Support for so-called “simple matters” offices: assistance with serial, low-complexity legal activities through the drafting of standardised templates to be subsequently adapted to the specific case by the magistrate or their collaborators. 5. Support for judicial management activities through the review of documentation (particularly accounting records and certifications) produced in proceedings, where appropriately anonymised. 6. Comparison of technical solutions for case file management: automated comparison of practices and organisational procedures, including across different offices, to identify shortcomings or replicable good practices. 7. Automated generation of presentations (slides): creation of illustrative materials from legal documents or reports, for training or dissemination purposes. 8. Production of tables and graphs: extraction of data from registers, organisation into tables, comparative analysis and graphical representation for organisational or informational purposes. 9. Linguistic and stylistic revision of texts: proofreading of drafts to verify syntactic and orthographic consistency and clarity of expression. 10. Cataloguing and thematic archiving of queries to court-appointed experts (CTU): organisation of requests by keyword or thematic category to facilitate consultation and reuse. 11. Preparation of hearing schedules: automated generation of timetables and agendas based on predefined criteria and workloads. 12. Assisted translation: use of AI for preliminary translations of legal texts, always subject to human verification. A more nuanced analysis is required with regard to searches of case-law databases. The use of artificial intelligence for this purpose falls within an area that, while attributable to procedural tasks, may present elevated risk profiles where the output generated is used as the exclusive or predominant basis for forming the judge's conviction. AI may validly assist the magistrate in consulting institutional and commercial databases, in constructing complex search strings and in the thematic classification of retrieved materials. In such cases, the activity is configured as technical-organisational support, attributable to limited procedural tasks within the meaning of Article 6(3)(a) of Regulation (EU) 1689/2024. However, where systems are designed to automatically select the “most relevant” case law, to suggest prevailing interpretive orientations, or to generate reasoning frameworks based on recurring patterns, an employment arises that potentially affects the evaluative activity and legal direction, thereby falling outside the scope of Article 6(3)”.

⁴⁸ PAOLO ROSSANO APONTE, *Inteligencia artificial y nulidad matrimonial*, Amazon Italia, 2025.

⁴⁹ See RAFFAELE SANTORO, PAOLO PALUMBO, FEDERICO GRAVINO, *Diritto canonico digitale*, cit., cap. X.

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help by providing basic information on the nullity process,⁵⁰ in the preliminary collection of information, in indicating possible documentary inconsistencies at the beginning of the process or during *it, in* the management of the chancellery and the sections, as well as procedural deadlines;⁵¹ in the filing system for case files and other tribunal documents; in the preparation of statistics and in the management of procedural communications or simple activities; in the transcription of hearings or automatic translations; in the standardisation of the structure of *acts or tribunal* specimina; in the analysis of contradictions in evidence or irregularities in documents; in the summary of very large documents; and in the anonymisation of decisions.⁵² As for support to the judge, including in drafting the judgment, AI systems could facilitate legal case-law research, subject to adequate implementation of specific machine learning techniques and big data dedicated to canonical justice⁵³; doctrinal research; specific technical evaluations such as the determination of monetary amounts (in countries where canonical decisions also affect the spouses' patrimonial sphere), the reconstruction of factual or technical elements, and even the adoption of decision support systems (DSS). Automated systems such as chat boxes which return, as output, *texts* containing legal arguments could be used by judges, after verification and integration, as a draft outline for preparing a judgment that shows the decision-making process followed and the technical-legal reasoning used. In this sense, systems should be preferred that allow the human and the artificial dimensions to combine in the best way and to optimise each other, in a perspective of algorithmic subsidiarity and with the awareness that a decision is not a mere output but the *conclusion* reached in a process or procedure. These tools support the decision-making process and the judge is never bound by the result suggested by the AI tool. In all these cases, however, in line also with European regulatory indications, the principle of transparency or digital honesty should be applied, informing those involved in the decision that AI systems have been used in the decision-making process. It is also essential that the technologies used in ecclesiastical tribunals comply with ecclesiastical and canonical laws and that the confidentiality of personal information collected during proceedings is not put at risk.

In the field of predictive justice, by contrast, the possibility of foreseeing the outcome of judgments through mathematical calculations, the decision given by a machine (robot-judge), or the decision based on the result given to the judge by an algorithmic tool *and* uncritically followed (decision AI), hides dangerous pitfalls, as has also been made clear at the level of European legislation and international guidelines. Above all, it risks depersonalising the judicial function, and the hoped-for crystallisation of legal certainty, predictability of law, apparent objectivity of the decision and speed of outcomes are not enough to justify such a system. Francis also recalled this: “The use of such a methodology - which at times risks de facto delegating to a *machine* the final word on the fate of a person - may implicitly bring with it reference to the biases contained in the data categories used by artificial intelligence”⁵⁴. Such

⁵⁰ Chatbots such as Canonicus AI and Canonlawai already exist and are in use.

⁵¹ IA canonical system.

⁵² Several of these activities are now supported by the IA Connubii system.

⁵³ There are not many collections of canon law case law, and even the publication of the selectae judgments of the Roman Rota is subject to a seven-year time lag between the year the volume is published and the year the judgment was issued. For an up-to-date collection of canon law case law on marriage, see PAOLO PALUMBO, RAFFAELE SANTORO, *Giurisprudenza matrimoniale canonica*, Giuffrè, Milano, 2026.

⁵⁴ FRANCIS, *Address to the G7 session on artificial intelligence*, June 14, 2024; the full text is available on the Holy See's official website (www.vatican.va).

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systems have very little in common with the spirit and substance of canonical justice, with *aequitas canonica* and with the application of the *law dulcore misericordiae temperata*, which must look at the particular features of each case; with the constant search for ways to lead every faithful *person to the salus animarum*; with an exercise of justice as charity; with a synodal canonical process; with the need to set out in the judgment the reasons in law and in fact on which the dispositive part is based; and with the discernment that must be exercised every time a decision is reached, also through the mutual listening of the judges in a common search for truth. To judge, Francis reminds us, “Science is needed, the capacity to listen is needed; above all, (...) prayer is needed in order to judge well,”⁵⁵ all activities that call for human and divine relationship, not the cold calculation of a machine, which ends up favouring standardisation and homogenisation of decisions, limiting jurisprudential development and change, and in the long term - also because of laziness, the many commitments of judges, or the moulin effect - getting people used to the “normality” of relying on the output generated by the algorithm⁵⁶, or encouraging a new algorithmic positivism. Particularly serious is the risk of *de-responsibilising the judge*, who, by relying on a predictive system, may tend to conform passively to the result suggested by the algorithm. In an ecclesial context, where the moral responsibility of the judge is an essential part of the process, such a dynamic would be seriously dysfunctional.

Given that can. 135 §3 provides that judicial power cannot be delegated - all the more so to an algorithmic infrastructure - except for carrying out preparatory acts for a decree or a judgment, many principles and postulates of the canonical procedural order form, in summary, a solid barrier against the use of predictive justice systems: the “physical” and “natural”⁵⁷ character of the canonical judge⁵⁸, as well as his being “animated justice” (Saint Thomas); his autonomy⁵⁹ and independence; the importance of his “human qualities”⁶⁰; his third-party position and impartiality⁶¹; the attribution of the legal effects of the judgment to the will and responsibility of the judge; the freedom of the one who judges, not distorted even by modern forms of pressure or fear toward technology⁶²; the relationship between the faithful, the holder of the power of governance and the vicarious power of the judge; the ritual and symbolic

⁵⁵ FRANCIS, *Address to the participants in the training course for legal professionals organized by the Tribunal of the Roman Rota*, February 18, 2023; the full text is available on the Holy See’s official website (www.vatican.va).

⁵⁶ In sentence 3448/2025, the Italian Court of Cassation, while acknowledging that the drafting of judicial decisions can be facilitated by the use of information technology, noted that artificial intelligence has increased the risk that judges will uncritically rely on algorithmic decisions, delegating the assessment to machines without regard for the requirements of impartiality and objectivity.

⁵⁷ See CIC, cann. 135 §3; 1407 §1, in which the judge is identified as the specific holder of, and therefore responsible for, judicial authority.

⁵⁸ See VELASIO DE PAOLIS, *Il giudice è la stessa giustizia animata*, in JANUSZ PIOTR KOWAL, JOAQUÍN LLOBELL (edd.), *Iustitia et iudicium*, Libreria Editrice Vaticana, Città del Vaticano, 2010, pp. 1311-1338.

⁵⁹ Cfr. CIC, cann. 221§2; 1452: MARIO FRANCESCO POMPEDDA, *Il giudice nei Tribunali ecclesiastici: norma generale e caso concreto (funzione, competenza professionale, garanzie di indipendenza, giudici laici)*, in ASSOCIAZIONE CANONISTICA ITALIANA (ed.), *La giustizia nella Chiesa: Fondamento divino e cultura processualistica moderna*, Libreria Editrice Vaticana, Città del Vaticano, 1997, pp. 135-146.

⁶⁰ ERASMO NAPOLITANO, *La qualità del Giudice ecclesiastico in relazione ai suoi poteri-doveri nel Processo*, in *Apollinaris*, 88, 2015, pp. 271-289.

⁶¹ Under Vatican law, Article 2, paragraph 2 of Law CCCLI specifies: “Judges shall exercise their powers impartially, in accordance with and within the limits of the jurisdiction established by law».

⁶² CIC, cann. 1448, 1456, 1620 n. 3

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dimension of canonical process; the principle of “moral certainty,”⁶³ which makes the judgment an act of conscience; the duty to give a “logical” motivation for the decision⁶⁴; the “sole” bond to canonical law (divine and human);⁶⁵ recourse to equity⁶⁶ or analogy⁶⁷; the full right of defence⁶⁸ and the contribution of the arguments of the Defender of the Bond, the advocates, the collegial discussion, and even the “dissenting” vote⁶⁹; the obligation to judge personally when competent and responsibility for fraud or negligence in judging under can. 1457 §1 and 1378 §2; the role of appeal or recourse; the requirement of the “reasonable duration of the process” under can. 1453; and the function of ensuring the unity of jurisprudence by the Apostolic Tribunal of the Roman Rota⁷⁰, from which important issues also emerge concerning the legal existence and validity of the canonical judgment or decision⁷¹.

Technical limits are also not lacking. In general, for many predictive models it is not always possible to understand or verify the criteria followed in formulating forecasts; the reliability of results depends on the quality and neutrality of the training data. In particular, artificial intelligence, however advanced, does not possess the capacity to “understand” the doctrinal principles governing canonical marriage: it cannot evaluate, for example, the sacramental intention of the spouses or the affective maturity required by can. 1095 CIC. In a marriage nullity process, the truth to be ascertained is not only factual truth, but also moral and spiritual truth, which implies a judgment on the inner freedom and intentions of the spouses at the time of marriage. An AI system, however sophisticated, is not able to grasp the nuances of relational dynamics, affective tensions or the most intimate reasons guiding the will of persons. As Francis repeatedly underlined, the Catholic Church cannot reduce its mission to a mere administrative process; it is called to discern truth in light of the common good and *caritas*, always *seeking* the person in his or her ethical and spiritual dimensions. Moreover, the use of predictive justice could alter the very perception of justice within the Catholic Church. Judgment is never only a rational act; it is also an act that must take account of the specific features of each case, individual experience, and the psychological and relational

⁶³ CIC, can. 1608. See PETER ERDŐ, *La certezza morale nella pronuncia del giudice. Problemi attuali*, in *Periodica de re canonica*, 87, 1998, pp. 81-104; PAOLO BIANCHI, *La certezza morale e il principio del libero convincimento del giudice*, in PIERO ANTONIO BONNET, CARLO GULLO (edd.), *Il giudizio di nullità matrimoniale dopo l'istruzione Dignitas connubii. Parte prima*, Libreria Editrice Vaticana, Città del Vaticano, 2007, pp. 387-401; ZENON GROCHOLEWSKI, *La certezza morale come chiave di lettura delle norme processuali*, in *Ius Ecclesiae*, 9, 1997, pp. 417-450.

⁶⁴ Canon 1622, §2, provides that a judgment that does not state the grounds or reasons for the decision is vitiated by nullity, but may be remedied. Cfr. ANTONI STANKIEWICZ, *La certezza morale e la motivazione della sentenza*, in HECTOR FRANCESCHI, JOAQUIN LLOBELL, MIGUEL ANGEL ORTIZ (edd.), *La nullità del matrimonio: temi processuali e sostantivi*, Edusc, Roma, 2005, pp. 231-245; GIORDANO CABERLETTI, *La motivazione nella Sentenza canonica*, in *Apollinaris*, 84, 2011, pp. 115-147.

⁶⁵ See GIUSEPPE SCIACCA, *Principio di legalità e ordinamento canonico*, in *Diritto e Religioni*, 1, 2008, pp. 150-161; Under Vatican law, Law CCCLI, Article 2, paragraph 1, specifies: “In the exercise of their functions, they are subject only to the law”.

⁶⁶ GIULIANO BRUGNOTTO, *Discernimento delle situazioni particolari ed aequitas canonica. Evoluzione storica*, in GRUPPO ITALIANO DOCENTI DI DIRITTO CANONICO (ed.), *Accompagnare, discernere, integrare*, Glossa, Milano, 2019, pp. 19-39.

⁶⁷ ARTURO CATTANEO, *L'analogia fra il diritto secolare e quello canonico*, in *Veritas et Jus*, 18-19, 2019, pp. 83-104.

⁶⁸ See GRZEGORZ ERLEBACH, *Il giudice ed il diritto di difesa delle parti*, in ASSOCIAZIONE CANONISTICA ITALIANA (ed.), *Il diritto di difesa nel processo matrimoniale canonico*, Libreria Editrice Vaticana, Città del Vaticano, 2006, pp. 95-114.

⁶⁹ CIC, can. 1609 §4.

⁷⁰ See ANTONI STANKIEWICZ, *L'unità della giurisprudenza e il ruolo della Rota Romana*, in *Ius Ecclesiae*, 22, 2010, pp. 591-610.

⁷¹ See PAOLA BUSELLI MONDIN, *Osservazioni sull'esistenza giuridica della sentenza canonica*, in *Ius Canonium*, 91, 2006. In her in-depth analysis of the Serrano case law, the author specifies that in canon law procedural rules, “the legal existence of the judgment is understood as an interaction between the parties and the judge that is constituted not only potentially but also dialogically” p. 257.

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dynamics that are not easily reducible to numerical data. The Catholic Church has always stressed the need for a justice that is “subsidiary,” capable of responding to the concrete needs of the person and of offering a path of healing and reconciliation. Specific AI systems (fed with technical and procedural-canonistic data), but also general systems, are already able to provide useful output, valid for easing the work of the panel, of the chanceries, for highlighting gaps or omissions, or for bringing out the logical and argumentative coherence of acts, and this is useful precisely because it frees time to be dedicated to the judge’s decision and judgment. Yet these possibilities hide the temptation of a dangerous pride, falsely encouraged by the known recurrence in procedural practice of certain grounds of nullity and by the belief that the technological system is more reliable. In the end, this leads to entrusting to the AI system the formulation of the final judgment and the drafting of the decision, depersonalising the decision *ex parte iudicis et ex parte historia partium*. The challenge facing operators of justice, therefore, is to resist the temptation to hand themselves over completely to the machine.

A “just” development of AI in the judicial context will also depend - as national, supranational and ecclesial documents on the subject recall - on the basic technical and ethical training, as well as specialist training, that operators of ecclesial justice will receive on the subject. This is particularly important for identifying and using those AI tools that can be employed for tasks that do not cancel the human contribution, evaluating their impacts and risks, in view of a continuing education that will necessarily have to be provided in the near future, together with economic investments that allow adequate technological infrastructures to be adopted. Training is also essential to make judges, and the other operators of the tribunal, aware of the potential of AI and to promote a culture of responsibility and transparency. It would be desirable to develop *ethical* codes for the use of intelligent technologies in contexts of ecclesial justice, and a document setting out principles and criteria for the use of AI, inspired by the teachings of the Church’s social doctrine.

The integration of artificial intelligence and digital technologies in canonical procedures must be guided and balanced, safeguarding the widest possible “human reserves”: on the one hand, making use of tools that can reduce time, costs and inefficiencies; on the other, preserving the centrality of the person, the dignity of marriage and the salvific mission of the Catholic Church. It is a challenge that requires discernment, prudence and innovative courage, in the awareness that the judicial function is a specific expression and implementation of the duty of communion of all the faithful⁷².

4. Conclusion

Artificial intelligence is undoubtedly one of the greatest challenges and opportunities of our time, also for canonical justice, which nonetheless cannot miss the chance to make responsible use of this new technology. It opens new scenarios in the management of procedures, the organisation of chanceries, jurisprudential work, internal communication within tribunals and support for judicial activity. However, the ecclesial approach cannot simply imitate civil or business models; it must be inspired by the principles proper to the canon-law tradition and by the personalist and salvific vision of the human person that informs the whole pastoral action of the Church. The contribution of the magisterium, doctrine and

⁷² PAOLO PALUMBO, *Il diritto canonico nel servizio della comunione ecclesiale e della sinodalità*, Editoriale Scientifica, Napoli, 2022.

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jurisprudence confirms the need to maintain firmly the centrality of the person, the protection of the internal forum, respect for confidentiality, attention to the concrete case and the dialectical element of process. The Catholic Church is called to discern with courage and wisdom the meaning of AI, avoiding both rejection and uncritical acceptance. The point is to place innovation at the service of the mission and not the mission at the service of innovation. In this sense, active reflection on an ethics of AI becomes a priority: consciences must be formed, limits must be defined, rules must be prepared, and coherence between means and ends must be watched over. If well governed, AI can become an effective tool to support the action of ecclesiastical tribunals, to improve access to justice, to make better use of jurisprudential experience, to streamline procedures and to help judges and other operators, but without ever losing recourse to an intelligence lived in a body and situated in a concrete context, and without forgetting the higher purpose that informs every institute of canon law: *salus animarum suprema lex*.

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