HABEAS MENTEM

Conquering Cognitive Autonomy in Europe

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ATELIER EUROPE

I. THE WORLD WE NO LONGER KNEW HOW TO SEE

The end of self-evidence

Since the fall of the Berlin Wall, Europe has lived in a world it believed had become self-evident. Peace seemed to have replaced power, and commerce was meant to make war irrational. European security could rest on the American umbrella. Our prosperity could feed on Russian energy, Chinese labour and American technology. Law was to substitute itself, step by step, for the balance of force.

We did not merely adopt these choices. We ended up no longer seeing that they were choices. The war in Ukraine dispelled the illusion. Force has returned to the heart of the continent. The American guarantee is no longer a certainty. China no longer seeks merely to trade with the world: it is building the conditions of its autonomy and of its power. The international order Europe believed durable has become contingent again.

What is ending is therefore not only a geopolitical period. It is a framework of thought. Europe is discovering that it confused, for too long, interdependence with security, openness with sovereignty, the norm with power. It must now learn to look its dependencies in the face.

The triple dependence

These dependencies are of three orders. The first is **geopolitical**. For decades, Europe outsourced part of its security. It benefited from American protection without building the capacities matching the strategic autonomy it claims today. The war in Ukraine recalled an old truth: whoever cannot ensure his own security depends on the will of whoever protects him.

The second dependence is **economic and technological**. Our prosperity rests on infrastructures we do not always master. We depend on foreign value chains, on capital from elsewhere, on technologies we use without always controlling the conditions of their production. Every year, hundreds of billions of euros of European savings and spending thus help finance actors on whom we then depend for our digital infrastructures, our software and our technological power.

This dependence is singular because it does not look like scarcity. Nothing is missing from the shelves. The services work. The software performs. The cloud is available. The dependence is invisible precisely because it is comfortable.

The third dependence is deeper still. It is **cognitive**. For we no longer depend only on those who protect us or on those who produce the infrastructures of our power. We depend, more and more, on those who organise the environment in which we perceive the world.

Who decides what we see? What are we exposed to? What deserves our attention? Why do some pieces of information go viral while others disappear? Which narratives do we encounter, in what order, at what frequency and in what form? These questions no longer belong to technology alone. They touch the very conditions of the formation of judgment.

The first two dependencies diminish our power. The third threatens our capacity to become aware of that diminishment and to decide to emancipate ourselves from it.

The fourth digital layer

We have grown used to thinking of the digital in layers. Four layers that everyone understands: material (cables, networks, servers, chips, energy), software (operating systems, the cloud, platforms and services), semantic (data, content, language) – and the fourth layer is now emerging. It is cognitive. It concerns attention, emotions, perceptions, habits and, finally, the formation of judgment. The first text to reach it, proposed in September 2026, covers minors only; for everyone else, it remains without law. It is at this depth that part of the competition of powers is now moving.

We progressively learned to treat these layers as strategic infrastructures. We now know that a dependence on a cloud provider can become political, that a dependence on components can become an industrial vulnerability, that a dependence on artificial-intelligence models can become technological.

Data makes it possible to know, the algorithm makes it possible to predict, the interface makes it possible to orient, and artificial intelligence now makes it possible to produce at scale. But the ultimate stake lies elsewhere. **Who masters the conditions in which a human being pays attention, interprets and decides? This question is not a**

declaration of war on machines. We intend to master them, not to become their slaves.

The economy of attention

Attention has become a scarce resource. Digital platforms do not merely supply us with content. They organise the competition for our mental time. They measure what makes us stay, click, react, return. They progressively learn what attracts us, what moves us, what irritates us.

Our attention has thus become an economic raw material. But it is also a democratic raw material. A democracy needs citizens capable of stopping, comparing, doubting, deferring their judgment. It needs time for deliberation. The economy of attention works by the opposite logic: accelerate, personalise, provoke, retain.

Virality rewards what triggers an immediate reaction. Indignation produces more engagement than nuance. The continuous feed reduces the possibility of stepping back.

The problem, then, is not only that we spend too much time in front of screens. The problem is deeper: **we no longer always master the conditions in which we give them our attention**. Before even modifying what we think, an architecture can determine what we think about. And that is already a form of power.

From influence to capture

Influence is not new. Propaganda has existed for as long as men have sought to convince other men. States have always tried to steer opinion. Newspapers, advertisements, political speeches have always selected, ranked and interpreted the real.

What is changing today is therefore not the existence of influence. It is its **industrialisation**. For the first time, systems can observe the behaviour of millions of individuals, identify the stimuli that trigger a reaction in each of them, test different forms of presentation and optimise the result continuously.

Influence becomes personalised, measurable and automated. It becomes continuous, and largely invisible to the one who undergoes it.

Yesterday, a political message sought to convince a crowd, where a contemporary system can seek to understand what will convince each person. The difference is considerable.

Classical propaganda often sought to impose a narrative. The new manipulation can seek something subtler: saturating the informational space, multiplying contradictory narratives, amplifying emotions and blurring the reference points until all certainty becomes suspect.

It is no longer necessarily a matter of making people believe a truth. It can be enough to make them doubt the very possibility of telling true from false. That is the passage from persuasion to **disorientation**.

The militarisation of judgment

This evolution turns information into a field of power. Contemporary disinformation campaigns no longer seek only to spread an adverse narrative. They can target the mechanisms by which a society collectively produces judgment: the media, the networks, the sources, the institutions, the conversations between citizens. The objective is not always to convince. It can be to polarise, to distract, to saturate, to slow decision down or to make any response politically impossible.

Cognitive warfare names this new depth of conflict: the will to reach not only an adversary's infrastructures or forces, but its capacity to perceive, to interpret and to decide. Information then becomes a weapon. But this weapon has one peculiarity: it can be turned against the society that wields it. For a democracy that seeks to control minds in order to defend itself progressively ceases to protect the liberty it claims to defend. That is the paradox Europe faces today. It must protect its citizens against manipulation without becoming, itself, a power that decides what they must think.

The new stake: preserving the capacity to judge

We face a major displacement. Yesterday, power consisted in controlling territories. Then it consisted in controlling infrastructures. Today it also consists in controlling data, networks, platforms and computing capacity.

Tomorrow, a decisive share of that power will reside in the capacity to act on the very conditions of perception and judgment. This displacement changes the nature of democratic vulnerability.

We have learned to protect our physical borders. We are progressively protecting our digital infrastructures. We protect our personal data. But we have not yet truly formulated what should protect the inner space in which each person forms his judgment. Yet that is where political liberty is decided. A person can be legally free, physically free, connected and apparently well informed, while subjected to an environment that invisibly organises his attention, ranks what he sees and exploits his vulnerabilities.

Freedom of expression, moreover, is not enough if the conditions of exposure to information are captured. The right to privacy is not enough if the data that concern us are used to build models designed to orient our behaviour. Media education is not enough if the architecture in which the individual moves is designed to exploit his biases on an industrial scale. The regulation of content is not enough if the problem lies in the way that content is selected, amplified and distributed.

We are thus discovering a new vulnerability: **the attack no longer necessarily bears on what one thinks, but on the conditions in which one becomes capable of thinking it.**

The incomplete answers

Europe, however, has not stood idle. It chose media education to strengthen individual capacities. It developed an ambitious protection of personal data. It began to frame the platforms and their recommender systems. It now regulates certain practices of artificial intelligence. These answers are necessary, and several of them already constitute building blocks of cognitive autonomy.

The GDPR gives the individual rights over his data. The Digital Services Act further frames the large platforms, their recommender systems and certain avenues of recourse; in some cases it opens the possibility of a recommendation that does not rest on profiling. The AI Act prohibits certain manipulative or deceptive practices and imposes new obligations of transparency. The proposed regulation on the protection of minors online, presented in September 2026, enters the layer itself for the first time: safe design, recommender systems that the adolescent can control, adjust and reset, the burden of proof placed on the platforms. The Digital Fairness Act announced for

the autumn will address addictive design, for everyone. The platforms themselves are beginning to offer functions for resetting, deactivating or managing memory and personalisation.

These advances are considerable. But they remain dispersed. This edifice exists nowhere else: it is properly European. The fourth layer calls for a new lens, and no one but Europe can produce it. Data law protects mainly what the systems know about us. Platform regulation frames what they organise and show us. The law of artificial intelligence frames certain ways of acting upon us. The law on minors is beginning to regulate the machine itself. The platforms' own functionalities add, each according to its own logic, means of regaining control.

What is missing is therefore no longer only a protection. It is the principle that connects these protections. A datum is not a thought. A recommendation is not a decision. A computer memory is not an identity. And erasing a trace does not guarantee erasing what a machine has deduced from it.

We have begun to regulate the tools. We must now formulate the principle that protects the person in his relation to those tools: each person's capacity to remain the author of his own judgment.

The blind spot

This is probably where our blind spot lies. The law protects the body against violence. It protects private life against certain intrusions. It protects data against certain uses. It protects freedom of expression against censorship. It is beginning to protect citizens against certain algorithmic manipulations. The platforms themselves are beginning to recognise, through functions for controlling recommendations or managing memory, that an individual may need to regain control over his digital environment.

But these protections remain sectoral, fragmentary and unevenly enforceable. What is still missing is a principle capable of connecting them around a more fundamental question: how to guarantee to each person the possibility of remaining the author of his own judgment when the conditions of formation of that judgment themselves become an object of power?

The question is no longer only: what am I allowed to say? Nor even: what data may others hold about me? It becomes: under what conditions am I still free to form my

own judgment? This question is new in its scale, in its technology and in its political reach.

It does not ask that citizens be protected from ideas. It asks that we protect the conditions in which they can encounter them, examine them, confront them and, finally, make them their own. For a democracy does not rest only on the freedom to speak. It rests on the possibility of thinking before speaking, of doubting before believing, and of changing one's mind without an architecture having decided in our place.

Europe has begun to protect our data. It must now learn to protect the conditions of our autonomy. That protection now needs a name.

II. FOUNDING HABEAS MENTEM

Freedom without the shield

For decades, our democracies thought about liberty from a simple question: what does the State have no right to do to the individual? Not to imprison arbitrarily, not to watch without cause, not to censor, not to ban an opinion.

This negative liberty, theorised by Isaiah Berlin, remains one of the great conquests of the liberal world. It rests on a fundamental intuition: the individual must have a space the power cannot enter. That protection remains indispensable. But it no longer suffices, for the contemporary grip does not necessarily take the form of a prohibition. It can take that of a configuration.

No one forces us to watch one video rather than another. No one orders us to stay connected. No one explicitly compels us to believe a narrative. But an interface can be designed to prolong our attention, a recommender system to select what we will see next, a profile to anticipate what will make us react. Constraint has changed in nature. It no longer always commands: it configures.

Timothy Snyder has shown, for his part, that freedom does not consist only in being left alone. It presupposes the conditions that make it effectively possible to exercise one's judgment. A freedom whose conditions of exercise are invisible progressively ceases to be a full freedom. That is why we must pass from a liberty protected against interference to a liberty capable of resisting the grip. Europe needs a new shield.

From Habeas Corpus to Habeas Mentem

In 1679, in England, Habeas Corpus set a decisive limit to arbitrariness: no one could be detained without the lawfulness of that detention being open to examination. The principle was simple and revolutionary: the power cannot dispose of the person without justification. Three and a half centuries later, the body is no longer the only vulnerable territory. The mind we are speaking of is not an organ. It is the faculty of paying attention, of interpreting and of judging: what each of us engages when forming an opinion. Our attention can be captured, our behaviour predicted, our preferences inferred, our vulnerabilities exploited, our informational environment personalised.

Our mind can be surrounded by an architecture we do not see and whose rules we do not master.

The problem is therefore no longer only: who may dispose of my physical liberty? It becomes: who may dispose of the conditions in which I form my judgment? Habeas Mentem extends the intuition of Habeas Corpus into this new space. It does not claim to protect a particular thought; it protects the capacity to think for oneself. It does not say what one must believe; it forbids that anyone should dispose, without one's knowledge, of the conditions of formation of what one believes. European law has already taken this path. The Strasbourg Court protects the integrity of the person: physical, moral, then psychological. The cognitive is next. Habeas Mentem is the right to remain the author of one's own judgment.

Habeas Mentem is meant as a lens. It allows us to see with a single gaze fields we used to treat separately: the digital architectures the Union has begun to regulate, schooling and the formation of citizens, or the future of European media. It can unlock debates that are bogged down, because it grasps them by the conditions of judgment and not by contents. A lens imposes nothing: it opens new perspectives.

What Habeas Mentem will never be

Any doctrine that claims to protect the mind carries a danger within it. Whoever protects can also control. Whoever claims to fight manipulation can end up deciding what constitutes a bad idea. Whoever wants to fight disinformation can be tempted to define the true officially. Whoever claims to protect citizens can progressively treat them as subjects incapable of judging for themselves.

Habeas Mentem must therefore begin by setting its own limits.

First red line: no arbitration of thought

Habeas Mentem does not distinguish good opinions from bad ones. It creates no authority charged with determining what a citizen must believe. It recognises in no power, be it democratically elected, the right to qualify a thought as legitimate or illegitimate in the name of cognitive protection. Freedom of opinion remains whole. Plurality remains whole. Disagreement remains whole.

The doctrine does not protect the citizen against ideas he might judge bad. It protects him against the processes that would seek to take from him the capacity to judge them

himself. Leo XIV's encyclical on artificial intelligence says it in one sentence: "truthful information does not arise from centralised or automated control".

Second red line: acting on architectures, never on opinions

The content of an opinion belongs to liberty. The environment in which that opinion is produced, ranked, amplified or made visible can come under another logic. Habeas Mentem therefore does not ask: is this opinion true? It asks: under what conditions was this opinion made visible to this individual? The distinction is fundamental.

By way of comparison, competition law does not judge whether a product is good; it examines the conditions under which the market allows real competition or not. Habeas Mentem does not judge whether an opinion is good: it examines the conditions under which an architecture allows an individual to form his judgment freely or not. The European Parliament put it its own way in September 2026, adopting the European Democracy Shield: freedom of expression "protects humans, not machines, algorithms, bots or AI".

Third red line: consent must be informed

Influence is part of democracy. A political speech seeks to convince, a book seeks to persuade, an advertisement seeks to seduce, a teacher seeks to transmit. The problem is not influence. The problem begins when influence becomes invisible, personalised and founded on the exploitation of a vulnerability that the one who undergoes it can neither understand nor refuse.

An individual may accept being influenced. He should not be able to be influenced without his knowledge by an architecture designed to exploit his frailties. That is where the border lies.

Consented influence belongs to liberty. Invisible manipulation belongs to the grip. These three red lines define the perimeter of Habeas Mentem. They are also its liberal guarantee.

A new principle: cognitive autonomy

On this foundation, a principle can be stated: each person must be able to remain the author of his own judgment. This autonomy is neither absolute independence, which does not exist, nor the illusion of an individual withdrawn from all influence. We are all influenced: we learn from others, we borrow their words, we are shaped by our family,

our culture, our times, our encounters. The word is to be taken literally: autonomy, to give oneself one's own rule. It does not promise a judgment free of bias, which no one possesses. It requires that the rule governing my attention and my information can remain mine. Autonomy therefore does not consist in undergoing no influence. It consists in being able to recognise, examine and, if need be, refuse those that are proposed to us. The European protections already in place move in this direction, but they do so in fragments: personal data, platforms, AI, recourse and transparency. Habeas Mentem seeks to turn this scattered intuition into a coherent political principle.

It presupposes three conditions: not being captured; disposing of one's attention; and being able to contest the environment one is offered. That is why Habeas Mentem rests on three principles. Three protections that are one day to become enforceable rights.

The three principles of cognitive autonomy

First principle: cognitive integrity

The first principle is that of not undergoing, without one's knowledge, the exploitation of a cognitive or behavioural vulnerability. An interface or a system that deliberately exploits a vulnerability to prolong an interaction, modify a behaviour or orient a decision crosses a particular border: it no longer merely seeks to convince the user; it seeks to act on the conditions of his judgment. European law is already beginning to set a limit to certain manipulative or deceptive practices. Habeas Mentem does not claim to replace that protection: it extends its intuition beyond the sole cases where the legal threshold of prohibited manipulation is met.

Cognitive integrity does not mean that our mind would be inviolable to all influence. It means that there is a limit to the opaque exploitation of our vulnerabilities. The border therefore does not run between influence and absence of influence; it runs between assumed influence and invisible manipulation, between identifiable persuasion and the asymmetric exploitation of a vulnerability. Cognitive integrity thus protects something very simple: the right to be able to identify, and to contest, when an architecture seeks to act on me.

Second principle: attentional autonomy

The second principle is that of disposing of one's attention. Attention is not a mere personal preference. It is the material condition of judgment. One cannot compare two

arguments without devoting time to them. One cannot understand a complex question without accepting not to react immediately. One cannot change one's mind without encountering something that resists one's certainties. Attention is therefore a democratic resource.

Attentional autonomy does not mean that someone should decide in our place what deserves our attention. It means exactly the opposite. European law and some platforms already recognise part of this requirement: it is now possible, depending on services and contexts, to reset recommendations, to choose a recommendation mode not based on profiling, to suspend certain histories or to distinguish a personalised feed from a feed limited to followed accounts. But choosing one's feed is not enough. Attentional autonomy means being able to act on the architecture of one's attention: its mode of ranking, its rhythm of solicitation, its interruptions and the possibility of ending an interaction. Choosing to slow down or to leave an engagement loop. Choosing not to be constantly brought back to what the algorithm has learned to make us watch. My attention is not a territory that an architecture should be able to dispose of without my consent.

Third principle: informational contestability

The third principle is that of understanding and contesting the informational environment proposed to us. A democracy cannot guarantee that all its citizens will believe the same things. It must not even seek to. Nor can it decree pluralism from above: as soon as an authority grants itself the power to define what counts as a sufficiently plural environment, it becomes a police of truth again. What the law can guarantee is of another nature: that each person can know why a piece of information is shown to him, identify the mechanisms that determine its visibility, reach other modes of selection, contest those mechanisms and modify his informational environment. The DSA has already laid important bricks of transparency and recourse; the AI Act adds obligations of transparency on certain interactions and productions. Informational contestability goes further: it guarantees no content, not even pluralism. The State does not guarantee that I encounter pluralism; it guarantees that I can contest the architecture that organises what I encounter.

The dividing line therefore does not run between the true and the false. It runs between the visible and the invisible, the contestable and the impossible to contest. Habeas Mentem does not promise a world without errors. It promises a world in which error,

disagreement and even manipulation can be identified, discussed and fought without an architecture having closed the field of the possible beforehand.

Three principles, but also three responsibilities

These principles are not without counterpart. Cognitive autonomy protects our freedoms. It is also a common good. I cannot claim for myself the freedom to form my judgment while treating as legitimate the fact of disposing, without their knowledge, of the judgment of others. To each principle, therefore, corresponds a responsibility.

To cognitive integrity corresponds a responsibility of non-manipulation. No one should deliberately exploit the cognitive vulnerabilities of another to orient his behaviour without his knowledge.

To attentional autonomy corresponds a responsibility of respect for the attention of others. Whoever holds the means to capture the attention of millions of people holds a power that calls for a responsibility proportional to that power.

To informational contestability corresponds a responsibility of informational integrity. Anyone can be wrong. Anyone can defend a contestable opinion. But no one should knowingly organise the deception of others, artificially fabricate an appearance of consensus or deliberately degrade the common informational space.

This responsibility is particularly strong for those who hold a power of diffusion. The more an organisation can shape the cognitive environment of others, the more it must answer for the way it organises it.

The duty to oneself

But there is a third side, more intimate still. No right can make us autonomous in our place. Protecting the mind is not enough. It must also be exercised. Cognitive autonomy is a capacity that has to be maintained. This entails a duty to oneself: cultivating one's faculty of judgment. Learning, reading, confronting one's convictions with those that contradict them, accepting doubt. Verifying before passing on, when the stakes warrant it. Knowing how to recognise one's own biases. Preserving one's capacity for attention. Accepting, sometimes, not to have an opinion immediately.

This duty never bears on the content of thought. It does not mean that there would exist an official culture, correct opinions or a legitimate way of thinking. It means only this: the duty is not to think well. It is to remain capable of thinking.

There is here a responsibility that no State can impose from outside. No one can force us to become autonomous. Autonomy is a freedom that demands an effort.

The cognitive pact

The rights, the responsibilities and the duty to oneself thus form one and the same pact. My mind belongs to me: that is the right. I have no right to dispose of the mind of others: that is the responsibility. I must maintain my capacity to judge: that is the duty to myself. This pact asks no one to think the same way. It asks each person to recognise in the other the same quality of free subject.

Two instruments to make these principles effective

A principle that produces no effects remains a declaration. Habeas Mentem must therefore have concrete instruments. The first is a principle of cognitive reversibility. The second is enforceable transparency.

Cognitive reversibility

We have accepted that digital systems remember almost everything. They memorise our searches, our clicks, our purchases, our interactions. They can deduce from them preferences, habits, behavioural categories and sometimes vulnerabilities. The large assistants are themselves beginning to offer functions of memory, erasure or management of what they retain. But the human being changes. What he was yesterday does not necessarily define what he will be tomorrow. The right to be forgotten had begun to establish this intuition for personal data. Habeas Mentem must extend it to inferences. It is no longer only a matter of asking: "do you still hold this datum about me?" But: "what conclusions have you drawn about me, and am I condemned to remain locked in those conclusions?" The stake is therefore not only the erasure of a datum, but the possibility of revising a representation of the person when that representation becomes significant for his environment or his interactions. The mind must be able to evolve without being placed under house arrest by its past behaviour. Cognitive reversibility is the right to correct, revise or, where necessary, erase the significant inferences produced about oneself.

Enforceable transparency

The second instrument is transparency. But not a decorative transparency, made of long terms and conditions that no one reads. European law already imposes growing obligations of transparency on data, recommender systems and certain AI practices. The stake of Habeas Mentem is to turn that transparency into a power to act. A useful transparency must answer four questions: Why am I seeing this? Why am I not seeing that? Which mechanisms determined this selection? What can I do to modify or contest it?

The citizen does not ask to know a system's source code for the pleasure of understanding its technique. He asks to understand what acts on his cognitive environment. He does not ask that an opinion be removed. He asks to know why it is shown to him, amplified or repeated, insofar as that information can be made intelligible. He does not ask to be told what to believe, but to be able to choose the conditions in which he receives information. Transparency thus becomes enforceable: it is no longer a favour granted by a platform, but a condition of the exercise of a right. It must allow, where the mechanism warrants it, four actions: understand, choose, contest and repair.

Protecting childhood

This requirement is stronger still for children. An adult can progressively understand the mechanisms to which he is subjected, change his uses, exercise his judgment and choose to withdraw. A child does not yet have all these defences. He is learning to desire, to concentrate, to compare himself. He is learning to build his identity. He is learning, above all, what he should consider worthy of his attention.

When a digital architecture intervenes at that age, it does not meet a completed autonomy: it helps form it. That is why the cognitive protection of childhood cannot be a mere reinforced version of consumer protection. What is at stake is the protection of a faculty under construction.

In the nineteenth century, we progressively considered that a child's body could not be handed over without limit to economic interests. In the twenty-first, we must ask an analogous question for his mind: what cognitive environment are we prepared to let be built around him? Protecting the child does not mean cutting him off from the world. It means giving him the conditions in which he can progressively learn to find his way

in it. The objective is not to produce a generation protected from all influence. It is to allow a generation to become capable of recognising influence.

A freedom that is built

Habeas Mentem therefore does not promise absolute independence, which does not exist. We are all influenced by our history, those close to us, our culture, our readings, our passions, our attachments. Freedom, indeed, is not the absence of influence, but the capacity to enter influence without dissolving into it. That is why cognitive autonomy cannot be reduced to an individual right. It is a balance between three requirements: being protected against capture; being responsible for the autonomy of others; maintaining in oneself the capacity to judge.

Technology as an instrument of emancipation

It would be paradoxical, though, to build Habeas Mentem against technology. The same artificial intelligence that can capture our attention can also help us win it back. The same tool that can enclose within a recommendation can open access to thousands of books, languages and points of view. The same machine that can produce content at unprecedented speed can become an instrument of learning, confrontation and discovery.

The question, then, is not whether technology is good or bad. It is who masters it, to what ends and in the service of what autonomy.

An artificial intelligence that answers in my place can impoverish me. An artificial intelligence that helps me formulate a better question can enrich me. An algorithm that anticipates my desires in order to retain me can capture my attention. A tool that helps me understand my own biases can, on the contrary, strengthen my judgment.

The decisive border therefore does not run between man and machine, but between the technology that substitutes itself for our faculty of judging and the technology that increases our capacity to exercise it. Mastering these technologies does not mean refusing them. It means learning to use them without delegating to them what makes us free subjects.

Habeas Mentem is not a doctrine of technological weaning. It is a doctrine of appropriation. We do not only want to take our mind back from the architectures that

seek to capture it. We also want to reappropriate the technologies capable of augmenting it. Cognitive autonomy therefore does not consist in thinking without machines. It consists in making machines the instruments of our thought, and not the masters of our attention. This mastery translates into Europe's strategic autonomy. It is time to extend it to the mind.

Founding Habeas Mentem

Habeas Mentem is therefore neither a new thought police, nor a right to be protected from disturbing ideas, nor an invitation to entrust the State with telling true from false. It is exactly the opposite. It proceeds from a demanding confidence in the citizen. We do not want to think in his place. We want him to be able to go on thinking for himself. That is why we propose to recognise a new principle:

Every person must be able to remain the author of his own judgment and must not be subjected, without his knowledge, to systemic devices intended to orient, manipulate or saturate the formation of that judgment.

This principle does not claim to replace the existing protections. It seeks to give them coherence and to identify their next frontier. It rests on three principles: cognitive integrity; attentional autonomy; informational contestability.

It implies three responsibilities: not to manipulate; to respect the attention of others; not to knowingly degrade the common informational space. And it calls for a duty to oneself: cultivating one's capacity for judgment.

Two instruments make this doctrine concrete: cognitive reversibility, so that no one remains locked for ever in the significant inferences produced about him; and enforceable transparency, so that each person can understand, choose, contest and, where necessary, obtain redress for the effects produced by the architectures that organise his cognitive environment.

Habeas Mentem does not guarantee that we will think rightly. It guarantees that we will be able to go on thinking for ourselves. For the ultimate liberty of a democracy is perhaps not only to be able to say what one wants. It is more demanding: to be still able to decide what one thinks.

CONCLUSION – FREEDOM CHOSEN

Europe has built itself a little more each time it has understood that its liberty depended on a dependence it had to make reversible. It began by pooling coal and steel to make war impossible; it then freed exchanges to make prosperity a collective work.

The challenge of our generation is less visible: it is to regain a hold on the infrastructures that shape our attention, our representations and our judgment. After learning to share matter, then the market, Europe must learn to protect what makes it a community of citizens: each person's capacity to think for himself. This is not a step backwards, nor a closing to the world. It is a new stage of European emancipation.

What each person regains, society regains as well. Citizens able to pause, to compare and to doubt remain able to deliberate, to decide together and to defend themselves as a free society. The capacity to act together is the fruit of these freedoms.

In a century when the powers will seek to master territories, technologies and minds, our ambition cannot be to become one more empire. It must be to become a power capable of defending liberty without renouncing what makes it desirable.

This reappropriation also holds for our history. Europe does not have to invent from scratch the narrative of power it needs. It has a political, intellectual and cultural heritage without equivalent: Athens and democracy, Rome and law, the universities and the transmission of knowledge, the Enlightenment and the autonomy of reason, human rights, the tragic experiences of the totalitarianisms, then the reconciliation of nations that had fought one another for centuries.

We have too often treated this history as an inheritance. It must now be treated as a reserve of power. Habeas Mentem is our way of naming this new liberty: no longer only the freedom to be left in peace, but the freedom to remain the author of one's own judgment. A freedom which, in the words of Goethe recalled before the European Parliament by the Prime Minister of Canada, must be conquered every day. One day, this liberty may be inscribed in the Charter of Fundamental Rights of the Union. And it is perhaps thus that Europe, once again, will turn its vulnerability into a political project.

THE AUTHORS

Aymeric Bourdin. Aymeric Bourdin has practised the diplomacy of ideas for twenty years. A graduate of Sciences Po Paris in European affairs, in 2017 he took over the presidency of Atelier Europe, a think tank founded in the aftermath of the French referendum of 2005. He continues to develop its study trips to the capitals of the EU. The method consists in exploring Europe at eye level: in the ministries, the newsrooms, the companies and the cafés where local opinions and decisions take shape. In parallel, he serves as a mission director at Cigref since 2023, where he helps build the dialogue between large corporate users of digital technology and public authorities. He has also headed the Institut des Transitions, which he joined in 2020 to articulate the energy transition with the digital revolution. The author of books and opinion pieces on European sovereignty and the third industrial revolution, he speaks in universities, institutions and the media on the continent's strategic autonomy. He holds the conviction that Europe will not carry weight through the norm alone, but through the progressive development of a common public space.

Michaël Malherbe. Michaël Malherbe has been deciphering the communication of the European institutions for fifteen years. A graduate of the IEP of Strasbourg and holder of the master's degree in political and social communication of Paris I Panthéon-Sorbonne, he has run the blog Lacomeuropéenne since 2007, now a French-language reference on the Union's narrative strategies. He has taught in the European studies master's programme at Sorbonne-Nouvelle (Paris III) and the European affairs master's at Paris IV. He co-authored a study of twenty years of digital communication by the European institutions (*Communication & langages*, 2015). Secretary-General of Atelier Europe, he develops its positions on cognitive warfare and the continent's informational security. After an agency career within the WPP group, he works in leadership advocacy. He defends the thesis that European democracy is not defended by issuing rules, but by reconquering the narrative.

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ABOUT ATELIER EUROPE

Created in 2005 in the wake of the referendum on the draft European Constitution, Atelier Europe is an independent think tank that works towards the development of the European project.

Its hallmark is the diplomacy of ideas. Its method rests on study trips to the heart of the European capitals during the six-month rotating presidencies of the Council of the EU, meeting political and institutional decision-makers and civil society.

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