

Yuval Harari on Human Rights and Biology

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Abstract

Yuval Harari believes that humans make myths, and that these can be powerful engines for social change. One of these myths, claims Harari, is the existence of ‘liberal rights’. This article challenges that claim and defends the idea of grounding rights in human nature.

In his popular book *Sapiens*, Yuval Harari describes human beings as myth-makers who make more or less useful myths as well as discover things.¹ He has a somewhat Nietzschean view of the myths that human beings make: although the myths we make have no basis in fact, they are sometimes powerful engines of change (p. 257). Our communal lives are constructed around these myths. There is no denying that much of our life is as Harari says. However, he thinks that one of these myths is the existence of what he terms ‘liberal rights’. This is less obvious. At one point, Harari writes:

Liberal rights exist only in our collective imagination. (p. 406)

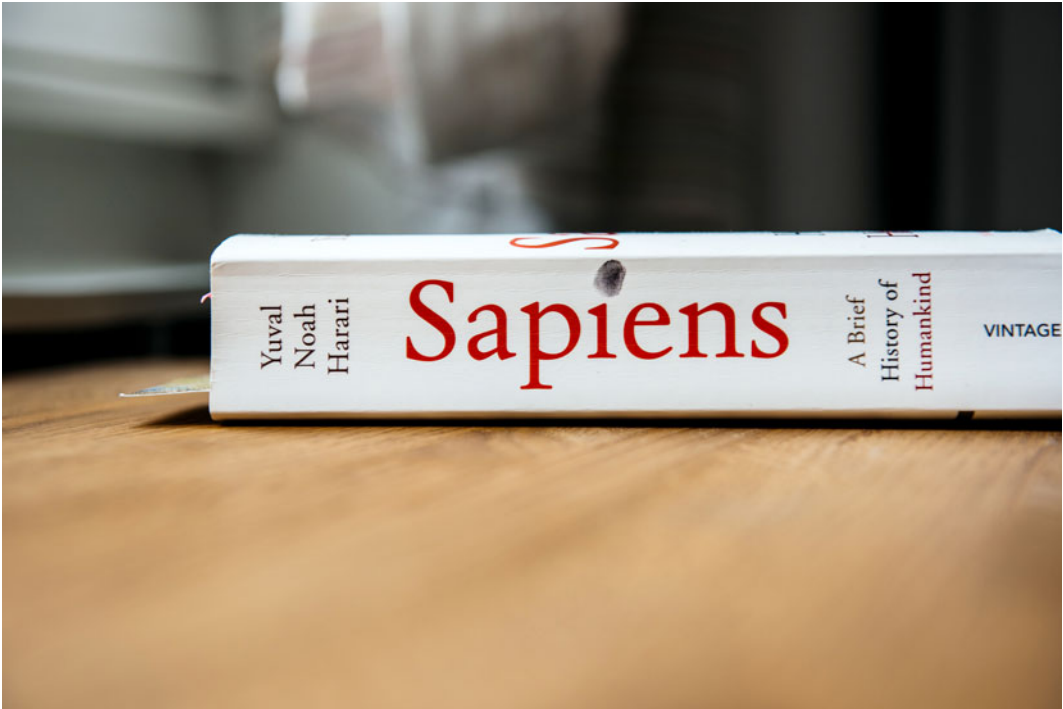
And he also says:

liberal humanism ... is built on ‘a dogmatic belief in the unique worth and rights of human beings – a doctrine that has embarrassingly little in common with the scientific study of *Homo Sapiens*’. (p. 282)

Both claims are dubious, and there are no compelling reasons to think that liberal rights are not grounded in reality, in the nature of human

beings. That is what I will argue. In doing so, I take rights to imply not just that human beings matter, in some very general sense, but that we cannot treat those with rights merely as a means to attain some goal. Rights, in the sense in question, set up negative obligations requiring people not to *interfere* with rights-bearers or their activities.

One point that seems to favour Harari’s myth view is that the idea of rights of this kind seems to be recent and culturally parochial. This is not a point that Harari puts weight on, but it is one that persuades many. The argument is an anthropological one. If rights are out there in reality, what should we say about their inconstant and recent recognition? What is undeniable is that the idea of *universal* liberal rights – rights that everyone has – is not universally recognized. The idea of universal liberal rights is a controversial substantive idea, one that has a religious basis, as Harari notes; and it is an idea that is culturally limited and has only comparatively recently been generally embraced in the West. Nevertheless, I would suggest that there *is* a widespread, if not universal, idea that *some* people have liberal rights. These are often people in the group to which *we* happen to belong. For example, we might think that those of my



country, tribe, faith or family are not to be treated merely as a means to an end. At least they have special dignity. At the limit, at least, almost everyone thinks that there is at least *one* person who has this dignified status – they think that *they* have this special status. Hence, it is not the idea of liberal rights that is parochial and recent but the idea that these rights are universally possessed – that *everyone* has them. If so, then the basic idea that there are liberal rights is in fact universally embraced, by contrast with the idea of universal liberal rights. Not everyone thinks everyone has liberal rights, but everyone thinks that someone has liberal rights. At the limit, everyone treats at least themselves as special in this respect.

This too could be an illusion, but since everyone holds this view, at least of some restricted group, there is no argument for its being an illusion from the fact that few hold the view. Of course, even if everyone holds this view of some restricted group, it could still be a universal illusion. However, we need to see strong reasons to believe that.

What argument, then, does Harari offer in favour of the view that liberal rights have no basis in biology? He waves a rather weak argument, which is that science has refuted both the existence of the soul, as well as the free will that rights depend on. He writes:

a huge gulf is opening between the tenets of liberal humanism and the latest findings of the life sciences, a gulf we cannot ignore much longer. Our liberal political and judicial systems are founded on the belief that every individual has a sacred inner nature, indivisible and immutable, which gives meaning to the world, and which is the source of all ethical and political authority. This is a reincarnation of the traditional Christian belief in a free and eternal soul that resides within each individual. Yet over the last 200 years, the life sciences have thoroughly undermined this belief. Scientists studying the inner workings of the human organism have found no soul there. They increasingly argue that human

behaviour is determined by hormones, genes and synapses, rather than by free will – the same forces that determine the behaviour of chimpanzees, wolves, and ants. Our judicial and political systems largely try to sweep such inconvenient discoveries under the carpet. But in all frankness, how long can we maintain the wall separating the department of biology from the departments of law and political science? (p. 263)

I don't know about the soul, but it is not remotely true that free will has been disproved by science. Some neuro-scientists have claimed this on the basis of certain experiments,² but the interpretation of the results has been strongly contested.³ Certainly, there is nothing uncontroversial to be the basis of Harari's sweeping claim. Note, in particular, his strikingly casual 'rather than' in 'human behaviour is determined by hormones, genes and synapses, rather than by free will', which begs a thousand questions. Why not 'which constitutes' rather than 'rather than'? Such linguistic slipperiness hardly counts as a breathtaking 'discovery'.⁴

'... there are no compelling reasons to think that liberal rights are not grounded in reality, in the nature of human beings.'

We may agree with Harari in urging more interaction between university departments. But he assumes that this would mean a takeover of law and politics departments by biological science departments. But why not a more egalitarian interactive outlook, whereby what human beings share with (other) animals and what is distinctive about them are both

recognized. Has the biology of human beings really nothing to learn from legal and political studies of human beings? This is very unlikely given the widely recognized phenomena of the coevolution of biological and cultural evolutionary processes.⁵ This makes Harari's one-way takeover assumption both premature and unscientific.

Putting Harari's weak argument against human free will to one side, we can ask what can be said in favour of human beings having free will. This free will of human beings is typically thought to be a *ground* of the rights they have. But what does this free will mean, or imply? It at least implies a distinctive style of deliberation, theoretical and practical, in which we think of ourselves as acting for reasons. This deliberation is more than metacognition, which some animals share with human beings;⁶ it is a certain activity of people's minds in which normative concepts are deployed, and which brings about changes in their mind.⁷ When we reason in this way and act as a result, we act freely. The empirical question, then, is about the evidence that human beings do or do not engage in this kind of sophisticated reasoning – that they deploy normative concepts in forming beliefs and intentions.

One thing to look for, as evidence for this kind of sophisticated reasoning, would be whether inference or decision typically means forming *other* judgements or decisions on a similar basis. This is because applying normative concepts in one case has implications for other cases. Imposing such a pattern on our judgements indicates that a regulative notion of consistency is in play. Striving for consistency in judgement is indicative of the deployment of normative concepts.⁸ So, let us ask: is this regulative patterning of our own mental lives characteristic of *Homo Sapiens*? This is an empirical question, and the empirical question is not about the existence of the soul, as Harari implies, but instead concerns a certain kind of *discipline* in judgement and intention formation.

Now, the anecdotal evidence in favour of such patterning is overwhelming, and the idea is very entrenched in our self-conception. We certainly think of ourselves as striving for consistency

and we even sometimes attain it. At present, we certainly lack any scientific grounds for scepticism about this patterning of our mental life.

‘The empirical question, then, is about the evidence that human beings do or do not engage in this kind of sophisticated reasoning – that they deploy normative concepts in forming beliefs and intentions.’

In addition, the phenomenon of cognitive dissonance, much studied for decades and recently extended to some animals,⁹ demonstrates norms of consistency at work in human mental lives and also in the lives of some monkeys and apes. Why would we feel discomfort in holding inconsistent thoughts together in our minds if we did not think of the inconsistency as a flaw or inappropriate? This is just the kind of discipline that is necessary for and indicative of free action. And if some higher animals exhibit cognitive dissonance, it only shows that they too have something not far from human freedom. The fact that others might join our elite club, does not diminish what we have. Reasoning is the most likely explanation of discipline in thinking. And where there is reasoning, the faculties of mind are in place that make free action possible.

We, therefore, have a right cautiously to assert that liberal rights have a basis in the biological reality of human beings. Even if the positive case is not as decisive as we might wish, it is at least clear that Harari’s dogmatic scepticism about liberal rights is unfounded.

Notes

¹ Yuval Harari, *Sapiens* (New York: Vintage, 2015).

² For example, Benjamin Libet, ‘Unconscious Cerebral Initiative and the Role of Conscious Will in Voluntary Action’, *The Behavioral and Brain Sciences* 8 (1985), 529–66.

³ For example, Jonathan Lowe, *The Philosophy of Mind* (Cambridge: Cambridge University Press, 2000).

⁴ See also John Martin Fisher’s review of Robert M. Sapolsky, *Determined: A Science of Life Without Free Will*, in *Notre Dame Philosophical Reviews* (2023).

⁵ Luc Steels, ‘Modeling the Cultural Evolution of Language’, *Physics of Life Reviews* 8 (2011), 339–56; Luc Steels, ‘Human Language is a Culturally evolving System’, *Psychonomic Bulletin and Review* 24 (2017), 190–3.

⁶ See David Smith, ‘Animal Metacognition and Consciousness’, in Tim Bayne, Axel Cleeremans and Patrick Wilken (eds.), *The Oxford Companion to Consciousness* (Oxford: Oxford University Press, 2009), 50–3.

⁷ Christine Korsgaard, ‘Rationality’, in Lori Gruen (ed.), *Critical Terms for Animal Studies* (Chicago: University of Chicago Press, 2018), 294–306.

⁸ Nick Zangwill, ‘Non-Cognitivism and Consistency’, *Zeitschrift für philosophische Forschung* 65 (2011), 465–84.

- ⁹ Leon Festinger, *A Theory of Cognitive Dissonance* (Evanston, IL: Row and Peterson, 1957); Laurie Santos and Alexandra Rosati, 'The Evolutionary Roots of Human Decision Making', *Annual Review of Psychology* 66 (2015), 321–47.

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