

Human Rights in the Context of Cultural Evolution

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Human Rights in the Context of Cultural Evolution. The main aim of this paper is to present a naturalistic theory of human rights which emphasises that while human rights can be seen as basic moral requirements, they are nonetheless society-dependent, meaning that they are intrinsically connected to individual societies and their evolution. The first part of this paper deals with the starting point of this approach, offering a definition of this form of naturalization. However, I would like to stress here that I am not suggesting that the entire issue can be reduced to the level of physical or chemical properties and laws. As Peregrin has noted, the human capacity for language means that we are also discursive beings who can build and live in fantastic worlds of our own making, and therefore we are not restricted to living in the natural world as such, in the realm of nature where natural laws, such as the rules of physics or chemistry, are dominant. The world in which we live and which we ourselves build is also normative, existing within the realm of freedom; other rules apply here, and our freedom lies in the fact that we can choose to either obey or disobey them. It is this capacity that differentiates us from other organisms and indicates that Darwinian evolution is not the only evolutionary process that has played a crucial role in our evolution, with some philosophers and scientists terming this cognitively driven process of development as cultural evolution. As a result, the following section will be devoted to the relevance of the concept of cultural evolution for academics who work in the field of social science, law and jurisprudence given the fact that this theory examines rules and their role and function in society. In this section we will focus on the evolution of morality because, as we will see, human rights can be seen as basic moral requirements which are essential for global cooperation.

Keywords: naturalism, morality, cultural evolution, human rights, cooperation

Introduction

This article aims to provide a more naturalistic account of the theory of human rights, from which it will be clear that even human rights, in as far as we can speak of them as basic moral requirements, are dependent on individual societies and their development, since morality itself is dependent on society and the individuals living within it. Human rights are not a matter of adhering to norms handed down to us by divine powers or by some other superior being or non-being. This approach thus has the advantage that there is no need to invoke supernatural entities or to look for the origins of human rights somewhere beyond the world and the society in which we live, because the sole source of normativity is found in society itself.¹ This text provides a descriptive theory of human rights within the context of cultural evolution in order to clarify their function and

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¹ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, New York: Palgrave MacMillan, 2014, p. 82, MILLAR, Alan. *Understanding People: Normativity and Rationalizing Explanation*. Oxford: Clarendon Press, 2007, p. 91.

importance. The account offered here is therefore not a justificatory theory, but rather an explicative one. Within this text, the concept of cultural evolution will be presented and applied to the issue of human rights.

The first section serves as the starting point of this text and defines the concept and basic precepts of the more naturalistic theory. This approach is not intended to suggest that everything can be reduced to physical and chemical laws. As we will demonstrate, man is a discursive being, and this is because we have a language through which we create, in Peregrin's words, a fantastic world in which we live where we are not subject to the limitations of the natural world in which everything is governed by natural laws; instead, we inhabit a world of freedom - a normative world of rules in which we are free to choose whether or not to follow them.² As complex organisms that create a normative space within which we live³, humans differ from other organisms, and it is our unique capacity of normative thinking which has allowed cultural evolution to play a role in our development in addition to Darwinian evolution.⁴

In the next section, we will address the concept of cultural evolution itself, an issue which is of interest not only to cognitive scientists and philosophers but also to social scientists and legal scholars, as it deals with, among other topics, the evolution of society and the role of norms within it. This section will also focus on the development of morality, since human rights can be seen as basic moral requirements. This is followed by a discussion of Tomasello's theory of the origin and development of morality. Here, too, there is no need to invoke the eternal and immutable, a supernatural element; it is instead sufficient to understand that we are organisms which exist as a part of society and of our environment which we share with other human beings, but at the same time we ourselves can change and co-create this environment.⁵ These theories will be applied within the specific context of human rights, with the conclusion of the text demonstrating that the idea of universal human rights can be seen as the next stage of cultural evolution.

Discussions of the nature of human rights often refer to them as being intuitive.⁶ Within the framework of evolution and cultural evolution, a moral sense has been "shaped" within us, and this allows us to unconsciously recognize another human being

² PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 135.

³ For example, Laden talks about how we inhabit a space of reasons together - a normative space that we create and transform together. See LADEN, A. S.: *Reasoning: A Social Picture*. Oxford: Oxford University Press, 2014.

⁴ See PEREGRIN, J.: Rules as the Impetus of Cultural Evolution [online] *Topoi*. Springer. Published online: 28 November 2013 [accessed 3. 9. 2020] Available at: <<https://link.springer.com/article/10.1007/s11245-013-9219-2>>

⁵ Tomáš Sobek, for example, makes a similar point:

"Ultimately, the objectivity of human rights is human matter: It is not encoded in some non-natural moral reality, but rather in the way we think and talk about human rights. If we have doubts, the only thing we need is better self-understanding." SOBEK, T.: Moral Objectivity of Human Rights [online] *MUNI Academia* [accessed 26. 8. 2020] Available at: <<https://muni.academia.edu/Sobek>>

⁶ UNWIN, N.: *Aiming at Truth*, New York: Palgrave MacMillan, 2007, p. 81: "'natural' just means 'intuitive'".

Intuitiveness here means that without conscious thought, we understand other human beings as human beings, as one of us humans. There is no need for us to consciously reflect on this fact every time.

as an equal, as one of “us”. As we will see, however, this feeling is always formed within a reference group. Human rights, then, can be seen as basic moral requirements that are intended to be universal in character, thereby enabling the creation of a global “we”, a conception which supersedes the earlier idea of “we” as comprising a single nation or culture which is differentiated from others from a different culture or practising different customs. Of course, moral norms themselves are the result of a process of cultural evolution⁷, with their origins lying within a specific societal context.⁸

The concept of cooperation plays an important role in evolution and cultural evolution and is therefore worthy of further examination. As will become apparent, cooperation between humans was more profitable for the long-term viability of our species. This cooperation originally emerged within smaller groups, but as human communities gradually grew in size, it became more important for members of each group to follow rules in order that they be considered by the other members to be “one of us”; this arrangement also gives rise to the dichotomy between “us” and “the others”⁹. Human rights have the potential to form one common “we”, and the era of human rights can perhaps be seen as the next phase of cultural evolution, in which norms emerge that unite humanity as a cohesive, single society.¹⁰

2 Starting Point

The basic premise of this text is that humans are a part of the world in which we live.¹¹ However, this world is not immediately granted to us; rather than merely passively perceiving it, “*we humans build fantastic virtual worlds in which we are able to live: states, churches, universities, order of knighthood, criminal gangs, gardening clubs... All such virtual worlds are largely a matter of make-believe, they stand and fall with people taking them to stand or fall*”.¹² Peregrin’s thinking is broadly in line with the idea of this article, but it is important to understand that these worlds are not independent of

⁷ PEREGRIN, J.: Rules as the Impetus of Cultural Evolution [online] *Topoi. Springer*. Published online: 28 November 2013 [accessed 3. 9. 2020] Available at: <<https://link.springer.com/article/10.1007/s11245-013-9219-2>>

⁸ Similarly, Peregrin claims that all rules and norms are human creations. PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 219.

⁹ TOMASELLO, M.: *The Natural History of Human Morality*, Cambridge: Harvard University Press, 2016, p. 155, 179.

¹⁰ This is emphasized in the introduction to the Universal Declaration of Human Rights, in which we read that “the recognition (...) of the equal and inalienable rights of the members of the human family is the foundation of freedom, justice and peace in the world (...)” Všeobecná deklarace lidských práv [online] *United Nations. Human Rights Office of The High Commissioner* [accessed 26. 8. 2020]. Available at: <https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/czc.pdf>

¹¹ See for example SEARLE, J.: *Making the Social World*. Oxford: Oxford University Press, 2010. ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*. Chicago and London: The University of Chicago Press, 2015. UNWIN, N.: *Aiming at Truth*, New York: Palgrave MacMillan, 2007.

¹² PEREGRIN, J.: Inferentialism. Where Do We Go from Here? In: BERAN, O., KOLMAN, V., KOREŇ, L. (eds.): *From Rules to Meanings: New Essays on Inferentialism*, New York and London: Routledge Taylor and Francis Group, 2018, p. 256.

we humans as organisms, nor do we exist independently from the surrounding environment of the world we live in.

This relationship of interconnectedness is emphasized by, among others, Rouse, whose thinking draws not only upon philosophical theories but also the work of cognitive scientists such as Clark, Thompson, Chemer, Shapiro and others. Rouse argues that as we begin “*understanding the close intertwining of organisms’ sensory systems with their repertoires for behavioral and physiological responsiveness shows how organisms are closely coupled with their environments. An organism’s biological environment does not consist of objectively independent features of its physical surroundings. Biological environments are bounded and configured as the settings to which organisms’ ongoing way of life is responsive*”.¹³ Organisms do not respond to all of the stimuli that occur in their environment, instead perceiving only selective environments that depend upon what the organism considers to be important to itself and its way of life.¹⁴ This exclusive focus on environments relevant to their own needs and interests alone has led Akins to refer to sensory systems as “narcissistic” phenomena.¹⁵

Indeed, this form of “narcissism” has also been noted by many philosophers and cognitive scientists. Bratman has drawn attention to the importance of, arguing that because we pursue goals, we are also actors who make plans, always in relation to some of our goals.¹⁶ Okrent discusses organic teleology, in which the highest goal pursued by organisms is their self-preservation; in order to achieve this goal, they interact with their environment and perceive the phenomena they encounter as either furthering their interests or as posing a potential risk. Based on this approach, organisms attach meaning to objects in their environment which are defined in relation to the meanings of other things that surround the organism.¹⁷ “*The world of the organism is not a collection of*

¹³ ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*. Chicago and London: The University of Chicago Press, 2015, p. 19.

¹⁴ *Ibid.*, p. 100 af.

¹⁵ AKINS, K.: Of Sensory Systems and the “Aboutness” of Mental States. [online] *The Journal of Philosophy*, vol. 93, No. 7, p. 345, 1996 [seen 26. 8. 2020] Available at: <<https://www.jstor.org/stable/2941125?seq=1>>

Akins explains her metaphor by comparing the sensors through which sensations are mediated to a narcissistic person. Narcissists pose a single question in every situation: “And how does this relate to me?” For narcissists, only their own interests are important, and they see in the world only as it relates to them. Akins gives the example of a narcissist visiting their therapist for an appointment and being informed that the therapist has been involved in a serious car accident but that hopefully he will be okay. The narcissist then asks, “Why is all this happening to me?” (*Ibid.*, p. 345)

Akin then explains why she sees sensory sensors as being analogous to narcissistic personalities. She uses thermoreceptors as an example, describes their functioning, and argues that they make very good sense when examined from this narcissistic point of view. She argues that the relevant question for the organism is not “How is it outside?”, i.e., what is the exact temperature outside; instead, their job is to inform the brain of the presence of relevant temperature changes. In fact, the only thing that matters to the organism is its own physical comfort. (*Ibid.*, p. 345 - 349)

¹⁶ BRATMAN, M. E.: *Faces of Intentions. Selected Essays on Intention and Agency*. Cambridge: Cambridge University Press, 2004, p. 21, p. 45, p. 49, p. 110.

¹⁷ OKRENT, M.: Heidegger’s Pragmatism Redux. In: MALACHOWSKI, A. (ed.). *Cambridge Companion to Pragmatism*. Cambridge: Cambridge University Press, 2013, p. 135.

independent things. It is a context of significance, where that significance is relative to the organic interest and ends of the organism".¹⁸ This type of goal-directedness therefore determines how organisms respond to stimuli and phenomena that are relevant to their lives and that are, or become, part of their biological environment.¹⁹

Other human beings with whom we interact on a daily basis are an intrinsic part of our environment.²⁰ In the course of evolution and cultural evolution, humans have developed mechanisms that enable us to regard other members of our society as equal partners. In the following section, we will examine how this we came to regard other human beings as "human" or as "partners". Humans differ from other organisms through their capacity for language, and this ability grants them a conceptual understanding; rather than reacting instrumentally to their environment, they can also adopt a "take as" approach to the phenomena they encounter.²¹ In Searlean terminology, then, we can say that "human" is a status function to which deontic forces such as rights and obligations are linked.²² As we will see, this interpretation suggests that human rights form the cornerstones of our society. One interesting aspect of human rights is the fact that, unlike other rights, they apply to everyone.²³ We are all entitled to demand that other people respect our human rights, but we ourselves are also obliged to respect the human rights of others.

Because language is an integral part of human nature, we are discursive beings²⁴ who can create virtual spaces through our discourse.²⁵ However, this is not to say that these

"Organisms are, essentially, agents that act on their environment in order to realize ends that are intrinsic to and necessary for their continuance. And, insofar as organisms act, that action itself amounts to the organism taking features of its environment as serviceable or detrimental to its interests. ... Since meanings of things are revealed only in the light of the context of significance established by the interlocking interests of the organic agent, each of those meanings are defined only in relation to the meanings of the other things in the world of the agent."

¹⁸ Ibid., p. 137.

¹⁹ ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, p. 33.

²⁰ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 132.

²¹ Ibid., p. 51. Rouse argues that some organisms are able to respond flexibly to changes in their environment, but for non-human organisms these remain instrumental, if sometimes rational, responses. Ibid., p. 44.

John Searle, for example, argues that our social reality is built on this mechanism of "defending for". Searle does not use the term "take as" but "counts as" to describe the elaboration of institutional facts that are ontologically subjective since they do not exist independently of observers (in contrast, it builds ontologically objective facts, which are facts that exist without being perceived by someone who observes them. He takes these to be, for example, trees, mountains, gravitational force, etc.), but which are epistemically objective, since we can talk about them objectively, i.e., independently of the speaker's own personal attitudes and preferences. Searle argues that people give status functions to other people and objects in their environment which are based on the principle that we say that "X is considered to be/is Y in context C"; for example, "Miloš Zeman is considered to be/is the president of the Czech Republic in 2020". Deontic forces, such as rights and obligations, are then associated with these status functions. In order for institutional facts to come into being and to continue to exist, they must be collectively accepted, recognised and imposed. For more on this topic see SEARLE, J.: *Making the Social World*. Oxford: Oxford University Press, 2010.

²² SEARLE, J.: *Making the Social World*. Oxford: Oxford University Press, 2010, p. 11, p. 42ff.

²³ Ibid., p. 174ff.

²⁴ ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, p. 77.

²⁵ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 131

spaces are not real²⁶; while they may not necessarily follow the laws of nature, other rules apply that are perhaps more important, a consequence of our conceptual understanding²⁷ does not merely attempt to grasp some type of static, holistic structure²⁸ but is an active searching, decision-making and corresponding reactions to more or less diverse social practices,²⁹ reflecting the common way of life shared by individuals which we term human society.³⁰ As we know, the formulation of the Universal Declaration of Human Rights was a response to social practices, specifically the horrors of World War II. These atrocities were marked by a disregard for the fact that we are all part of a single human society; with this contempt for human rights³¹ leading to barbaric acts that grossly offended the collective human conscience.³²

This conception of man presented above shows that mankind is a part of the natural world; he is aware of his interactions with the environment, understanding too that other humans and their activities can also shape this environment.³³ This assertion forms the basic starting point of this text, and this is why I have labelled the theory described in this article as more naturalistic. The main aim is to present a theory that does not appeal to supernatural origins or metaphysical foundations, but which reflects instead the latest scientific and philosophical findings and theories³⁴ which, taken as a whole, can offer

²⁶ Ibid., p. 132: “They are virtual not in the sense of being unreal, but in the sense of owing their existence to the attitudes of the people, namely to our normative attitudes that sustain the integrative rules necessary to underpin such virtual edifices”.

We can discern a connection here with Searle’s concept of institutional facts; Searle also saw public recognition and acceptance of these facts as the key aspect of their validity. SEARLE, J.: *Making the Social World*, p. 42ff.

²⁷ Sellars, for example, has already pointed to conceptual understanding and reasoning. Cf. e.g., SELLARS, W.: *Philosophy and the Scientific Image of Man*. In: COLODNY, R. (ed.): *Frontiers of Science and Philosophy*. Pittsburgh: University of Pittsburgh, 1962, pp. 35-78.

²⁸ This holistic interconnectedness has been pointed out by, for example, Wilfrid Sellars who noted that “One can have the concept of green only by having a whole battery of concepts of which this is an element. (...) While the process of acquiring the concept green may – indeed does – involve a long history of acquiring piecemeal habits of response to various objects in various circumstances, there is an important sense in which one has no concept pertaining to the observable properties of physical objects in Space and Time unless one has them all – and, indeed, a great deal more besides.”

SELLARS, W.: *Empiricism and the Philosophy of Mind*. Cambridge: Harvard University Press, 1997, pp. 44-45.

²⁹ ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, p. 83.

³⁰ “...we are individual organisms who also participate in a larger pattern that constitutes that way of living as human”. ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, p. 77.

³¹ Introduction to the Universal Declaration of Human Rights [online] *United Nations. Human Rights Office of The High Commissioner* [accessed 26. 8. 2020] Available at: <https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/czc.pdf>

³² Ibid.

³³ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 132.

³⁴ ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, p. 3.

Rouse defines naturalism in the introduction to his book as follows: “First, its advocates refuse any appeal to or acceptance of what is supernatural or otherwise transcendent to the natural world. (...) Contemporary naturalist also undertake a second more specific commitment to a scientific understanding of nature. At a minimum, naturalists regard scientific understanding as relevant to all significant aspects of human life and

a comprehensible explanation of the importance of human rights in fostering a basic space in which we can work together and live in peace. I intend here to justify the existence of human rights while adhering to the fundamental aim of science; the search for theories that are able to provide explanations and understandings of the world without the need to resort to the obscure or the supernatural. If we wish to justify the existence of human rights, we should not focus on their origins, for like all other rights these lie in society itself.³⁵ Instead, the fundamental issue is the function of human rights, and an examination of this topic requires a scientific approach rather than an appeal to metaphysical foundations.

3 Cultural Evolution

In this section we will introduce the topic of cultural evolution. We are likely all familiar with the theory of evolution outlined by Charles Darwin in his 1859 book *On the Origin of Species*. However, in recent decades, the concept of cultural evolution has emerged within the context of cognitive science and philosophy, with academics suggesting that genetics alone do not tell the full story of our development.³⁶ Darwinian evolution is a relatively slow process, and it can be considered as a kind of “hardware” that is augmented by the “software” of cultural evolution. The theory of cultural evolution bears some resemblance to the Lamarckian concept of evolution in that it too is a much faster process.³⁷ As Tomasello points out, the social and cultural transmission of knowledge and experience offers the best explanation for the sheer scale of changes in behaviour and perception over such a short period of time.³⁸

only countenance ways of thinking and forms of life that are consistent with this understanding. More stringent versions of naturalism take scientific understanding to be sufficient for our intellectual and theoretical projects and perhaps even for practical guidance in other aspects of life. A third commitment is a corollary to recognition of the relevance and authority of scientific understanding: naturalists repudiate any conception of ‘first philosophy’ as prior to or authoritative over scientific understanding (Quine 1981, 67).” (Ibid.)

³⁵ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 219.

³⁶ PINKER, S.: *The Blank Slate: Modern Denial of Human Nature*, New York: Penguin Books, 2003, pp. 89-91.

³⁷ PEREGRIN, J.: Rules as the Impetus of Cultural Evolution, [online] *Topoi. Springer*. Published online: 28 November 2013 [accessed 3. 9. 2020] Available at: <http://polatulet.narod.ru/dvc/ddbs/dennett_breaking.html>

Blackmore, for example, objects to the Lamarckian label and says it is more Weismannian, in which instructions are simply copied. DAWKINS, R.: Foreword. In: BLACKMORE, S.: *The Meme Machine*. Oxford: Oxford University Press, 2000, p. 14.

³⁸ TOMASELLO, M.: *The Cultural Origins of Human Cognition*. Cambridge: Harvard University Press, 1999, pp. 2-4: “*The fact is, there simply has not been enough time for normal process of biological evolution involving genetic variation and natural selection to have created, one by one, each of the cognitive skills necessary for modern humans to invent and maintain complex tool-use industries and technologies, complex forms of symbolic communication and representation, and complex social organizations and institutions (...) There is only one possible solution to this puzzle. That is, there is only one known biological mechanism that could bring about these kinds of changes in behaviour and cognition in so short a time whether that time be thought of as 6 million, 2 million, or one-quarter of a million years. This biological mechanism is social or cultural transmission, which works on time scales many orders of magnitude faster than those of organic evolution.*”

The evolutionary biologist Richard Dawkins is a key figure in the development of the concept of cultural evolution.³⁹ In his 1976 book *The Selfish Gene*, Dawkins introduced the term “memes” to describe the basic sets of information through which cultural transmission occurs.⁴⁰ Dawkins did not elaborate further on this idea, but in the 1990s the concept attracted the attention of other academics in the field such as Daniel Dennett and Susan Blackmore. Dennett criticized the traditional models of cultural development advocated by the majority of historians, anthropologists and biologists which discussed culture in terms of the goods or possessions of the people who disposed of these items. In this understanding, people are seen as autonomous, independent and rational beings⁴¹ from whom we can take goods or property, but we cannot deny them their rationality and informed desires. The cultural artifacts which humans have used over the centuries, such as clothes or other goods, equip them with better abilities. In contrast, Dennett developed a theory of cultural evolution in which man himself was an integral part of the culture itself, with all of its implications.⁴²

Man is not a fully autonomous, rational being in himself.⁴³ His thinking is shaped by memes, many of which may be unconscious. Memes can include our habits or skills through which we know what to do in order to achieve the goal or result we want in the most effective way. They can also take the form of songs or stories or any other kind of information that is passed from person to person.⁴⁴ Dennett likens the spread of memes to the spread of viruses,⁴⁵ but while this analogy might suggest that memes are something negative, we should consider a more nuanced understanding of the nature of a virus. Not all viruses are parasitic entities that take over an organism for their replication benefits. Instead, we can divide viruses into three basic categories. These are:

Wilfrid Sellars, for example, has already discussed this type of cultural and social transmission. For more on Sellars' philosophy, see, in addition to his own texts, e.g., O'SHEA, J. R.: *Wilfrid Sellars. Naturalism with a Normative Turn*. Cambridge: Polity Press, 2007.

³⁹ BLACKMORE, S.: About Memes [online] *dr Susan Blackmore* [accessed 3. 9. 2020] Available at: <<https://www.susanblackmore.uk/memetics/about-memes/>>

⁴⁰ DAWKINS, R.: *The Selfish Gene*. New York: Oxford University Press, 1976, p. 78.

⁴¹ We can discern a parallel with what Ryle calls the “dogma of the spirit in the machine”. “*There is a doctrine about the nature and place of minds which is so prevalent among theorists and even among laymen that it deserves to be described as the official theory (...) The official doctrine, which hails chiefly from Descartes, is something like this. With the doubtful exception of idiots and infants in arms every human being has both a body and a mind. Some would prefer to say that every human being is both a body and a mind.*”

RYLE, G.: *The Concept of Mind*. London: Penguin, 1949, pp. 13–17. This idea is also reflected in the philosophy of René Descartes.

“*There is a great difference between mind and body, inasmuch as body is by nature always divisible and the mind is entirely indivisible (...) When I consider the mind, that is to say, myself inasmuch as I am only a thinking being, I cannot distinguish in myself any parts, but apprehend myself to be clearly one and entire, and through the whole mind seems to be united to the whole body, yet if a foot, or an arm, or some other part, is separated from the body, I am aware that nothing has been taken from my mind.*” DESCARTES, R.: *Meditations on First Philosophy*, New York: Free Press, 1967, p. 177.

⁴² DENNETT, D.: Evolution, Culture and Truth [online] *ResearchChannel* [accessed 3. 9. 2020] Available at: <<https://www.youtube.com/watch?v=khp4VWJCFI>>

⁴³ *Ibid.*

⁴⁴ BLACKMORE, S.: *About Memes*.

⁴⁵ DENNETT, D.: *Breaking the Spell: Religion as a Natural Phenomenon*. USA: Penguin Books, 2006, pp. 59, 82, 99, 117.

- 1) parasites - their presence harms the condition of their host, and they are not beneficial,
- 2) commensals – viruses whose presence is neutral for the host; they neither benefit nor harm the host either, serving as inoffensive feeders that feed on the host's leftover food scraps,
- 3) symbionts – these viruses have a mutualistic relationship with the host; their presence increases the fitness of the host, and they can thus be considered beneficial.⁴⁶

Memes can also appear in these forms. Cultural evolution does not always bring us advantages, and we can question the benefits that each meme offers by asking the important question: *Cui bono?*⁴⁷ Furthermore, we must be prepared to accept that we will not always benefit from the changes which cultural evolution brings about; some cultural practices or artefacts may be unhelpful or even dangerous, and we may be perpetuating these harmful elements unconsciously. Replication⁴⁸ is the only goal of memes,⁴⁹ and consequently their soundness is of huge consequence because the ongoing survival of a meme depends on its credibility.⁵⁰

In examining human society, evolutionary psychologists and philosophers have noticed that rules⁵¹, which are themselves memes, play an important role in cultural evolution.⁵² People are dependent on each other in society⁵³ given that individuals alone are unable to secure all of their own needs. As we will see in the next section, cooperation is highly important for us,⁵⁴ with cooperative behaviour being more beneficial for humans in the long run.⁵⁵ Tomasello has argued that it is not only cooperation that is important for humans, but a higher form of collaboration which he calls coordination that involves the

⁴⁶ Ibid., p. 81.

⁴⁷ Ibid., p. 81ff.

⁴⁸ BLACKMORE, S.: *About Memes: "Memes, like genes, are replicators. That is, they are information that is copied by variation and selection"*.

⁴⁹ DENNETT, D.: *Breaking the Spell: Religion as a Natural Phenomenon*, pp. 83, 84.

⁵⁰ BLACKMORE, S.: *About Memes*.

⁵¹ Blackmore distinguishes between copy-the-product and copy-the-instruction, and she believes that humans are exceptional in that they can imitate and copy instructions perfectly. See BLACKMORE, S.: *The Meme Machine*, p. 119. If we think about it, legal norms are such instructions on how and what to do.

⁵² See PEREGRIN, J.: *Rules as Impetus of Cultural Evolution* [online] *Topoi. Springer*. Vol 33, 2013, pp. 531 – 545 [accessed 26. 8. 2020] Available at: <<https://link.springer.com/article/10.1007/s11245-013-9219-2>> or SELLARS, W.: *Language, Rules and Behaviour*. In: HOOK, S. (ed.): *John Dewey: Philosopher of Science and Freedom*. New York: Dial Press, p. 298.

⁵³ See ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*, TOMASELLO, M.: *The Natural History of Morality*. Cambridge: Harvard University Press, 2016, pp. 76, 88, 89, 93, PINKER, S.: *The Blank Slate: Modern Denial of Human Nature*, p. 168.

⁵⁴ See SEARLE, J.: *Making the Social World*, s. 49ff, PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution* [online], TOMASELLO, J.: *The Natural History of Human Morality*, PINKER, S.: *The Blank Slate: Modern Denial of Human Nature*, pp. 166 – 167, ROUSE, J.: *Articulating the World. Conceptual Understanding and the Scientific Image*, pp. 9-17, 19-29.

⁵⁵ See PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 118ff., PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.

formulation of long-term common goals rather than short-term or *ad hoc* acts of assistance.⁵⁶ When entering into all sorts of relationships, humans must attempt to anticipate the behaviour of the individuals with whom they will cooperate.⁵⁷

This is how social norms began to evolve, and along with it the awareness that we belong to a specific group of individuals with whom we identify ourselves. However, a corollary to this was the emergence of an instinctive reaction to distrust those who were not “one of us” due to their partial trustworthiness as partners for cooperation. This sense evolved into the belief that if an individual neither dresses nor behaves like us, they do not belong to us.⁵⁸ As a consequence, people became pressured to conform to the social norms of the tribe in order to increase their chances of being cooperated with, a result which ultimately benefited them as well.⁵⁹ However, as the human population grew and communities began to clash over resources,⁶⁰ the need for some more sophisticated transmission of these memes arose. We can see that laws are the ideal vehicle for such a system. Legal norms are binding on all who are subject to the jurisdiction of a given state, representing explicit statements of how things are to be done and how we are to behave; as Blackmore has noted, they state instructions which are expected to be copied.

3.1 Morality

Before the emergence of written law, instructions were disseminated as a series of norms that we were required to follow if we wanted others to cooperate with us. One such series of norms was that of moral instructions that represented the sense of conventional morality. Tomasello distinguishes between the morality of sympathy and the morality of fairness on the basis of the types of cooperation these norms regulated.⁶¹ In order for a morality of fairness to fully develop, it was necessary for “*new psychological dispositions to emerge that originally evolved to coordinate more complex forms of mutualistic cooperation from which all involved could directly benefit when there was sufficient synergy.*”⁶² In this conception, the so-called “ought-to-be” is not only the result and consequence of some external coercion through violence but of cooperative coercion.⁶³

⁵⁶ RAKOCZY, H., TOMASELLO, M.: The Ontogeny of Social Ontology: Steps to Shared Intentionality and Status Function. In: TSOHATZIDIS, S. L. (ed.): *Intentional Acts and Institutional Facts. Essays on John Searle's Social Ontology*. Springer, 2007, p. 120ff.

⁵⁷ PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.

⁵⁸ TOMASELLO, M.: *The Natural History of Human Morality*, pp. 155, 179.

⁵⁹ See PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.

⁶⁰ TOMASELLO, M.: *The Natural History of Human Morality*, pp. 90-92.

⁶¹ *Ibid.*, pp. 11-12.

⁶² KOREŇ, L., KOCOUREK, D.: Evoluce morálky podle Michaela Tomasella [online] *Filosofický časopis*. Vol. 6, 2018 [accessed 22. 9. 2020] Available at: <<http://filcasop.flu.cas.cz/index.php?page=archiv&rok=2018&cislo=6-2018&obsah=844>>

⁶³ PEREGRIN, J.: *Rules as Impetus of Cultural Evolution*. Peregrin argues that this cooperative coercion is something that is inherent in us humans and us alone. In this context, he quotes Castro et al.: “*Here we propose that, during ontogeny, the assessor communication between parents and offspring is extended by other evaluative interactions where the approval or disapproval of behaviour is provided by other unrelated*

This compulsion has evolved over time in line with changes in human needs and in the human environment. In the original environment in which early societies evolved, more or less every member was able to earn his or her own livelihood and did not have to cooperate with anyone. Individuals typically cooperated only within family groups in which the morality of sympathy developed in connection with childcare⁶⁴ or in alliances with other groups. Alliances, however, often involved manipulating others into doing what one group wished, and this type of cooperation required more of a Machiavellian type of approach in which individualism still prevailed.⁶⁵ As the environment and ecological conditions changed and these groups began to clash and compete for resources, people began to be forced to collaborate in larger societies in order to survive.⁶⁶ Under these conditions, cooperative individuals possessed an advantage over more individualistic or aggressive humans in terms of access to hunting and other food procurement, and this created a selective pressure that favoured those who were able to function cooperatively.⁶⁷ Tomasello terms this change in the social order from hierarchical organization to egalitarianism as self-domestication.⁶⁸

Henrich also discusses this self-domestication, arguing that we inherently possess a “psychology of norms” in which we assume that there are rules within our social world even though we may not be aware of them. Over time, humans gradually learn these rules and internalize them, as we understand that following them will offer us access to the benefits⁶⁹ that accrue through cooperation. Through this process of shared intentionality, the desire to achieve or pursue a common goal together, a new actor

*individuals. Through their lifespan, a person establishes a social reference group with individual that interact closely during a particular stage of life (parents, partner, friends, and colleagues). Our thesis is that the individual in the social reference group are neither neutral nor passive towards the behaviour of a person in the group. Rather, they evaluate and demonstrate approval or disapproval, even if the behaviour in question does not affect them directly. Chimpanzees may classify other individuals' behaviour as favourable or unfavourable with respect to themselves, and may act accordingly, but the ability to approve or disapprove of other individuals' learned behaviour seems completely absent in primates (...).” CASTRO et al.: Cultural Transmission and Social Control of Human Behaviour, 2010, pp. 352-353, quoted by PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.*

⁶⁴ TOMASELLO, M.: *A Natural History of Human Morality*, p. 12.

⁶⁵ *Ibid.*, p. 38, see also BLACKMORE, S.: *The Meme Machine*, pp. 137, 140, 169. WHITEN, A., BYRNE, R. W.: *Machiavellian Intelligence: Social Expertise and the Evolution of Intellect in Monkeys, Apes and Humans*. New York: Oxford University Press, 1988.

⁶⁶ TOMASELLO, M.: *A Natural History of Human Morality*, pp. 54-55.

⁶⁷ KOREŇ, L., KOCOUREK, D.: *Evoluce morálky podle Michaela Tomasella*.

⁶⁸ TOMASELLO, M.: *A Natural History of Human Morality*, p. 55.

⁶⁹ HENDRICH, J.: *The Secret of Our Success: How Culture Is Driving Human Evolution, Domesticating Our Species, and Making Us Smarter*, p. 188. Young children tend to trace some regularities within certain situations and assume that these regularities are norms. These are always dependent on the context of the situation, and children also have to observe how other members of the family relate to certain behaviours, as not every regularity is a rule. Of course, rules can be broken. Children must therefore infer whether something is a rule from how other members of society react to a particular behaviour. If an action is repeated, for example someone steals repeatedly, this does not mean that stealing is the norm. If the rest of society takes a negative attitude towards the behaviour and condemns the individual, then the child will infer that the norm is not to steal, but rather not to steal. So, there is no need for children to be taught any rules, they are able to deduce them for themselves. Of course, this literal teaching and direction also plays an important role. *Ibidem*, p. 186.

emerges: the “we”. Individuals thus began to understand their roles and accept that their partner or partners are important to them; this type of cooperation also instils a sense of the need for equality and mutual respect,⁷⁰ in addition to the emergence of normative thinking⁷¹, the awareness of joint commitment and responsibility to their partners. If an individual in the society fails to honour these commitments, then they are sanctioned by the others.⁷² If such individuals were not subject to sanction, then it would be those who did not cooperate and who wanted to usurp all the benefits for themselves who would be the main beneficiary of the cooperation.⁷³

As human society evolved and communities expanded in size, individuals were no longer able to know all the members of their society personally. As a result, people began to distinguish themselves by their “characteristics. *These were not biological but cultural: our group includes those who speak like us, hunt like us, (...) and so on.*”⁷⁴ However, not all of these norms could be considered as moral - “moral norms regulated areas in which the group had an eminent interest, while at the same time manifesting competing motives and claims. They regulated, for example, the use of violence among group members, (...) who to mate with, and so on.”⁷⁵ These rules were understood by all members of the group as coming from and applying to all, making it possible to observe, evaluate and regulate decisions and actions not from an egoistic, subjective point of view, but from an objective point of view.⁷⁶ As we can see, this sense of morality was thus created and shaped by the processes of natural selection.⁷⁷

If we consider the understanding of moral norms outlined above as rules in which we have an eminent interest⁷⁸, then the human rights as expressed in the Universal Declaration can also be considered as such. Individuals undoubtedly have an eminent interest in their survival but also in the right to enjoy a peaceful existence.

3.1.1 Cooperation

In the previous section, we have seen how cooperation became essential for individuals and for human society as a whole. We will now turn to the issue of why this

⁷⁰ TOMASELLO, M.: *A Natural History of Human Morality*, pp. 66-67.

⁷¹ For there are implicit rules through which we bind ourselves in our “virtual worlds”, i.e., where the laws of nature are not the only important aspect. “(...) rules have an additional property of being able to open up the kind of ‘virtual spaces’ (...). This means that we can bind ourselves by means of rules, and to do so means to cease taking them as merely something contingent, and to start perceiving them as something that determines how things should be or what we should do. Indeed, the very act of binding can be seen as a matter of (intentionally) giving up their contingent view, as, we may say, ‘discontingenting’ them.” PEREGRIN, J. *Inferentialism. Why Rules Matter*, p. 220.

⁷² *Ibid.*, pp. 76-82.

⁷³ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 121.

⁷⁴ KOREŇ, L., KOCOUREK, D.: *Evoluce morálky podle Michaela Tomasella*.

⁷⁵ *Ibid.* It is also apparent that these spheres are also the domain of human rights, especially the efforts to prevent people hurting or killing each other and to foster a less brutal society.

⁷⁶ TOMASELLO, M.: *A Natural History of Human Morality*, pp. 123-127.

⁷⁷ PINKER, S., *The Blank Slate: Modern Denial of Human Nature*, pp. 108, 111, 113-114. Reactions may vary depending on the cultural context, but the underlying mechanisms are the same across cultures. *Ibid.*, p. 39.

⁷⁸ KOREŇ, L., KOCOUREK, D.: *Evoluce morálky podle Michaela Tomasella*.

strategy of action is more advantageous to us in the long run. Why has this strategy “won out” and played its constant role in our development, when, as has also been pointed out, individuals who refuse to cooperate could potentially benefit most from the results of cooperative acts?⁷⁹

Since our discussion above examined the evolution of cooperation in the context of the early societies of our ancestors, the analogy of the dilemma of two hunters used by Peregrin seems apt for our purposes. Tik and Tok are members of the same tribe, which, among other things, hunts mammoths for a living. In order to hunt a mammoth, the two hunters must work together, as neither of them is capable of hunting it alone. Having brought down a mammoth through their cooperation, it is now time for them to share the spoils. For simplicity and illustration, let’s assume that a mammoth can provide the hunters with six energy units (EUs). We can now consider the possible situations that may arise as the hunters decide to cooperate or not.

If neither hunter wants to cooperate and both are ready to fight over the spoils, then the fight will cost each of them some energy, for example 2 EU; as a result, the best that either hunter can expect to gain is 1 EU. If one hunter is willing to fight and the other chooses instead to submit, then the one who resigns will gain nothing, but the one determined to fight will probably not be able to eat all of the loot at once and will have to invest some energy to store it (in the worst case, the loot may spoil and become inedible, with the result that the profit would be even lower than that given in the table below). However, if both hunters decide to cooperate and share the loot, then each will get 3 EU. The possible outcomes of the dilemma are illustrated in the following table:

	Tok	
Tik	Non-cooperation (conflict)	Cooperation/resignation
Non-cooperation (conflict)	Tik: 1, Tok: 1	Tik: 5, Tok: 0
Cooperation/resignation	Tik: 0, Tok: 5	Tik: 3, Tok: 3

Within the context of this particular example, it would seem that the most advantageous strategy would be to not cooperate, since whichever strategy the other hunter chooses (cooperation/resignation or fight) non-cooperation will result in at least some benefit (in the case of fighting, at least 1 EU; in the case that of the other hunter resigning, then even as much as 5 EU).⁸⁰ What is absent in this equation, however, is a certain social dimension. For if there is a need for another hunt in the future (which is almost certain to arise at some point), then it is very likely that hunters will seek out a cooperative partner rather than one who usurps all the spoils of the hunt for themselves.⁸¹ This social aspect of the dilemma can therefore pressure individuals towards cooperation, as is seen in the idea of cooperative coercion which was mentioned above.

⁷⁹ PEREGRIN, J.: *Inferentialism. Why Rules Matter*, p. 121.

⁸⁰ *Ibid.*, p. 120.

⁸¹ PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.

Cooperative coercion can also be explained in terms of reciprocity, a concept which, as Peregrin notes, is sometimes incorrectly referred to as altruism.⁸² Reciprocity always operates within some reference frame/group or society⁸³ and can be defined as the giving up of some direct benefit of the individual for the benefit of others or of society as a whole. We can distinguish between direct reciprocity, in which A gives up something for B because B has previously given up something for A; general reciprocity, where A gives up something for B because C has previously given up something for A; reputational giving, where A makes a more generous sacrifice for B in the presence of other group members with the hope that those present who may appreciate his “sacrifice” in the future and give up something for A (i.e., C may give up something for A in the future due to the fact that A gave up something for B in the presence of C); and lastly rewarding reputation, in which A gives up something for B because B has previously given up something for C.⁸⁴

A Direct reciprocity

Time 1
A → B

Time 2
B → A

B Generalized reciprocity

Time 1
C → A

Time 2
A → B

C Reputational giving

Time 1
A → B

Time 2
C → A

D Rewarding reputation

Time 1
B → C

Time 2
A → B

Illustration of the reciprocal relationships described above. (Source: MELAMED, D., SIMPSON, B., ABERNATHY, J. The Robustness of reciprocity: Experimental evidence that each form of reciprocity is robust to the presence of other forms of reciprocity [online] *Science Advances*. Vol. 6, No. 23, June 2020 [accessed 14. 10. 2020] Available at: < <https://advances.sciencemag.org/content/6/23/eaba0504>>)

These interactions create rules and instructions on how to behave (either explicitly or otherwise) which place restrictions on individuals, but they simultaneously create spaces

⁸² Ibid.

⁸³ CASTRO et al.: Cultural Transmission and Social Control of Human Behaviour, 2010, pp. 352-353, quoted by PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.

⁸⁴ MELAMED, D., SIMPSON, B., ABERNATHY, J.: The Robustness of Reciprocity: Experimental Evidence that Each Form of Reciprocity is Robust to the Presence of Other Forms of Reciprocity [online] *Science Advances*. Vol. 6, No. 23, June 2020 [accessed 14. 10. 2020] Available at: <<https://advances.sciencemag.org/content/6/23/eaba0504>>

There are interrelationships between these types of reciprocity, as in everyday life we encounter situations where more than one of these is operating at the same time.

with the potential for mutual cooperation⁸⁵ offering long-term benefits for as many people as possible (as Tomasello points out, this type of reciprocity is not cooperation, but coordination, since it goes beyond merely *ad hoc* forms of cooperation⁸⁶). These rules arise as a reaction to our environment and also reflect our natural desire as living organisms to preserve our existence. This brings us to that “virtual, fantastic” world in which we are subject not solely to the laws of nature but where the rules that we create also play a role. As was noted above, these rules are always made within a society, existing within a frame of reference.⁸⁷ If we bear in mind that the human population is constantly rising and that increased access to travel results in cultural clashes, it is also the case that different systems of rules can also come into contact. In order to ensure global cooperation and coordination, it is therefore advisable to establish some general framework of rules that can be respected by all human cultures and societies. The concept of human rights appears to fulfil this need, offering the possibility to unite us as a single society with a single actor: “we, the people”.

3.2 *The Era of Human Rights as the Next Phase of Cultural Evolution*

As is well known, people make mistakes; even though we may not want to admit it, we are not perfect. One reason for this may be that as humans we have limited rationality⁸⁸ and thus “*certain (especially epistemic) limitations*”.⁸⁹ Dennett states that making mistakes is necessary in order to discover what we should definitely avoid doing again, but one must learn from one’s mistakes.⁹⁰ Because we have language and can use it to communicate and pass on various instructions on how best to achieve an outcome, we have the enormous advantage of not only learning from our own mistakes but also from those of others; in turn we can learn and adopt the knowledge, skills or abilities of others, even those of previous generations.⁹¹

Some mistakes can have far graver consequences than others and thus need to be responded to in a different manner. As a species, we have seen that dangerous ideas which benefit one group at the expense of others, such as Nazism, often emerge in societies. Other examples of this include terrorism or religious wars,⁹² in which one

⁸⁵ See PINKER, S.: *The Blank Slate: Modern Denial of Human Nature*, p. 108. Pinker argues that democratic institutions are there to prevent the dangerous ambitions of imperfect people.

⁸⁶ RAKOCZY, H., TOMASELLO, M.: *The Ontogeny of Social Ontology: Steps to Shared Intentionality and Status Function*, p. 120ff.

⁸⁷ CASTRO et al.: Cultural Transmission and Social Control of Human Behaviour, 2010, pp. 352-353, quoted by PEREGRIN, J.: *Rules as the Impetus of Cultural Evolution*.

⁸⁸ SELTEN, R.: What Is Bounded Rationality? In: GIGEZER, G., REINHARD, S. (eds.): *Bounded Rationality. The Adaptive Toolbox*, Cambridge: The MIT Press, p. 13ff.

⁸⁹ HAPLA, M.: Utilitarismus a lidská práva [online] *Časopis pro právní vědu a praxi*. Roč. 28, č. 3, 2020 [accessed 14. 10. 2020] Available at: <<https://advances.sciencemag.org/content/6/23/eaba0504>>

⁹⁰ DENNETT, D.: *Intuition Pumps and Other Tools for Thinking*. New York: W. W. Norton and Company, 2013, p. 32.

⁹¹ PEREGRIN, J.: *Rules as Impetus of Cultural Evolution*.

⁹² On the problem of religion and religious beliefs of some individuals, e.g., DENNETT, D.: *Breaking the Spell: Religion as a Natural Phenomenon*.

group can decide that all other groups must submit to their conception of God; such a belief is typically intolerant of the possibility of believing in a different deity or of assertions of agnosticism.

How can we account for this from a memetic point of view? As has been stated, memes are replicators that do not necessarily have to be beneficial to us or not, so we must always ask the question of *Cui bono? For whose benefit?* If we pose this question in, for example, the context of Nazi ideas, then the answer obviously cannot be that it benefits all people, nor that it ensures the survival of the human race since it benefits only a certain group (and even that remains debatable, as other groups of the population may have been more knowledgeable in spheres that could have benefited the dominant group).

Created in response to the events and horrors of the two World Wars, the Universal Declaration and other human rights documents were intended to ensure that humanity would not repeat the same mistakes again. They provide explicitly stated rules which lay out a framework through which we can live peacefully,⁹³ an aim which has become even more pressing since their introduction given the advances in weapons technology and our capacity to exterminate life on Earth at the touch of a button.

However, it is crucial to bear in mind that rules become rules when they are treated and accepted as such.⁹⁴ In this context, the way in which we deal with those who break the rules, as mentioned above, also plays an important role. Those who broke the rules should have been forced to obey them by various means. In the past, for example, those who violated rules faced either brute force or social coercion in which the rule breaker was excluded from cooperation with others. However, within the context of global cooperation and coordination, rule breaking is regulated by public international law and is therefore primarily an issue relating to relations between sovereign states. The question here is how to effectively enforce respect for and observance of human rights.⁹⁵ The aforementioned approach of social coercion comes into play - we can, for example, stop trading with those who do not respect human rights. At first glance, this appears relatively simple, but in the modern globalised world this approach is in fact highly complicated; our interlinked economies are highly dependent on each other, and many of the components or products that we need may come from countries where human rights are not respected.

The human rights developed in the aftermath of the Second World War aimed to widen the frame of reference from individual societies, such as nation states, to a global

⁹³ "(...) recognition of the inherent dignity and of the equal and inalienable rights of the members of the human family is the foundation of freedom, justice and peace in the world (...)" Introduction to the Universal Declaration of Human Rights [online] *United Nations. Human Rights Office of The High Commissioner* [accessed 15. 10. 2020] Available at: <https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/czc.pdf>

⁹⁴ MILLAR, A.: *Understanding People: Normativity and Rationalizing Explanation*, p.184.

⁹⁵ If we look at the text of the Universal Declaration of Human Rights, we find provisions about what people have the right to, but we do not find how these rights are to be enforced. See the Universal Declaration of Human Rights [online] *United Nations. Human Rights Office of The High Commissioner* [accessed 18. 12. 2020] Available at: <https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/czc.pdf>

framework, i.e., the entire world. This approach was intended to enable the formation of a new global actor, “we, the people”, in which differences were no longer important. A precondition of the emergence of this new actor is a sense of collective intentionality, and this requires a common goal. This objective is explicitly expressed in the Declaration - it is the creation of a free, just world where “*people, free from fear and distress, (...) enjoy freedom of expression and belief (...)*”.⁹⁶ *Cui bono?* For the good of all human beings.

Conclusion

This article has discussed human rights in the context of cultural evolution and has sought to present a more naturalistic theory of the development of human rights. The first part offered a more detailed account of this naturalistic theory, an approach which some might associate with a reductionist worldview. This starting point demonstrated that humans are themselves a part of the world, but we are not restricted to a passive perception of our environment; instead we possess the capacity to react to it, reshape it and co-create it. Thanks to our use of language and conceptual thinking, we can create fantastic worlds in which not only the laws of nature apply, but also the laws of man, which we can choose to follow or ignore.

In the next section, the concept of cultural evolution was introduced, one which is increasingly relevant in contemporary discourse. The concepts of cooperation and reciprocity play a crucial role in this approach, and we therefore examined why these strategies prevailed over non-cooperative strategies. Finally, the “human rights era” was discussed as the next phase of cultural evolution in which a new global actor, “we, the people”, is emerging with the aim of ensuring we can all live in peace on this planet that we all share.

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⁹⁶ Ibid.

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