

Original Article

Harmonization of Universality and Cultural Relativism in International Law

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Abstract

International conferences on civilization and human rights (HAM) have played a strategic role in the development of modern international law, particularly in harmonizing the tension between the principle of the universality of human rights and cultural relativism. Since the 1993 Vienna Declaration, these international forums have reaffirmed the universal nature of human rights while recognizing cultural diversity as a contextual factor in their implementation. The conferences' outcomes, while often in the form of soft law, have had significant normative implications: strengthening customary international norms, providing interpretive guidance for human rights treaty bodies, expanding the agenda of new rights such as the right to development and the environment, and reconstructing the concept of state sovereignty into a responsibility to protect. On the other hand, challenges remain, including ambiguity in the formulation of declarations, gaps in implementation, and the risk of states misusing cultural relativism to justify repressive practices. Overall, however, international conferences function as normative engines that maintain the dynamics of international law, ensuring it remains responsive, inclusive, and aligned with the demands of global civilization. Thus, the conferences' normative implications not only strengthen universal standards but also enrich the diversity of sources of international law, while ensuring a balance between basic human rights principles and diverse socio-cultural.

Keywords: Culture; Human Rights; International Law; UDHR

Introduction

Human Rights (HAM) is a universal concept inherent in every individual from birth, regardless of race, religion, gender, or nationality. This concept was officially recognized in the 1948 Universal Declaration of Human Rights (UDHR), adopted by the United Nations General Assembly. Since then, human rights have become one of the main foundations of the modern international legal order. However, the universality of human rights has never been free from debate, especially when faced with the diversity of civilizations and cultures worldwide.¹

On the one hand, the universality of human rights is believed to be a fundamental principle that is non-negotiable because it relates to human dignity. On the other hand, many argue that the application of human rights is often fraught with the biases of certain civilizations, particularly the West. In this view, human rights are not always aligned with the cultural values, religions, and traditions of non-Western societies.² This conflict has given rise to the idea of cultural relativism, the view that human rights should be understood and applied according to the cultural context of each nation. The tension between universality and cultural relativism creates the need for dialogue. International conferences on civilization and human rights serve as a forum that attempts to bridge these differences. These forums serve as a platform for discussion, negotiation, and the formation of a global consensus on human rights values that are acceptable across cultures. One important

¹ Sadiq Shafih Bolakale, 'The Post-WWII Paradigm Shift: The Universal Declaration of Human Rights (UDHR)', 2025 <<https://doi.org/10.2139/ssrn.5641372>>.

² Hamid Yeganeh, 'Is the Universal Declaration of Human Rights Culturally Universal? A Modernization Theory Perspective', *Journal of Developing Societies*, 41.2 (2025), 268–92 <<https://doi.org/10.1177/0169796X241309198>>.



milestone was the 1993 World Conference on Human Rights in Vienna, which produced the Vienna Declaration. This Declaration reaffirmed the principle of the universality of human rights while also recognizing the importance of cultural, religious, and historical context in the application of human rights at the national and regional levels.³ This normative compromise served as the basis for the development of international human rights law. Subsequently, various international conferences, facilitated by the UN and regional organizations, continued to address issues of civilization and human rights. For example, the United Nations Human Rights Council Intercultural Dialogues, the World Conference against Racism, and the Alliance of Civilizations forum established by the UN in 2005. All of these forums share the same goal: building mutual understanding and respect for diversity while strengthening universal human rights norms.⁴

Indonesia, as a country with a plurality of cultures, religions, and ethnicities, holds a strategic position within these forums. Indonesia is not only a developing country with a large population, but also a representative of multicultural harmony. Therefore, Indonesia's contributions to international conferences on human rights and civilization are often seen as crucial for bridging the West and the East. Against this backdrop, this study examines the role of international conferences on civilization and human rights in fostering harmony between universality and cultural relativism, as well as their normative implications for the development of international law. From the background that has been explained, the researcher is interested in studying the role of international conferences on civilization and human rights in harmonizing universality with cultural relativism?

Method

This research uses normative legal methods with the following approaches, conceptual, to understand the theory of the universality of human rights and cultural relativism. Legislation, to analyze international legal instruments such as the UN Charter, the 1948 Universal Declaration of Human Rights, and the 1993 Vienna Declaration. Historical, to trace the development of international conferences on human rights and civilization from post-World War II to the era of globalization.

Results and Discussions

The Role of International Conferences on Civilizations and Human Rights in Harmonizing Universalism with Cultural Relativism

The discourse on human rights has always revolved around two dominant paradigms: universalism and cultural relativism. Universalism asserts that human rights are inherent, indivisible, and apply equally to all people regardless of culture, religion, or geography. By contrast, cultural relativism argues that human rights norms should be interpreted within the cultural, social, and historical contexts of a given community. This tension has been a persistent theme in international law, philosophy, and politics since the adoption of the Universal Declaration of Human Rights (UDHR) in 1948. International conferences focusing on civilizations and human rights have emerged as a critical platform for navigating this tension. Such conferences provide an arena where diverse cultural traditions can interact, exchange ideas, and negotiate common ground without denying their unique identities.⁵ The central role of these gatherings lies in their ability to facilitate dialogue, build consensus, and promote frameworks that harmonize universal values with cultural diversity. The Conceptual Framework of Universalism and Cultural Relativism The universalist approach finds its strongest basis in international law, particularly through the UDHR and subsequent human rights treaties. Universalists argue that rights such as the right to life, freedom from torture, and freedom of thought are fundamental and cannot be compromised. They stress that allowing cultural exceptions could legitimize human rights abuses under the guidance of tradition. On the other hand, cultural relativists highlight the diversity of civilizations, moral systems, and cultural practices. For example, conceptions of family, gender roles, or collective rights may vary significantly between Western liberal traditions and Asian, African, or Middle Eastern societies. For

³ Joventine Mulumba and Maria Irene Carvalho, 'Immigrants' Integration in the Global North: Ubuntu-Informed Social Work', *The Palgrave Handbook of Ubuntu, Inequality and Sustainable Development*, 2024, 399–422 <https://doi.org/10.1007/978-3-031-69573-5_25>.

⁴ Shushan Azatyan and Zeinab Mohammad Ebrahimi Jahromi, 'A Clash of Civilizations or Ideologies?', *International Journal of Language and Culture*, 2025 <<https://doi.org/10.1075/ijlc.24049.ebr>>.

⁵ Shabnam Holliday and Edward Wastnidge, 'Towards a Post-Imperial and Global IR?: Revisiting Khatami's Dialogue among Civilisations', *Review of International Studies*, 51.1 (2025), 159–78 <<https://doi.org/10.1017/S0260210523000621>>.



relativists, universal standards often reflect Western liberal values that may not align with local traditions. They argue that respecting cultural pluralism is essential for genuine human rights protection.⁶ International conferences on civilizations and human rights seek to mediate between these competing perspectives. They operate on the assumption that dialogue, mutual respect, and recognition of cultural diversity are not antithetical to universal human dignity, but rather integral to its realization. The Functions of International Conferences

First, facilitating dialogue across cultures. One of the foremost roles of international conferences is to provide a neutral forum where representatives from different civilizations can voice their perspectives on human rights. This includes not only states and intergovernmental organizations but also civil society, scholars, and religious leaders.⁷ Through dialogue, these actors can identify common principles while recognizing differences. Second, building consensus on minimum standards. Conferences often lead to declarations or communiqués that reflect a consensus-based approach. For example, they may reaffirm commitment to the universality of certain non-derogable rights (such as the prohibition of slavery or torture) while allowing cultural flexibility in areas such as family law, education, or community rights.

Third, promoting cross-cultural education and understanding. Another significant role is promoting intercultural education. By engaging participants in discussions about cultural traditions, ethical systems, and shared history, these conferences encourage mutual understanding. This reduces the perception of human rights as an externally imposed agenda. Fourth, preventing cultural misappropriation and misuse. International platforms also guard against the misuse of cultural relativism as a tool for justifying repression. By allowing multiple voices to scrutinize claims of cultural exception, conferences provide accountability and transparency.

Case Studies from International Conferences Vienna World Conference on Human Rights (1993) The 1993 Vienna Conference is perhaps the most prominent example of an international forum that addressed the universality-relativism tension. While recognizing cultural diversity, the Vienna Declaration reaffirmed the universality and indivisibility of human rights. It emphasizes that "the significance of national and regional particularities and various historical, cultural, and religious backgrounds must be borne in mind," yet this does not diminish the universal character of rights. Dialogue Among Civilizations Initiative (2001) Proposed by Iran and endorsed by the United Nations, this initiative highlighted the need for intercultural dialogue to foster peace and understanding. Although not legally binding, the initiative served as a symbolic recognition that civilizations must engage in mutual respect to advance human rights in a globalized world.⁹

Conclusion

International conferences on civilization and human rights play a vital role in bridging the tension between universality and cultural relativism. These forums serve not only as a forum for discussion but also as normative instruments that strengthen international law. Through conferences, a compromise is reached between universal human rights principles and respect for cultural diversity.

Recommendations strengthening the role of developing countries: Countries like Indonesia need to be more active in proposing agendas that reflect multicultural experiences. Concrete implementation of conference outcomes: Conference outcomes should be followed up in national policies so that they do not remain mere political declarations. International institutions: Conference forums need to be strengthened to gain greater legal legitimacy, for example by tying their outcomes to UN resolutions.

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⁷ Happy Feroovina Wuntu and Geby Febiolandia, 'Hubungan Filsafat Hukum Dengan Hak Asasi Manusia', *Journal of Interdisciplinary Legal Perspectives*, 2.1 (2025), 1–14 <<https://doi.org/10.70837/DA49A219>>.

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⁹ Yeganeh.



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