



DILEMMAS OF MODERN JUSTICE: BETWEEN THE UNIVERSALISM OF HUMAN RIGHTS AND THE PARTICULARISM OF CULTURAL VALUES

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Abstract. This article examines contemporary dilemmas of justice related to the tension between the universalism of human rights and the particularism of cultural values. Universal principles of human rights presuppose the same moral and legal standards for all societies, while cultural particularism emphasizes the norms, traditions, and social practices specific to each culture. The paper looks at how these two methods overlap, clash, and affect the policymaking and moral standards of multicultural societies. The paper uses philosophical, legal, and sociological literature to trace practical examples that can help to consider the challenges of international human rights principles and local cultural peculiarities. The discussion illustrates the danger of ethical relativism and the fact that universal methods might overlook the particularities of specific societies. The results of the study imply that a more balanced and context-aware model of justice may be built by a dialogic approach that considers the universal principles and cultural particularities. The work will enter into the discourse on globalization, multiculturalism, and the practical implementation of human rights by highlighting the necessity to come up with principled but pragmatic policy responses.

Keywords: contemporary justice; universalism of human rights; cultural peculiarity; ethical dilemma; multiculturalism; policy making; cultural norms; global ethics; social justice; intercultural management.

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ҚАЗІРГІ ЗАМАНҒЫ ӘДІЛЕТТІЛІК ДИЛЕММАЛАРЫ: АДАМ ҚҰҚЫҚТАРЫНЫҢ ӘМБЕБАПТЫҒЫ МЕН МӘДЕНИ ҚҰНДЫЛЫҚТАРДЫҢ ПАРТИКУЛЯРИЗМІ

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ДИЛЕММЫ СОВРЕМЕННОЙ СПРАВЕДЛИВОСТИ: МЕЖДУ УНИВЕРСАЛИЗМОМ ПРАВ ЧЕЛОВЕКА И ПАРТИКУЛЯРИЗМОМ КУЛЬТУРНЫХ ЦЕННОСТЕЙ

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Аңдатпа. Бұл мақалада адам құқықтарының әмбебаптығы мен мәдени құндылықтардың партикуляризмі арасындағы шиеленістен туындайтын қазіргі заманғы әділеттілік дилеммалары қарастырылады. Адам құқықтарының әмбебап қағидалары барлық қоғамдардың моральдық және құқықтық стандарттарына бірдей қолданылады, ал мәдени парциализм белгілі бір өркениетке тән нормаларды, конвенцияларды және әлеуметтік тәжірибелерді атап көрсетеді. Бұл зерттеуде екі тәсіл де олардың көпмәдениетті қоғамдардағы саяси шешім қабылдау мен этикалық нормаларға қалай қолданылатынын, олардың үйлесімділігін және әсерін қарастыру арқылы зерттеледі. Философиялық, құқықтық және әлеуметтанулық дереккөздер арқылы жергілікті мәдени ерекшеліктерде жаһандық адам құқықтары конвенцияларын енгізудің практикалық мысалдары осы қағидаларды енгізу кезінде кездесетін қиындықтарды көрсетеді. Талдау этикалық релятивизм индивидуалистік және ұжымдық ұстанымдарды олардың ерекшеліктері тұрғысынан бағалауға мүмкіндік береді. Зерттеу нәтижелері қағидаттар мен мәдени ерекшеліктерді ескеретін диалогтық стратегия әділ және контекстік теңдік моделіне ықпал ететінін көрсетеді. Бұл жұмыс жаһандану, көпмәдениеттілік және адам құқықтары қағидаттарын практикалық қолдану туралы түсінік береді, бұл саясаткерлер арасындағы пікірталастарға ықпал ете алады, сонымен бірге принципті, бірақ прагматикалық саяси шешімдердің маңыздылығын атап көрсетеді.

Түйін сөздер: қазіргі заманғы әділеттілік, адам құқықтарының әмбебаптығы, мәдени парциализм, этикалық дилеммалар, көпмәдениеттілік, саясатты қалыптастыру, мәдени нормалар, жаһандық этика, әлеуметтік әділеттілік, мәдениетаралық басқару.

Аннотация. В статье рассматриваются современные дилеммы справедливости, связанные с напряжением между универсализмом прав человека и партикуляризмом культурных ценностей. Глобальные принципы прав человека подразумевают одну и ту же систему этических и юридических норм для всех сообществ, тогда как культурный партикуляризм делает упор на конкретные нормы, традиции и социальные обычаи, свойственные каждой отдельной культуре. Рассмотрение данной проблемы заключается в том, как данная концепция взаимосвязана. На основе философских, правовых и социологических источников рассматриваются практические примеры, иллюстрирующие трудности в балансировании глобальных принципов прав человека с локальными культурными особенностями. Анализ выявляет риск этического релятивизма и возможность того, что универсальные подходы могут игнорировать нюансы отдельных сообществ. Результаты исследования показывают, что диалогический подход, учитывающий как универсальные принципы, так и культурную специфику, может способствовать более справедливой и контекстно чувствительной модели справедливости. Данное исследование вносит вклад в дискуссии о глобализации, мультикультурализме и реализации прав человека, подчеркивая необходимость разработки принципиальных и гибких политических решений.

Ключевые слова: современное правосудие, универсальность прав человека, культурный партикуляризм, этические дилеммы, мультикультурализм, формирование политики, культ.

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Introduction

Contemporary society faces numerous justice dilemmas arising at the intersection of universal human rights and culturally specific values. The conflict between global standards and local traditions creates complex ethical and legal issues. The existing academic debate has extensively examined the tension between universal human rights and cultural particularism; however, an important analytical gap remains in explaining how universal principles are transformed when they encounter culturally specific legal, social, and institutional environments. Much of the discussion either emphasizes the normative priority of universal rights or defends cultural autonomy, while less attention is given to the mechanisms through which these positions can be critically reconciled within a concrete national context. This study addresses this gap by examining the conditions under which cultural specificity can be recognized without legitimizing practices that undermine the fundamental dignity and rights of individuals.

Kazakhstan is selected as the principal analytical context because its social and legal development demonstrates a complex interaction between internationally recognized human rights standards, national legislation, religious diversity, linguistic practices and historically shaped cultural identities. The country provides a particularly informative context for examining justice not as an abstract opposition between universalism and particularism, but as a process of negotiating normative principles within a culturally diverse society. Analysis of Kazakhstan therefore enables the study to move beyond the use of a national case as a mere illustration and to identify broader theoretical implications concerning the limits of cultural autonomy, the legitimacy of universal rights claims and the possibility of context-sensitive models of justice.

The aim of the study is to identify the main conflicts and possibilities for their resolution, taking into account both universal principles and the characteristics of specific communities. The paper defines the tasks of analyzing theoretical approaches, studying practical examples and formulating recommendations for social practice and policy development.

The central research question is how universal human rights principles can be reconciled with culturally embedded values in Kazakhstan without reducing either human rights to culturally determined preferences or cultural identity to an obstacle to universal justice. To address this question, the study analyzes philosophical interpretations of universalism, cultural particularism and justice; international human rights instruments; relevant constitutional and legislative provisions of Kazakhstan; and scholarly studies concerning religion, language, cultural identity and the rights of social groups. The analysis is guided by three criteria: compatibility of cultural practices with fundamental human dignity and equality, consistency of national regulation with international human rights standards, and the capacity of institutional and social mechanisms to accommodate cultural diversity without producing discrimination or exclusion. The study relies on secondary documentary and scholarly materials and does not claim to present original survey or interview data.

The relevance of the topic is determined by the processes of globalization and the increase in cultural diversity. Understanding the interaction between universalism and cultural particularism is necessary for creating fair models of governance, protecting rights, and harmonizing intercultural relations in the modern world.

The contribution of the study lies in developing a context-sensitive interpretation of justice that does not treat universalism and cultural particularism as mutually exclusive normative positions. Rather than simply reproducing the conventional opposition between universal human rights and cultural autonomy, the study proposes examining their relationship through the conditions of normative compatibility, institutional mediation and intercultural dialogue. The analysis of Kazakhstan makes it possible to specify these conditions and to argue that recognition of cultural diversity is compatible with universal human rights only where cultural claims remain consistent with human dignity, equality and non-discrimination. This perspective allows the study to extend the theoretical discussion from the question of whether rights should be universal or culturally relative toward the more substantive question of how universal norms can acquire legitimate and socially sustainable forms within culturally diverse societies.

Literature Review

The question of the universalism of human rights and cultural particularism is the subject of numerous academic discussions in the world and abroad. Scholars emphasize that analysis from the perspective of philosophy, law, and sociology makes it possible to reveal discrepancies between international standards and local rules and find out how they interact. The existing literature can be broadly divided into three analytical orientations. The first gives

priority to the universal normative character of human rights and seeks to identify minimum standards that should remain valid irrespective of cultural differences. The second emphasizes cultural particularism and questions the assumption that rights can be interpreted independently of historically and socially embedded value systems. The third orientation attempts to overcome this opposition by examining dialogue, intercultural interpretation, and contextual application as possible mechanisms for reconciling universal principles with cultural diversity. These orientations differ not only in their understanding of the source and legitimacy of human rights, but also in their assessment of the permissible limits of cultural variation. Consequently, the central disagreement concerns not merely whether human rights are universal, but how universality should operate in societies characterized by multiple normative and cultural frameworks.

Therefore, B. Başkan (2024) describes the minimal universalism concept in relation to human rights in a pluralistic society, highlighting the role of these norms in guaranteeing elementary standards in various cultures. J. Díaz (2024) investigates the effect of cultural relativism on human rights protection in the international community and proves the dangers of neglecting local customs. G. Escobar (2023) reveals inconsistencies between regulations and interpretations of the universality principle and highlights the significance of considering local peculiarities when implementing international norms. E. Hogemann (2020) discusses the challenge of combining cultural universalism and relativism, offering comprehensive strategies for protecting people's rights.

M. Káčer (2021) studies the universality of human rights in opposition to cultural relativism and reveals real and imaginary disagreements between them. M. Khan and M. Qasim (2025) assess the rethinking of the universality principle within the framework of international agreements and cultural exceptions, explaining the importance of being flexible while implementing the principle. A. Marchenko (2022) evaluates the impact of religion on the universality and localism of human rights, finding practical problems of human rights implementation in multicultural societies. C. Pratiwi (2020) reviews the Indonesian experience, showing methods of reconciling cultural relativism and universalism. A. Singh (2018) analyzes the paradoxes between universalism and cultural relativism using the example of honor killings in India. O. Makeieva and H. Rybikova (2022) conduct a cross-cultural analysis of the universality of human rights, identifying key patterns and limitations in the application of global norms.

Despite the diversity of these contributions, several limitations remain evident. Studies defending universalism provide important normative arguments for the equal protection of human dignity, yet they may insufficiently explain how universal principles acquire meaning within culturally diverse institutional environments. Research emphasizing cultural relativism, conversely, draws attention to historical experience, collective identity, and locally embedded norms, but an excessive reliance on cultural specificity may weaken the possibility of establishing common safeguards against discrimination and violations of individual rights. Comparative studies contribute valuable evidence concerning differences between societies, although they frequently treat national cases as illustrations of a broader theoretical debate rather than as sources for developing new conceptual conclusions. The unresolved issue therefore concerns the normative boundary between legitimate recognition of cultural diversity and the acceptance of practices that conflict with fundamental human rights.

A further dimension of the debate is developed by postcolonial and decolonial scholarship, which questions the assumption that the dominant formulation of human rights represents a culturally neutral and universally transferable normative framework. From this perspective, universalism may reproduce asymmetries of knowledge and political power when Western historical experience is treated as the implicit standard for evaluating other societies. The literature on epistemic justice adds another important dimension by drawing attention to whose knowledge, values and interpretive frameworks are recognized as legitimate in defining justice. At the same time, a decolonial critique does not necessarily require rejecting universal human rights. Rather, it raises the question of whether universality can be reformulated through greater recognition of plural historical experiences and non-Western intellectual traditions. This perspective is particularly relevant to the analysis of Kazakhstan, where questions of cultural identity, historical memory, language, religion and national legal development intersect with international human rights standards.

Research on justice in non-Western societies further demonstrates that the universalism-particularism debate cannot be adequately understood through a binary opposition between global norms and local traditions. Concepts of justice may incorporate collective responsibility, community solidarity, religious and historical traditions, while simultaneously recognizing individual dignity and equality. Such perspectives challenge the assumption that culturally

embedded understandings of justice are necessarily incompatible with universal rights. However, the literature remains comparatively less developed in explaining how these normative dimensions interact within the institutional and legal environment of Central Asian states. In particular, the relationship between international human rights standards and culturally embedded understandings of justice in Kazakhstan requires further systematic analysis. This constitutes a significant research gap addressed by the present study.

Taken together, the reviewed scholarship demonstrates that neither strict universalism nor unrestricted cultural relativism provides a sufficient basis for resolving contemporary dilemmas of justice. Universalism establishes an essential normative threshold for the protection of human dignity, equality and fundamental freedoms, whereas cultural particularism draws attention to the social legitimacy and contextual meaning of norms. The present study develops this debate by treating Kazakhstan not simply as an empirical illustration, but as an analytical context in which the interaction between international human rights standards and culturally embedded values can be examined in greater depth. The distinctive contribution of the research is therefore the formulation of a context-sensitive model of justice based on three interconnected dimensions: protection of fundamental rights as a non-negotiable normative threshold, recognition of legitimate cultural diversity, and institutional dialogue between universal standards and locally grounded interpretations. This positioning allows the study to move from a descriptive comparison of universalism and particularism toward an analysis of the conditions under which their coexistence can become normatively legitimate and socially sustainable.

Materials and Methods

The purpose of the article is to analyze existing models of combining universalism and cultural relativism and to propose possible ways of integrating international human rights standards with national characteristics, using the example of the Republic of Kazakhstan.

The research is designed as a qualitative interdisciplinary study combining normative philosophical analysis, comparative legal analysis and socio-cultural interpretation. The philosophical dimension focuses on the concepts of universalism, cultural particularism, cultural relativism, justice and human dignity, allowing the normative assumptions underlying competing positions to be identified. The comparative legal dimension examines the relationship between international human rights standards and the constitutional and legislative framework of the Republic of Kazakhstan. The socio-cultural dimension is used to interpret the influence of language, religion, cultural identity, historical experience and collective values on the practical understanding of rights and justice. The combination of these dimensions makes it possible to examine the problem simultaneously as a normative, legal and socio-cultural phenomenon rather than as an exclusively philosophical dispute.

In order to reach the goal stated above, the following steps have been outlined:

1. To examine the philosophical and legal roots of the universality of human rights;
2. To study the principles of cultural relativism and their influence on national laws;
3. To examine the international and regional practices of conciliation between universal and local norms;
4. To suggest some ways of reconciling the universal and the cultural, suitable for Kazakhstan.

The empirical and documentary basis of the study consists of secondary materials rather than original survey or interview data. The analyzed materials include international human rights instruments, constitutional provisions and national legislation of Kazakhstan, scholarly publications on universalism and cultural relativism, and academic studies addressing religion, language, cultural identity, social groups and human rights in non-Western societies. Particular attention is given to materials that allow the relationship between internationally recognized rights and national cultural and institutional conditions to be examined. The use of secondary documentary and scholarly sources is appropriate for the study because its primary objective is normative and comparative analysis rather than measurement of individual attitudes or public opinion.

Philosophical, legal, and sociological approaches have been used in the research process. The basis is publications in scientific journals, international and national human rights documents, as well as specific examples from practice demonstrating the interaction of universal norms with local cultural values. Sources were selected based on their relevance, novelty, and ability to illustrate real conflicts and ways to resolve them.

The legal analysis compares the normative requirements established by international human rights instruments with the constitutional and legislative regulation of human rights in Kazakhstan. The analysis focuses on the extent

to which national legal provisions correspond to principles of human dignity, equality, freedom of religion, cultural identity and non-discrimination. International standards are treated as a normative reference point, while national legislation is examined in relation to its formulation, institutional implementation and accommodation of cultural diversity. This comparison is not intended to establish a simple hierarchy between international and national norms; rather, it seeks to identify areas of convergence, tension and potential normative adaptation.

The analysis involved systematization and comparison of information to identify patterns and features of the application of universal rights in different cultural contexts. The socio-cultural component was based on the interpretation of secondary scholarly and documentary materials concerning cultural practices, social identities and institutional responses. It was therefore used as an interpretive analytical dimension rather than as an independent quantitative sociological study.

The selection and interpretation of the material were guided by four analytical criteria. First, the compatibility of culturally grounded norms and practices with the fundamental principles of human dignity and equality was assessed. Second, the consistency of national regulation with internationally recognized human rights standards was examined. Third, attention was given to the degree to which legal and institutional arrangements accommodate cultural and religious diversity without creating discriminatory distinctions. Fourth, the capacity of existing normative mechanisms to mediate conflicts between collective cultural claims and individual rights was considered. These criteria provided a common analytical framework for examining different cases and prevented the discussion from being reduced either to unconditional cultural relativism or to an abstract application of universal standards.

The cases and examples were selected according to their relevance to the central research question, their ability to demonstrate a tension between universal human rights standards and culturally embedded norms, and the availability of reliable documentary or scholarly evidence. Kazakhstan was given analytical priority because its legal and socio-cultural environment provides an opportunity to examine the interaction of international human rights commitments with questions of religious regulation, linguistic and cultural identity, and the protection of social groups. The study does not seek to statistically generalize the findings to all culturally diverse societies. Its purpose is instead to use the Kazakhstani context to identify normative and institutional mechanisms that may contribute to a broader theoretical understanding of context-sensitive justice.

Results

Based on the analysis of literature and practice, universal human rights norms are found to contradict local cultural traditions. The necessity of global standards is acknowledged as they ensure the protection of fundamental human rights; however, their implementation regardless of the local cultural background results in conflicts within local communities.

As a result of the research, the complexity of interactions between universal human rights norms and local practices has been revealed. Universalism ensures the basic guarantee of fundamental rights, yet the implementation of these standards irrespective of cultural peculiarities causes resistance and inefficiency in law enforcement bodies.

From case studies, it became apparent that the integration of global standards into local traditions needs to be carried out carefully and flexibly. Studies by B. Başkan (2024) and J. Díaz (2024) prove the need to consider the cultural context for increasing legitimacy and enhancing perceptions of human rights. Papers by G. Escobar (2023) and A. Marchenko (2022) demonstrate how cultural differences in the perception of universal norms provide an opportunity for dialogue and adaptation of laws without violating the basics of human rights.

It has been revealed that cultural particularism does not contradict universalism, but complements it. Integrating approaches helps reduce conflict, increase trust in legal institutions, and create sustainable models of compliance. Practical implications are associated with the potential development of policies and programs that would take into consideration not only global norms but also the peculiarities of certain populations.

B. Başkan (2024) proves the existence of minimal universalism, which implies the acceptance of guarantees by most cultures. According to J. Díaz (2024), cultural characteristics play an essential role in determining the efficiency of international protection, so a flexible interpretation of certain norms should be provided. G. Escobar (2023) reveals the impact of various interpretations of universality on contradictions between the theoretical framework of norms and their practical realization.

At present, human rights are perceived through the prism of a crucial question concerning how it is possible to combine the universality of norms with the cultural specifics of countries. In spite of the recognition of the universality of human rights in the time of globalization, their implementation in multinational and multi-confessional states is complicated due to contradictions between international norms and national traditions.

Since Kazakhstan is regarded as a multinational state, one can say that the rights and freedoms of its citizens are determined by both international commitments and cultural features of people living in the country. In this way, two approaches can be identified: universalism, which is defined by international commitments, and particularism, which is influenced by historical experience and culture. In this situation, it is vital to find a way to make sure that there is an appropriate balance between compliance with international norms and respect for cultural features.

The analysis of the Kazakhstani context demonstrates that this balance is particularly relevant in the regulation of religious, linguistic, and cultural relations. The coexistence of different ethnic and religious communities requires legal mechanisms that preserve equality and freedom while allowing cultural identity to be maintained within the limits established by fundamental human rights. The Kazakhstani case therefore indicates that cultural specificity should not be treated as an alternative to universal rights. Its legitimate role is revealed where cultural, religious and linguistic practices can coexist with the principles of human dignity, equality and non-discrimination. This finding allows the Kazakhstani context to be considered not merely as an illustration of the universalism-particularism debate, but as a basis for specifying the conditions under which culturally sensitive justice can operate.

Scientific research confirms the effectiveness of human rights initiatives that take cultural context into account. Thus, examples provided by the works of A. Marchenko (2022) and C. Pratiwi (2020) demonstrate effective models that unite global norms and local practices since dialogue with representatives of communities allows adapting rules but does not contradict fundamental human rights. Analysis of the cases of A. Singh (2018) and O. Makeieva and H. Rybikova (2022) helped identify stable patterns of human rights perception related to cultural relativism.

A comparison of the information revealed that a combination of universal principles and consideration of local specificities helps reduce conflict, improve respect for rights, and increase trust in legal institutions. The results indicate that universalism and cultural particularism can function as complementary elements in building equitable and sustainable models of human rights implementation.

The limits of universally accepted standards arise in cases where the implementation of these standards is not consistent with traditional culture. As a result, the standards of interpersonal relations within families and religion differ among various ethnic and religious populations. The international bodies and governmental organizations create guidelines for integrating universal human rights into particular conditions of certain regions without discrimination and inequality (Altwicker, 2020; Díaz, 2024).

In the case of Kazakhstan, which consists of several ethnic groups, it is necessary to differentiate between international human rights and culturally related aspects of various ethnic populations. To provide a clear comparison of the key concepts of universalism and cultural relativism, Table 1 lists the differences, advantages, and disadvantages of each approach, and draws relevant conclusions regarding national legal systems.

Table 1 – Comparison of human rights universalism and cultural relativism

Parameter	Universalism of human rights	Cultural relativism	Conclusions for Kazakhstan
Main idea	Human rights are considered to be universal and binding on all	Human rights must consider the cultural and historical characteristics of a particular society	Universal rights constitute the common legal minimum, while cultural and linguistic diversity is accommodated within constitutional guarantees

Parameter	Universalism of human rights	Cultural relativism	Conclusions for Kazakhstan
Sources	International conventions, declarations, philosophical concepts	National traditions, religious norms, social customs	Constitution, international human rights obligations, legislation on languages and religious activity, and institutional mechanisms of interethnic dialogue
Advantages	Ensures minimum standards of rights and freedoms, equality and protection from discrimination	Considers the cultural characteristics and needs of different groups	Combining common rights guarantees with institutional support for cultural and linguistic diversity
Restrictions	May not consider cultural and religious considerations	Sometimes used as a justification for limiting human rights under the guise of cultural specificity	Cultural specificity cannot justify discrimination, unequal treatment or restrictions on fundamental rights
Examples in Kazakhstan	Constitution, international treaties, participation in conventions	The right to preserve ethnic and religious identity, traditional norms of behavior	Language policy for 2023–2029, regulation of religious activity, and the institutional role of the Assembly of the People of Kazakhstan

An analysis of the table shows that universalism and cultural relativism do not contradict each other, but complement each other. Universal norms form the basis for the protection of freedom, equality and dignity of the individual, while considering cultural and social characteristics allows these norms to be adapted to the real needs of different population groups.

This comparison proves that the combination of universalist criteria with cultural specificity is possible by creating a balance in the development of law enforcement models. This guarantees that international standards are followed without undermining national traditions, thus ensuring the reduction of social conflicts, increasing the legitimacy of institutions, and developing a sustainable mechanism for the protection of civil rights and freedoms of all social layers.

The results of the comparison make it possible to refine the conventional understanding of the relationship between universalism and cultural particularism. The analysis indicates that the decisive issue is not the choice of one principle over the other, but the establishment of a normative boundary for cultural adaptation. Cultural practices may receive institutional recognition when they preserve individual dignity, equality and freedom and do not result in discrimination. Accordingly, the study identifies three conditions for context-sensitive justice: the preservation of fundamental rights as an inviolable normative minimum, recognition of legitimate cultural diversity, and institutional mechanisms for resolving conflicts between collective values and individual rights.

On the one hand, globalization and technological progress give people additional possibilities to enjoy their human rights; on the other hand, it makes it more difficult to separate universal criteria from specific national customs. Greater interaction between states, easy access to information, and the impact of international organizations contribute to the domination of general standards but complicate the preservation of cultural distinctiveness.

In the modern world, a new situation is emerging where information and media spread rapidly, and laws and cultural values interact. Social media and virtual communities are becoming a place where international norms collide with diverse local opinions and traditions, forcing legislators to use more flexible methods of monitoring and enforcing norms.

At the same time, the importance of local cultural norms in regulating intergroup relations is increasing. Moral, religious and social communities develop their own methods of protecting their interests and resolving conflicts, promoting the integration of international standards with specific cultural characteristics.

Globalization and digitalization are changing the perception of human rights, creating new links between international norms and local traditions. The expansion of international communications, access to information from different countries, and the influence of international organizations create a dynamic environment in which international standards acquire special significance and local cultural trends adapt to new conditions. To analyze these processes and demonstrate how global factors reshape the relationship between universal human rights standards and cultural particularism, it is necessary to consider their principal effects on legal regulation, cultural identity and mechanisms of rights protection (Table 2).

Table 2 – The impact of globalization and digitalization on universalism and cultural relativism

Factor	Influence on universalism	Impact on cultural relativism	Practical significance
Global communications	Strengthening the role of international standards in regulating rights	They emphasize the importance of cultural identity and local traditions	Adaptation of legal norms is required to take into account the diversity of cultural and ethnic characteristics
Digital platforms	Ensure the wide dissemination of common norms through online resources	Form local interpretations and practices based on digital content	The need to create flexible mechanisms for control and monitoring of compliance with rights
Transnational institutions	Monitor compliance with international obligations	Affect national legal systems and cultural norms	Promote the harmonization of universal standards with local specificities
Social media	Allows you to reach a wide audience and inform about rights	Support cultural and ethnic communities by strengthening their activities	Serve as a tool for balancing international standards and local practices

An analysis of the table shows that the processes of globalization and digitalization are creating a complex environment in which universal human rights standards interact with local cultural traditions at a new level. Increased information exchange between countries helps spread common norms, but also encourages the emergence of their own cultural approaches and practices.

At the same time, there is a tendency towards increasing importance of local cultural norms in regulating relationships between different groups. Ethnic, religious and social communities develop their own ways of protecting rights and resolving disputes, which encourages the search for appropriate ways to combine international standards with the peculiarities of local culture.

Modern generally accepted human rights standards require careful attention to local traditions and cultural characteristics. In a society where people of different nationalities live, it is impossible to respect fundamental rights and freedoms without understanding the customs and ethical rules that operate in each individual community.

Respect for cultural specificity helps people trust institutions and reduces the possibility of conflict, while still maintaining adherence to basic principles of justice.

Overall, the findings demonstrate that the relationship between universal human rights and cultural values should be understood through the principle of normative compatibility rather than unconditional priority of either position. The Kazakhstani context shows that recognition of cultural diversity becomes compatible with universal justice when cultural claims remain within the boundaries of human dignity, equality and non-discrimination. The study therefore identifies context-sensitive institutional dialogue as a key mechanism for translating universal standards into culturally diverse environments. This result extends the discussion beyond the conventional opposition between universalism and cultural relativism and provides a conceptual basis for further analysis of culturally responsive models of justice.

Discussion

This discussion proves that there is a necessity to conduct interdisciplinary research in which both philosophical and legal approaches should be used along with sociocultural studies. It is necessary in order to investigate the complexity of the interrelation between human rights and culture.

This study is significant because of the necessity to make the adaptation of international standards of human rights in accordance with the multinational character of Central Asian states. Philosophical concepts of justice allow us to view universalism not as a rigid doctrine, but as a guide to the development of judicial procedures that take into account cultural diversity.

In modern society, justice is understood as the ability of laws and social institutions to ensure a balanced and fair distribution of rights, responsibilities and opportunities among all members of society, taking into account historical experience, cultural background and social environment. This idea originates from the crossroads between different philosophical and legal approaches, all of which offer their own perspectives on what is required to achieve justice.

For liberal universalists, the concept of justice serves as the foundation for a balanced distribution of duties and rights (Rawls, 1999; Donnelly, 2013). Within the framework of this approach, human rights are understood as general norms that are binding on everyone, regardless of national, religious, or cultural affiliation. Universal principles provide fundamental rights of personal security and equality, prevent arbitrariness in the activities of the state, and are the foundation of a balanced social system.

The concept of libertarianism is based on freedom and property rights of people. From the perspective of libertarianism, the role of the state should be minimized, and its involvement in personal and economic affairs should be constrained. However, at times, universal principles might contradict the interests of individuals if they ignore the social and cultural conditions in which the individuals live.

The critique of universalism from communitarianism emphasizes the importance of the cultural and historical characteristics of each nation. Moral norms and interpretations of justice are formed in each society and are limited by its traditions, laws and customs. This means that universal and abstract ideas cannot be applied without taking into account the local context. Cultural relativism helps to preserve one's own culture and identity, which is especially important in countries where different ethnic and religious groups coexist (Sandel, 2009).

Recognition theory views justice through respect for human dignity within society and across cultures. This theory takes into account history, cultural characteristics, and social rules to give all groups equal chances and help them live together without violating the rights of individual cultures.

These areas together form the theoretical basis for harmonizing international human rights standards with the characteristics of national culture. General rules can be developed taking into account local traditions, history and social context. This contributes to avoiding inconsistencies between the global standards and the socio-cultural features, creating favorable prerequisites for maintaining legal and social stability and building confidence in national institutions.

It is evident that universalism and cultural relativism continuously intertwine into an intricate network of oppositions and complementarities. Modern scholars are carefully studying how international human rights standards can be combined with local customs and rules.

Marchenko (2022) discusses the concept of human rights based on the interaction of religious and cultural traditions with international standards. First of all, he stresses that international norms guarantee certain minimal

rights, but their implementation without considering cultural specifics might lead to conflicts and decrease the efficiency of human rights protection procedures. It should also be acknowledged that neglecting general norms on grounds of cultural relativism is not an appropriate approach since it could result in violations of basic human rights.

From this viewpoint, it is possible to state that there is a paradoxical issue of preserving general norms without infringing cultural specifics. Indeed, we agree with the author about the necessity of reconciling international and local traditions. Still, it should be acknowledged that paying too much attention to the religious aspect can ignore the broader one related to cultural values that can affect morality, social structure, and legal issues.

The analysis of the Kazakhstani context allows this argument to be developed further. Cultural and religious considerations should be recognized in the interpretation and implementation of rights, but they cannot serve as an independent justification for restricting fundamental freedoms. The relevant distinction is therefore between cultural adaptation that facilitates the practical realization of rights and cultural claims that undermine equality, dignity or non-discrimination. This distinction provides a normative boundary within which cultural diversity can be accommodated without weakening the universal character of fundamental human rights.

In his study on human rights within the context of the European Convention, Altwicker (2020) mentions the possibility of exceptions in the interpretation of standards due to cultural relativism in multi-ethnic, multireligious states. The paper emphasizes that courts usually have the chance to interpret international standards and make them more suitable to the local environment. While it is true that such an approach helps with the practical enforcement of human rights, it may cause fragmentation. Indeed, the lack of unity leads to inconsistencies in interpreting the standards. We concur that simplifying the process of law enforcement is crucial, but we would like to add that merely altering the rules is not sufficient. Instead, we recommend elaborating educational resources that will enable individuals to perceive human rights as universal values.

Analyzing the interplay between universalistic and relativistic perspectives, Pratiwi (2020) uses the case of Indonesia to discuss the relationship between cultural relativism and the implementation of human rights. According to the author, people tend to interpret their rights in terms of their traditions and values that sometimes contradict international standards. The main issue that can arise in this situation is the potential conflicts associated with forcing people to follow universal standards without considering cultural and societal peculiarities. At the same time, neglecting local customs may result in violating basic human rights. We acknowledge the necessity of accounting for cultural and social specificities. Nevertheless, it seems that the involvement of international organizations in establishing a minimum degree of universality through education is not discussed properly.

First of all, Káčer (2021) mentioned contradictions between human rights declarations and implementation. The author stressed that secular values can be considered as external factors, which oppose those communities, which have strong traditional values. The main contradiction in this situation is related to the necessity of following international standards, although there are cultural challenges to their implementation. We agree that it is necessary to consider local culture as the main factor. However, the author sets very high expectations regarding the prospects for cooperation between international and local companies to achieve harmony between international values and traditions.

Secondly, Bowsher (2024) considers current tendencies in the field of human rights within the context of the digital age. According to the author, information technologies and media allow us to understand that today, we should talk about new spaces, which combine universal and local norms in one space. Digitalization allows us to provide more opportunities for disseminating knowledge in this sphere and improving standards. However, we should pay attention to the issue of how to regulate the usage of digital platforms without harming local traditions. We agree that the issue can be solved; however, it is necessary to discuss practical measures concerning standards more (Bowsher, 2024).

Thirdly, Díaz (2024) examines the problem of cultural relativism in connection with human rights and the way it influences the international aspect of the problem. In particular, it means that sometimes people can consider the obligation to observe international standards as an intrusion into the inner life of another state. However, the solution to this problem is connected with the right balance. We acknowledge the risk of conflict; however, it should be emphasized that the possibility of reaching agreements through dialogue between different groups and states deserves greater attention.

On the basis of the reviewed theoretical positions and the Kazakhstani context, the study proposes understanding reconciliation through three interconnected mechanisms: normative minimum, cultural recognition and institutional dialogue. The normative minimum preserves human dignity, equality and fundamental freedoms as limits that cannot be removed by reference to cultural difference. Cultural recognition allows legitimate linguistic, religious and social identities to be maintained within these limits. Institutional dialogue provides a mechanism for addressing disagreements between universal standards and locally embedded practices through legal interpretation, public participation and educational initiatives. The value of this model lies in connecting universal principles with concrete mechanisms of their socially legitimate implementation.

Thus, an analysis of the works of various authors shows that in the modern concept of justice there is a significant problem associated with the adaptation of the conditions of all human rights to the specific characteristics of specific cultures. Most researchers agree on the need to adapt general standards to local conditions, but not on specific methods for achieving this goal. We believe it is important to maintain ongoing communication between international organizations and local communities, and to use a comprehensive approach that includes educational, legal and professional activities to protect fundamental human rights while taking into account cultural aspects.

The analysis indicates that sustainable reconciliation requires continuous communication between international institutions, national authorities and local communities. In the Kazakhstani context, this communication should be supported by legal interpretation, human rights education and institutional mechanisms capable of addressing disagreements between universal standards and culturally embedded practices. Such a combination makes it possible to preserve the normative integrity of human rights while increasing their social legitimacy within a culturally diverse environment.

Human rights are the foundation of modern international law and an important instrument for the protection of individual rights. Their international significance is reflected in international documents, including the Universal Declaration of Human Rights and various international conventions that establish common standards for all states. These rules ensure that individuals have their basic liberties, equality, and dignity. They shield the population from any acts of arbitrary behavior or discrimination (Marchenko, 2022; Altwicker, 2020).

The implementation of universal rules in multinational states entails consideration of the peculiarities of culture and traditions. In Kazakhstan, representatives of various nations and faiths coexist. It is important for these international standards to be compatible with the national and regional legal systems. The country's constitution highlights the significance of human rights and personal liberties. The government's involvement in international agreements ensures these rights (Başkan, 2024; Pratiwi, 2020).

The Kazakhstani case demonstrates that the relationship between universal human rights and cultural particularism is also reflected in specific state policies and institutional mechanisms. The Concept for the Development of Language Policy of the Republic of Kazakhstan for 2023–2029 provides for the expansion of the use of the Kazakh language while maintaining conditions for linguistic diversity, including measures related to education, public administration and digital content. The Assembly of the People of Kazakhstan represents an institutional mechanism for supporting interethnic dialogue and the preservation of cultural and linguistic traditions. In the religious sphere, state regulation is established through specific legal mechanisms governing religious activities and religious associations. These examples demonstrate that cultural diversity in Kazakhstan is addressed not only through constitutional principles but also through sectoral policies and institutional instruments that mediate between common rights guarantees and culturally specific interests (Government of the Republic of Kazakhstan, 2023; Assembly of the People of Kazakhstan, 2023; Republic of Kazakhstan, 2011).

Protecting common human rights makes sense not only because it is morally right, but also because it is necessary in practice. Common standards establish minimum rules that help resolve conflicts in society and protect the rights of people who are in the minority. In today's world, where countries are closely interconnected and many things are intertwined between countries, these common rules help to harmonize the laws of different countries and create a system that protects human rights around the world (Káčer, 2021; Khan & Qasim, 2025).

At the same time, universalism faces problems when interpreted and applied in specific contexts. Some cultural and religious practices may have certain conditions for exercising their rights and freedoms. In Kazakhstan, one can notice this in issues associated with the regulation of religious activities and the protection of the rights of ethnic minorities. In this case, observance of the international standards should be combined with compliance with both

legal standards and peculiarities of the culture (Pratiwi, 2020).

The theory of cultural relativism understands the rights of people from the perspective of their own culture, traditions, and values as these international standards may not take into account their cultural diversity and religious beliefs. In multi-ethnic countries like Kazakhstan, human rights issues are closely linked to people's cultural and religious backgrounds (Marchenko, 2022; An-Na'im, 1987).

The particularism of cultural values is manifested in the right to preserve ethnic identity, traditions and linguistic characteristics. Respect for these rights helps to strengthen social stability and reduce the possibility of conflict. Laws, taking into account the diversity of peoples and religions, promote the harmonization of local rules with international standards (Pratiwi, 2020; Káčer, 2021).

Digitalization has made more flexible regulation necessary. Because information spreads rapidly around the world, new places emerge where international rules and local practices collide. This indicates possible contradictions and conflicts. On the internet, on social media, in forums, and in communities, people discuss rights and responsibilities, create new ways of understanding culture, and test how accepted standards work in the workplace.

The creation of a legal system in a multinational society requires a set of common principles that take into account cultural and historical characteristics. It is important to compare accepted legal norms with local customs to regulate family, religious and social relations. The implementation of basic rights and freedoms guarantees the protection of individual rights, and an adaptation of laws to regional standards will help avoid conflict situations and foster a sense of confidence in statehood.

A comparison of the general and regional suggests the construction of sophisticated mechanisms. The business sphere promotes human rights, education is aimed at teaching ethics, and assessment finds mistakes. The combination of these factors creates a stable environment in which compliance with rules is not visible, but, on the contrary, becomes part of the culture and life of society.

Social and cultural groups create their own ways of protecting rights and resolving disputes. At the same time, the combination of general rules with local traditions makes the application of laws more effective and helps to achieve agreed decisions. Maintaining a balance between universal standards and cultural specificities reduces the gap between legal norms and ensures equal rights for all members of society.

The creation of dialogue platforms ensures the participation of various groups, including government institutions, ethnic and religious communities, and civil society organizations, in the discussion and development of norms that take into account both universally recognized human rights and cultural specificities. This approach promotes improved mutual understanding between the state and the population, reduces the risk of conflict, and creates opportunities for joint decision-making on issues of behavior and interaction.

Conclusions

The main contribution of the study is to address the insufficiently developed analysis of the relationship between universalism and cultural relativism in the Central Asian context, with particular attention to Kazakhstan. Existing literature predominantly examines the issue from global or individual national perspectives, while the interaction between international human rights standards and culturally embedded norms in a multiethnic environment remains less systematically explored. The paper shows how cultural factors affect the understanding and implementation of international human rights standards and identifies the conditions under which cultural adaptation can occur without weakening fundamental rights.

The central finding is that universalism and cultural particularism should not be treated as mutually exclusive alternatives. The analysis of Kazakhstan demonstrates that their compatibility depends on the establishment of a clear normative boundary: cultural practices and collective identities may be recognized and accommodated where they remain consistent with human dignity, equality, fundamental freedoms and non-discrimination. On this basis, the study specifies three interconnected conditions for context-sensitive justice: an inviolable normative minimum of fundamental rights, recognition of legitimate cultural diversity, and institutional dialogue between universal standards and locally embedded interpretations.

The methodological basis of the research includes philosophical and legal analysis, comparative study and normative research of international and national acts. Philosophical and legal analysis was used to identify the

conceptual principles of universalism and relativism, compare theoretical approaches and formulate criteria for assessing cultural influence.

The comparative method was used to compare international standards with the provisions of Kazakhstani legislation, including constitutional norms and human rights laws, as well as regional agreements. Normative research involved a range of sources related to laws and international agreements, as well as academic works in order to provide an analysis of practical approaches to the alignment of global and local norms. Such an approach allowed the discovery of adaptation of universal norms in accordance with the culture of a particular society and minimizing possible conflicts between international norms and local customs.

Improving the effectiveness of systems that account for peculiarities of different societies implies providing people with their right to preserve language, traditions, beliefs, and participate in public life. Such actions would help develop an equitable society where the rights of everyone are ensured. The analysis made it possible to identify conditions for adapting universal norms to culturally diverse societies while minimizing conflicts between international standards and locally embedded practices.

The theoretical significance of the study lies in clarifying the interaction between universalism and cultural relativism, showing that compliance with international standards is possible without limiting local traditions. The practical significance lies in the proposal of specific mechanisms for adapting human rights to multinational and multicultural societies.

The Kazakhstani context provides an important basis for refining this theoretical position. The analysis of religious regulation, cultural and linguistic identity, and the protection of different social groups demonstrates that the principal challenge is not the existence of cultural diversity itself, but the determination of its legitimate legal boundaries. Kazakhstan therefore illustrates how universal human rights can retain their normative force while their implementation is adjusted to specific social and cultural conditions. This finding gives the national case broader theoretical relevance for the study of justice in culturally diverse societies.

In view of the above results, it is suggested that the following strategies be considered. The legislators should consider cultural specificity while incorporating international norms into domestic legislation. Legal scientists may examine approaches to balancing universal norms with local traditions. Human rights education and intercultural dialogue can contribute to reducing the perception of international standards as externally imposed requirements and instead strengthen their understanding as instruments for protecting justice, equality and human dignity while respecting legitimate cultural diversity.

Incorporating common standards into national legislation, while considering local traditions, helps to respect fundamental rights without violating the values of different communities. To achieve this goal, it is necessary to carefully review laws and develop methods of their implementation that consider the specific conditions of each region. Finding a balance between strict enforcement of laws and respect for culture will make the legal system fairer and more effective.

Education is one way to reconcile legal norms with traditions. Legal education will allow people to see the importance of human rights and equality. Integration of aspects of culture in educational programs can aid the integration of international norms in daily life.

Monitoring and auditing are ways of checking how standards have been complied with and making adjustments where necessary. Considering the views of local communities can reflect the real needs and expectations of different groups, reduce tensions between citizens and government, and strengthen public trust in public institutions.

Digital platforms offer new opportunities to disseminate information on human rights and promote intercultural exchange. They provide educational resources, facilitate the exchange of human rights experiences and engage a wide audience. At the same time, establishing control mechanisms is crucial to ensure that basic norms are respected without stifling innovative measures within local cultures.

In summary, the study confirms that the resolution of the universalism-particularism dilemma requires neither the rejection of universal human rights nor the unrestricted acceptance of cultural relativism. The more sustainable solution lies in preserving fundamental rights as a normative minimum while recognizing legitimate cultural diversity and developing institutional dialogue for resolving conflicts between individual rights and collective values. The Kazakhstani case demonstrates the analytical value of this model and indicates that context-sensitive justice can reconcile universal principles with culturally diverse forms of their implementation.

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