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Human Rights, Cultural Relativism, and Islam

Universal Human Rights and Competing Normative Traditions

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BASED ON

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Normative Traditions



ABOUT THE SERIES

The DCA Academic Brief Series presents concise and accessible summaries of scholarly discussions hosted or supported by the Diyanet Center of America. The series seeks to make academic scholarship available to wider audiences engaged in religious education and community learning.

Executive Summary

The relationship between universal human rights and cultural diversity remains one of the central debates in international law and political philosophy. Since the adoption of the Universal Declaration of Human Rights (UDHR) in 1948, scholars have questioned whether human rights represent universally applicable principles or reflect the historical and philosophical traditions of particular civilizations.

This study examines the evolution of this debate through the perspectives of cultural relativism and Islamic thought. It argues that objections to universal human rights have emerged from different intellectual traditions, including Western anthropology and Islamic legal scholarship. While early cultural relativists challenged the universality of human rights on anthropological grounds, later debates increasingly focused on the compatibility of international human rights norms with Islamic law.

The study identifies three principal approaches within contemporary Islamic discourse. One argues that Islam inherently recognizes human rights through the Qur'an, the Sunnah, and early Islamic legal practice. A second contends that important differences between classical Islamic jurisprudence and modern human rights theory make full compatibility difficult. A third seeks to reconcile Islamic values with international human rights through documents such as the Cairo Declaration on Human Rights in Islam.

Rather than presenting these perspectives as mutually exclusive, the study demonstrates that debates over human rights are shaped by broader questions concerning law, culture, religion, and political authority. Understanding these competing normative traditions contributes to a more nuanced interpretation of both international human rights law and contemporary discussions within the Muslim world.

KEY POINTS

- Human rights have evolved as both legal norms and philosophical concepts shaped by historical developments.
- Early cultural relativist critiques questioned the universality of the Universal Declaration of Human Rights from an anthropological perspective.

- Contemporary debates increasingly focus on the relationship between Islamic legal traditions and international human rights norms.
- Islamic scholarship presents multiple perspectives rather than a single unified position on human rights.
- The tension between universalism and cultural diversity remains one of the defining debates in contemporary international law.

CENTRAL QUESTION

Can universal human rights be reconciled with culturally and religiously diverse conceptions of law and morality?

CORE ARGUMENT

The debate over human rights is fundamentally a discussion about competing normative traditions rather than a simple opposition between universalism and cultural relativism.

MAIN CONTRIBUTION

The study traces the historical development of cultural relativist critiques and evaluates major approaches to human rights within Islamic thought.

PRIMARY AUDIENCE

Scholars of international law, Islamic studies, human rights, political philosophy, and comparative legal traditions.

1. Why This Study Matters

Since the establishment of the post-Second World War international legal order, human rights have become one of the principal foundations of global governance. Yet their universal character has remained the subject of continuous debate. Questions concerning the relationship between universal legal norms and culturally specific understandings of justice continue to influence international law, diplomacy, and comparative legal scholarship.

The study argues that these debates cannot be understood solely through legal analysis. They also involve philosophical assumptions regarding the origins of rights, the relationship between the individual and society, and the role of religion in public life. Examining these questions through both cultural relativism

and Islamic legal thought provides a broader perspective on one of the most significant normative debates of the modern era.

2. The Internationalization of Human Rights

The modern international human rights system emerged in the aftermath of the Second World War as part of a broader effort to establish a stable and rules-based international order. The adoption of the United Nations Charter (1945) and the Universal Declaration of Human Rights (1948) marked a turning point by framing human rights as matters of international concern rather than solely domestic affairs.

The drafting of the UDHR reflected an aspiration to articulate principles applicable to all humanity. However, from its inception, the project of universality generated debate regarding whether a single set of human rights standards could adequately represent societies with different historical, cultural, and religious traditions.

KEY INSIGHT

The internationalization of human rights transformed individual rights into a global normative framework while simultaneously raising enduring questions about universality and cultural diversity.

2. Cultural Relativism and the Challenge to Universality

One of the earliest and most influential critiques of universal human rights came from cultural relativism. The study highlights the 1947 statement of the American Anthropological Association (AAA), which questioned whether universal standards could adequately reflect the diversity of human cultures. According to this perspective, values and moral norms are shaped by particular social and cultural contexts, making it difficult to establish universally valid principles without privileging one civilization over others.

The study also notes that this position evolved over time. By the late twentieth century, the AAA had shifted toward supporting international human rights while emphasizing that universal principles should remain attentive to cultural diversity and changing understandings of human dignity. This development illustrates that debates over human rights have increasingly moved beyond a simple opposition between universalism and relativism.

KEY INSIGHT

Cultural relativism does not necessarily reject human rights; rather, it questions how universal norms can accommodate cultural diversity.

4. Human Rights and Islamic Perspectives

The study identifies three major approaches to human rights within contemporary Islamic thought.

The first argues that Islam contains an indigenous tradition of human rights rooted in the Qur'an, the Sunnah, and early Islamic legal practice. From this perspective, principles such as justice, human dignity, and the protection of life and property demonstrate the compatibility of Islam and human rights.

A second approach emphasizes significant differences between classical Islamic jurisprudence and modern international human rights law. It points to issues such as the source of legal authority, the relationship between rights and obligations, and the role of religious law in public life as continuing areas of debate.

A third perspective seeks reconciliation through contemporary Islamic human rights instruments, including the Cairo Declaration on Human Rights in Islam. While these initiatives attempt to harmonize Islamic values with international norms, they also illustrate the continuing effort to define human rights within different legal and religious traditions.

KEY INSIGHT

Islamic perspectives on human rights are diverse and should be understood as a spectrum of legal and intellectual approaches rather than a single unified position.

2. Cultural Relativism and Human Rights

The adoption of the Universal Declaration of Human Rights initiated a broader debate over whether human rights could truly be universal. Early cultural relativist scholars argued that moral values and legal norms are shaped by culture, making it difficult to apply a single standard to all societies. Although later scholarship became more supportive of international human rights, the debate over universality continues.

KEY INSIGHT

Universal human rights continue to be debated in light of cultural diversity.

3. Human Rights and Islamic Thought

The study identifies three main perspectives within Islamic thought. One argues that Islam inherently protects fundamental rights; another sees important differences between Islamic law and modern human rights; a third seeks reconciliation through contemporary Islamic human rights instruments, such as the

Cairo Declaration. These perspectives demonstrate that Islamic approaches to human rights are diverse rather than uniform.

KEY INSIGHT

Islamic thought offers multiple interpretations of the relationship between religion and human rights.

Concluding Reflections

The debate between universal human rights and cultural relativism remains a central issue in international law. By examining both Western cultural relativism and Islamic perspectives, the study demonstrates that discussions on human rights are shaped by diverse legal, philosophical, and religious traditions. Rather than presenting these traditions as inherently incompatible, the study highlights the importance of understanding their historical and intellectual foundations for a more comprehensive interpretation of contemporary human rights discourse.

Academic Contributions

- Explains the historical development of the universality versus cultural relativism debate.
- Compares Western cultural relativist arguments with major perspectives within Islamic thought.
- Examines the implications of these debates for international human rights law.
- Contributes to interdisciplinary scholarship on international law, religion, and comparative legal traditions.

Selected References

- American Anthropological Association. *1947 Statement on Human Rights*.
- American Anthropological Association. *1999 Statement on Human Rights*.
- Roosevelt, Franklin D. *Four Freedoms Speech* (1941).
- United Nations. *Universal Declaration of Human Rights: Drafting History*

Source Study

Primary Source

Human Rights, Cultural Relativism, and Islam



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This academic brief is an accessible presentation of the principal themes and arguments developed in the source study. It does not replace the full scholarly text or its detailed references.

Editorial Note

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