



**Harmonizing Cultural Relativism with Universal Human Rights: Perspectives from Indonesia and the publication of Law No. 39 of 1999 concerning Human Rights, as part of the implementation of human rights in Indonesia**

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**ABSTRACT**

*This research adopts a normative legal approach to investigate the challenges of harmonization between cultural relativism and universal human rights in Indonesia. Using comparative and interpretive legal analysis methods, this research analyzes legal perspectives in balancing local cultural values with internationally recognized human rights principles. Through an in-depth review of national laws and international instruments, this article identifies gaps and harmony between different legal frameworks. This research also explores legal interpretations of controversial issues that arise in this harmonization effort, such as the rights to freedom of expression, religious rights, and protection against discrimination. The main findings highlight the need for contextual and inclusive legal interpretations in dealing with cultural differences and human rights principles. Although there are tensions between local and international legal perspectives, this article proposes an interpretive approach that carefully considers cultural context to reach broader and fairer agreements. This research makes a significant contribution in enriching understanding of how law can be a means of overcoming the dilemma between cultural relativism and human rights principles. It is hoped that the practical implications of these findings will help in designing legal policies that are more sensitive to cultural diversity while still maintaining universal human rights standards.*



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**Keywords:** *Relativism, culture, human rights, legal harmonization.*

**A.INTRODUCTION**

This statement of the problem aims to highlight the conflict that arises between cultural relativism and the principles of universal human rights, especially in the context of Indonesia. Cultural relativism, as a perspective that acknowledges that values and norms can vary between cultures, often contradicts efforts to secure basic rights considered universal for every individual.

On the other hand, the implementation of universal human rights in various countries, including Indonesia, often faces challenges in responding to cultural diversity and local values that underlie social and political systems. Therefore, investigating how Indonesia views and reconciles these two concepts becomes important to understand the complex dynamics in the context of global human rights.

The debate between cultural relativism and the universality of human rights is a complex issue in Indonesia, as highlighted (Pratiwi, 2020) and (Susetyo, 2019). While the country has adopted the Universal Declaration of Human Rights, the implementation of these rights is challenged by cultural relativism. This is particularly evident in the views of Indonesian Muslim intellectuals, who seek to reconcile Islamic and universal human rights values (Fuad et al., 2007). The historical context of Indonesia, including the influence of Shari'a and indigenous wisdom, further complicates the enforcement of human rights (Muslimin, 2015). These studies collectively underscore the need for a nuanced approach that respects both cultural diversity and universal human rights principles in Indonesia.

The controversy surrounding cultural relativism arises due to the conflict between the principles of universal human rights and cultural diversity along with local values that underpin societies. Cultural relativism emphasizes that there is no single standard to evaluate values and behaviors as these are highly dependent on the cultural context in which these values emerge. However, this view contradicts the notion of universal human rights claiming that basic human rights are inherent and non-negotiable, regardless of cultural differences. This controversy becomes even more complex when applied in the context of Indonesia, which is rich in cultural diversity, religions, and local traditions that influence the understanding of human rights and their implementation at the national level. Therefore, an in-depth study is needed to explore ways to reconcile these perspectives constructively.

The discourse concerning cultural relativism and universal human rights represents a multifaceted matter, especially within the context of Indonesia. Pratiwi (2020) and Susetyo (2019) both highlight the challenges in implementing universal human rights in the country, with the latter emphasizing the need to consider local and regional values. (Oktaviandra, 2022) further explores this issue, noting the different functions of human capabilities in the context of cultural relativism. (Firdausy, 2020) delves into the legal resilience of human rights norms, particularly in

the context of ethnic anti-discrimination, and the potential tension between global and local values. These studies collectively underscore the need for a nuanced approach that harmonizes cultural relativism with universal human rights in Indonesia.

The theoretical basis that is the main basis for this article is the concept of cultural relativism and universal human rights. Cultural relativism suggests that applicable values and norms can differ between various cultures, and there is no single objective standard that can be applied universally to assess these values. This understanding emphasizes the importance of understanding and respecting cultural diversity in interpreting human values. On the other hand, universal human rights refer to the belief that every individual has inherent and non-negotiable basic rights, regardless of cultural origin or background. This emphasizes the importance of recognizing and protecting human rights as universal values that must be upheld by all people in the world. In the context of this article, efforts to reconcile these two concepts are the main focus to explore the potential for harmonization between local cultural values and universal human rights principles.

The main theoretical framework in this article is the concept of cultural relativism and universal human rights. This is a significant foundation, as it underpins the discussion on the tension between these two concepts in the context of religious freedom in Indonesia (Wardana, 2022). The debate between universalism and cultural relativism is further explored in the context of human rights in Islam, with a focus on the 1945 Constitution of the Republic of Indonesia Post-Amendment. The complexity of human rights in Islam is also highlighted, with a call for a re-evaluation of their universality (Lucky, 2012). The role of language in shaping cultural norms and perceptions is discussed, emphasizing the relativity of cultural norms (Kustyarini, 2017). These studies collectively underscore the need for a balanced understanding of cultural relativism and universal human rights.

In the debate regarding the harmonization of cultural relativism and universal human rights is a central point in this research. As a country rich in cultural, religious and traditional diversity, Indonesia makes a significant contribution to global discussions about the implementation of human rights in diverse cultural contexts. Indonesia's attitudes and views on humanitarian issues and cultural pluralism have attracted international attention, especially in efforts to bridge understanding between unique local values and human rights principles that are considered

universal. By exploring existing perspectives in Indonesia, this article aims to provide deeper insight into how this country is undergoing the harmonization process and how this can be a useful example for other countries in solving similar challenges.

This is particularly evident in the context of religious freedom, where the tension between universalism and cultural relativism is apparent (Wardana, 2022). The need for a balanced understanding of these concepts is emphasized, with a call for the reconfiguration of existing religious freedom instruments to uphold the principles of respect and non-discrimination. The role of education in promoting humanistic values and the development of a tolerant and culturally diverse society is also highlighted (Komaruzaman, 2017). Lastly, the shift from multiculturalism to intercultural dialogue is proposed as a more suitable approach to managing cultural diversity, given the changing societal and political landscape (Sholichati & Janitra, 2021).

Indonesia also has a rich history in facing complex challenges between traditional and modern values, especially since the period of independence until the current era of globalization. In the context of human rights, the country has undergone significant transformation from the Old Order period to democratic reform, where the understanding and implementation of human rights have been increasingly strengthened and expanded. Additionally, Indonesia has been active in various international forums to discuss human rights issues, both in regional contexts such as ASEAN and globally through its participation in the UN and other international organizations. All of this reflects Indonesia's commitment to contribute to promoting universal human rights principles at the national and international levels.

However, it must be acknowledged that despite progress in recognizing the importance of universal human rights, Indonesia also faces several challenges in consistently implementing these principles across its regions and societal layers. Factors such as the complexity of cultural diversity, social justice, protection of minority rights, and consistent law enforcement are issues that continue to be faced in efforts to ensure that human rights are realized for all Indonesian citizens. Therefore, more in-depth research on Indonesia's attitudes and practices regarding the harmonization of cultural relativism and universal human rights is crucial to identify concrete steps that can be taken to strengthen the comprehensive implementation of human rights in Indonesia.

## **B. RESEARCH METHODS**

Normative legal research is conceptualized as what is written in statutory regulations or laws which are conceptualized as rules or norms which are benchmarks for human behavior that are considered appropriate. Normative legal research or library research is research that examines document studies using various secondary data such as statutory regulations, -invitations, court decisions, legal theories, and can be the opinions of scholars.

Normative legal research uses qualitative analysis by explaining existing data with statements rather than numbers. Things studied in normative legal research include legal principles, legal systematics, legal inventory, clinical law, levels of legal synchronization, legal comparison, and legal history.

In normative legal research there are accompanying legal sources, namely:

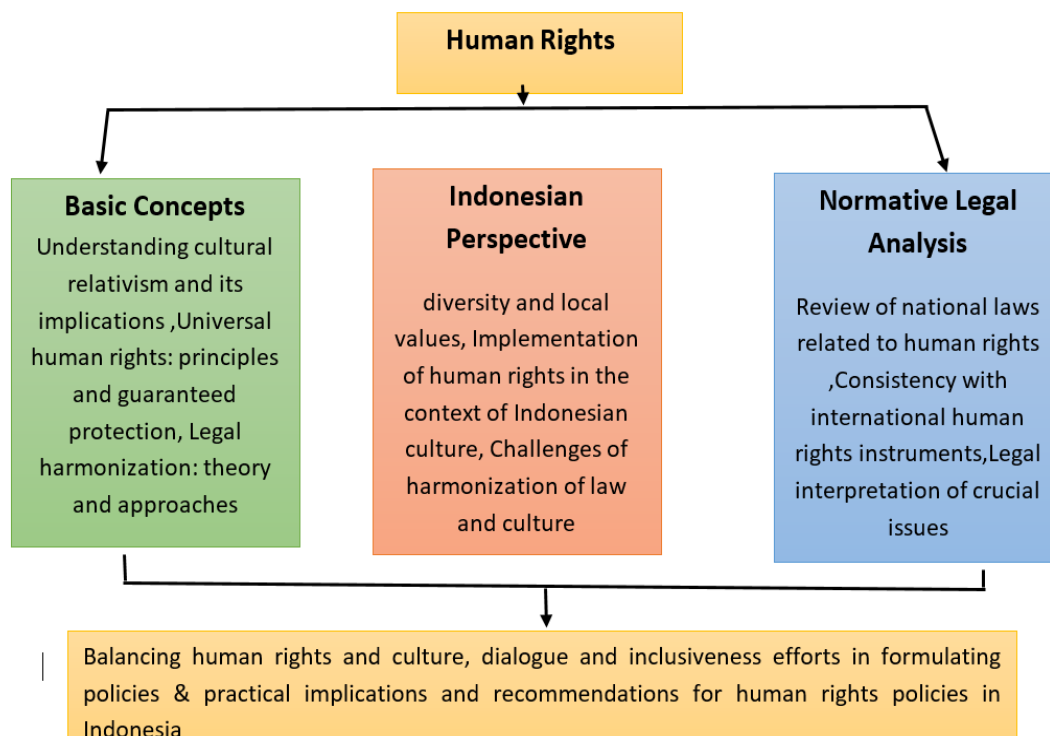
1. Primary legal sources, which are materials that are binding on the issues to be researched. Examples are the 1945 NRI Constitution, Law Number 39 of 1999 concerning Human Rights, Government Regulations, Jurisprudence, and others.
2. Secondary legal sources, which are data materials that provide an explanation of primary data legal materials. Examples are bills, research results, scientific works and others.
3. Tertiary legal sources, which are data materials that provide information about primary and secondary law, such as legal dictionaries, encyclopedias, magazines, mass media and the internet.

Normative legal research makes the norm system the center of its study. A norm system in a simple sense is a system of norms or rules. Normative research examines legal rules or regulations as a building system related to legal events.

### **Conceptual framework**

In this era of globalization, the meeting between local culture and universal human rights principles is becoming increasingly complex. This article presents an in-depth analysis of efforts to harmonize cultural relativism and universal human rights, especially in the Indonesian context which is rich in cultural diversity. Through a normative legal approach, this research explores different perspectives to identify the intersection between local cultural values and internationally

recognized human rights principles. By considering the challenges and opportunities that occur, this article aims to provide a valuable contribution in supporting a more inclusive and fair harmonization process in Indonesia and around the world. The above can also be seen in the conceptual framework provided below (Figure 1):



**Figure 1** Conceptual Framework

## C.RESEARCH RESULTS AND DISCUSSION

### 1.Research and publication trends

Research and Publication Trends in Harmonizing Cultural Relativism with Universal Human Rights: Perspectives from Indonesia.

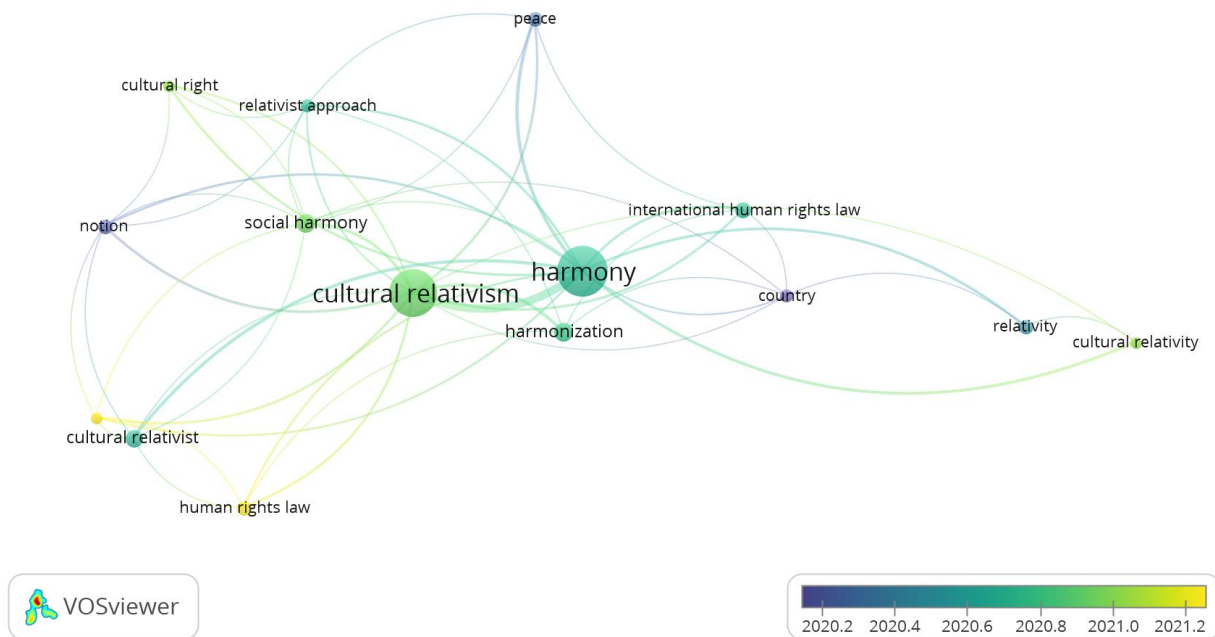
In recent years, there has been a noticeable increase in research focusing on the intersection of cultural relativism and universal human rights, particularly in the context of Indonesia. Scholars and researchers have delved into the complexities of harmonizing diverse cultural values with internationally recognized human rights principles, leading to a growing body of literature on this subject. One prominent trend in research is the exploration of legal frameworks and normative

approaches to address the challenges posed by cultural diversity and human rights universality. Scholars have conducted comparative legal analyses, examining domestic legislation alongside international human rights instruments to identify areas of alignment and divergence. This trend reflects a deepening interest in understanding how legal interpretations can bridge cultural differences while upholding fundamental human rights norms.

Another notable trend is the emphasis on Indonesia's unique cultural landscape and its implications for human rights discourse. Researchers have highlighted the rich diversity of Indonesian cultures, religions, and traditions, emphasizing the need for context-specific approaches to rights-based interventions. This trend underscores the importance of local perspectives and indigenous knowledge in shaping policies and practices that respect cultural pluralism while safeguarding human dignity.

Moreover, research trends also indicate a shift towards interdisciplinary approaches, where scholars from fields such as law, anthropology, sociology, and political science collaborate to provide comprehensive analyses. This interdisciplinary perspective allows for nuanced discussions on the socio-cultural, legal, and ethical dimensions of harmonizing cultural relativism with universal human rights, fostering a more holistic understanding of the complex issues at hand.

In terms of publication trends, there has been a rise in scholarly articles, book chapters, and edited volumes addressing these themes. Leading academic journals in human rights, cultural studies, and legal studies regularly feature research on this topic, indicating its relevance and scholarly impact. Additionally, international conferences and symposiums often include panels dedicated to exploring innovative strategies and best practices for reconciling cultural diversity with human rights norms, further contributing to the dissemination of knowledge and exchange of ideas. Overall, the research and publication trends in harmonizing cultural relativism with universal human rights in the Indonesian context reflect a dynamic and evolving discourse that seeks to navigate the complexities of cultural pluralism and human rights universality in a globalized world. Trends can also be seen in the Vosviewer image below (Figure 2):



**Figure 2.**Trends based on the topics discussed in the publication document

Some interrelated research topics include:Harmony,social harmony,relativist approach,cultural relativism,human right law,peace,international human right law,country,cultural right,cultural relativity.Previous Research The following are two previous studies that are similar to the research topic "Harmonization of Cultural Relativism with Universal Human Rights: Perspectives from Indonesia", namely:Development and human security in Asia: an analysis from human rights and cultural relativism point of view (M. S. Hossain 2015),This research explores the challenges and strategies in harmonizing cultural relativism with universal human rights principles in Southeast Asian countries, including Indonesia. Through a case study approach, this research analyzes the implementation of human rights policies amidst cultural diversity and strong local values. The results provide valuable insights into effective approaches in achieving harmony between culture and human rights in diverse regional contexts, and Challenges in norm-localization at the city level: the case of localizing the human rights city concept in Bandung, Indonesia (Karman et al., 2023),This research focuses on the efforts of the Bandung City Government, a major metropolitan city in Indonesia, to declare itself the first Human Rights City in the country in 2015. However, top-down initiatives have also existed previously to underscore the city government's role in

protecting rights. human rights. This research aims to analyze the impact of the Human Rights City concept in Bandung. The results show that these efforts did not directly strengthen the Human Rights regime in Bandung, but rather caused confusion due to incoherent policies. This study provides suggestions for improving the human rights regime in cities such as Bandung.

These two studies can provide additional context and understanding that is relevant to the research topic of harmonizing cultural relativism with universal human rights, especially in the Indonesian context.

The novelty of the research "Harmonizing Cultural Relativism with Universal Human Rights: Perspectives from Indonesia" lies in several aspects that differentiate it from previous research: Focus on the Indonesian Context: This research specifically examines the dilemma of harmonization between cultural relativism and universal human rights in the Indonesian context which is rich in cultural diversity. This adds novelty value because Indonesia has unique social, cultural and legal characteristics, which require an appropriate and specific approach.

Normative Legal Approach: This research uses a normative legal approach in analyzing legal perspectives related to cultural harmonization and human rights. While much previous research may be more theoretical or multidisciplinary in nature, the normative legal approach provides a strong foundation in understanding the role of law in this harmonization process.

- a. Globalization Context: This research recognizes the role of globalization in bringing new challenges related to cultural harmonization and human rights. In an increasingly globally connected era, intercultural interactions and human rights implications have broader and more complex impacts, which is the focus of this research.
- b. More Practical Policy Implications: This research not only focuses on theoretical analysis, but also explores more practical policy implications. This includes policy recommendations that can be implemented to achieve more effective harmonization between local culture and human rights principles in Indonesia.

By combining a focus on the Indonesian context, a normative legal approach, attention to the impacts of globalization, and practical policy implications, this research makes a distinct and valuable contribution to the understanding of the harmonization of cultural relativism with universal human rights, and is relevant for an increasingly connected global context.

## 2. Research results

The definition and fundamental concepts of cultural relativism serve as a crucial foundation in understanding the differences in values among cultures. Cultural relativism teaches that values, norms, and beliefs can vary significantly among different cultural groups. This understanding refers to the idea that there is no universal standard for evaluating these values, as they are greatly influenced by the cultural context and historical background of the society practicing them. This concept has been the subject of wide-ranging philosophical debate, raising questions about the limits of tolerance towards cultural differences and how to appreciate diversity without compromising fundamental human rights principles. In the context of Indonesia, a deep understanding of cultural relativism is important to comprehend how unique cultural values influence attitudes and policies related to human rights at the national level.

In the context of Indonesia, this understanding is particularly important, as it can help in comprehending the unique cultural values that shape attitudes and policies related to human rights at the national level (Pratiwi, 2020). However, the application of cultural relativism is not without its challenges, as it can be used to justify human rights violations (Pratiwi, 2020). Despite these challenges, the concept of cultural relativism can contribute to the protection of communal and marginal group rights, and the optimization of domestic law (Pratiwi, 2020). This is particularly relevant in Indonesia, where the principle of "unity in diversity" is emphasized, and the concept of multiculturalism is seen as a means to counteract radicalism (Darul Lailatul Qomariyah, 2020). However, the application of cultural relativism should not hinder the possibility of intercultural comparison, criticism, and moral argumentation (Eshetu, 2017). In the context of Indonesia, the role of Islam in upholding cultural human rights and promoting religious pluralism is also significant (Miski, 2020).

The controversy surrounding cultural relativism arises due to the conflict between the view that values and norms can vary among different cultures and the idea that there are universal and non-negotiable values. Some argue that cultural relativism legitimizes diversity and allows communities to maintain their cultural identity without being blamed or negatively judged. However, on the other hand, criticism of cultural relativism emerges because of concerns that this approach could be used to legitimize human rights violations under the guise of cultural diversity. This controversy reflects a complex debate between the need to appreciate cultural diversity and

local values while ensuring the protection of basic rights considered universal for all individuals, regardless of their cultural background. In an increasingly interconnected global context, questions about the limits of tolerance towards cultural differences and how to accommodate diversity while upholding fundamental human rights principles become the main focus of discussions surrounding cultural relativism.

In Indonesia, cultural relativism is reflected through various aspects of daily life that showcase cultural pluralism and diverse values. For instance, in social life, Indonesia has a range of customary traditions, regional languages, and religious beliefs that differ across different areas. This demonstrates recognition and appreciation for the unique cultural diversity. Additionally, in the arts and culture sector, Indonesia boasts various traditional arts such as dance, music, and visual arts that enrich the nation's cultural heritage. The Indonesian government also supports the preservation of local cultures through programs like cultural festivals and the teaching of traditional arts in schools. Thus, cultural relativism is reflected in efforts to preserve and value the cultural diversity that defines Indonesia's identity.

However, on the flip side, cultural relativism also presents several challenges and dilemmas, particularly in the context of human rights and gender equality. For example, certain traditional practices or cultural norms in Indonesia may conflict with universal human rights principles, such as regarding treatment of minorities or women. An example is child marriage practices that still occur in some regions, contradicting children's rights to education and protection from exploitation. Therefore, there is a need for in-depth studies to identify how cultural relativism can be harmonized with universal human rights principles without compromising the cultural values that are Indonesia's heritage and pride.

Universal human rights are a cornerstone of modern legal and ethical frameworks, embodying fundamental principles that apply universally to all individuals regardless of race, nationality, religion, or cultural background. The concept of universal human rights is rooted in the recognition of inherent human dignity and worth, acknowledging that every person possesses inalienable rights simply by virtue of being human. These rights encompass a wide range of civil, political, economic, social, and cultural liberties that are essential for individuals to live with dignity, equality, and freedom. Key principles underlying universal human rights include the right to life, liberty, and security of person; freedom from discrimination and slavery; the right to freedom of

expression, assembly, and religion; the right to education and healthcare; and the right to participate in cultural, social, and political life. These principles are enshrined in international human rights instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights, forming the basis for legal protections and advocacy efforts worldwide.

The principles of human rights, including economic, social, and cultural rights, are codified in international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights (Hertel & Libal, 2011). These instruments form the basis for legal protections and advocacy efforts worldwide, emphasizing the equal importance of all human rights (Castermans-Holleman, 1995). They also play a crucial role in the protection of labor rights and the promotion of collective labor relationships.

The application of universal human rights principles faces multifaceted challenges when transposed across diverse cultural contexts. One significant challenge lies in the interpretation and prioritization of rights, as cultural norms and values often influence the perception of what constitutes a fundamental human right. For instance, cultural relativism may clash with universal human rights standards, leading to debates over issues like freedom of expression versus cultural taboos or gender equality versus traditional societal roles. Additionally, the legal frameworks and enforcement mechanisms for human rights protection vary widely across different nations, posing challenges in ensuring consistent and effective implementation. Furthermore, resistance or skepticism towards Western-centric human rights discourse in non-Western cultures may hinder efforts to promote and protect universal human rights. Overcoming these challenges requires nuanced approaches that acknowledge cultural diversity while upholding fundamental human rights principles, fostering dialogue, education, and collaboration between local communities, governments, and international organizations to achieve meaningful progress in human rights implementation globally.

Moreover, socioeconomic disparities and power imbalances within societies also present obstacles to the effective implementation of universal human rights. In many cultural contexts, marginalized and vulnerable groups such as indigenous peoples, refugees, migrants, and women often face discrimination, exclusion, and limited access to basic rights and services. Addressing

these systemic inequalities requires not only legal reforms and policy interventions but also broader societal changes that challenge discriminatory attitudes and practices. Furthermore, globalization and technological advancements have brought new challenges, such as digital rights and privacy concerns, which need to be addressed within the framework of universal human rights. Therefore, ensuring the realization of universal human rights necessitates a comprehensive and holistic approach that addresses social, economic, cultural, and political dimensions while respecting cultural diversity and promoting inclusivity.

Global efforts to promote universal human rights have been extensive and multifaceted, reflecting a collective commitment to upholding the inherent dignity and worth of every individual. International organizations such as the United Nations (UN) play a pivotal role in advancing human rights through the development and implementation of legal frameworks, conventions, and treaties. The Universal Declaration of Human Rights (UDHR), adopted by the UN General Assembly in 1948, stands as a foundational document outlining the fundamental rights and freedoms to which all human beings are entitled. Additionally, regional bodies like the European Court of Human Rights and the Inter-American Commission on Human Rights provide mechanisms for adjudicating human rights violations and ensuring accountability at regional levels. Civil society organizations, non-governmental organizations (NGOs), and human rights activists globally work tirelessly to advocate for human rights, raise awareness, monitor violations, and provide assistance to victims. Furthermore, transnational initiatives, partnerships, and campaigns leverage collective action and solidarity to address pressing human rights challenges such as discrimination, conflict-related atrocities, environmental degradation, and economic inequality on a global scale. These collaborative efforts underscore the ongoing endeavor to promote and protect universal human rights as a cornerstone of international law and ethical principles.

In recent years, advancements in technology and communication have also played a crucial role in promoting universal human rights globally. The internet and social media platforms have provided new avenues for advocacy, enabling individuals and organizations to raise awareness, mobilize support, and amplify voices on human rights issues. Digital activism, online petitions, and viral campaigns have garnered international attention and pressure on governments and institutions to uphold human rights standards. Additionally, technological innovations in areas

such as artificial intelligence (AI) and big data analytics have been utilized to monitor human rights violations, identify patterns of abuse, and support evidence-based advocacy. However, alongside these opportunities, challenges such as digital rights, privacy concerns, and online censorship also need to be addressed to ensure that the digital space remains a tool for empowerment and protection of human rights. Therefore, harnessing the potential of technology in conjunction with traditional advocacy methods is crucial in advancing the global agenda for universal human rights promotion and protection.

In the current era of globalization, efforts to promote universal human rights have become a primary focus in various international forums. In this context, cooperation between countries and international organizations plays a key role in advocating for the fundamental rights of every individual regardless of their social background, religion, or nationality. The development of international legal instruments such as the United Nations Universal Declaration of Human Rights has been a crucial milestone in strengthening the protection of these rights globally. The development of international legal instruments, particularly the United Nations Universal Declaration of Human Rights, has significantly enhanced the global protection of human rights (Gormley, 1984). This has been achieved through the evolution of the Declaration's principles into customary law, as well as the creation of regional and international conventions and resolutions to strengthen its legal force. The Declaration has also influenced the recognition of human rights in national constitutions, such as the Federal Constitution of Brazil, which incorporates not only civil and political rights but also social, economic, and cultural rights (Delgado, 2018). Furthermore, the existence of institutions such as the UN Human Rights Commission and the International Criminal Court provides a strong legal foundation for upholding human rights principles at the international level. Despite ongoing complex challenges such as armed conflicts and political instability in some regions, continuous collaborative efforts from various stakeholders continue to drive the human rights agenda forward. With strong commitment and sustained cooperation, the hope of achieving a more just and civilized global society based on universal human rights principles remains an achievable goal.

In the Indonesian context, the history of thinking about human rights and cultural relativism has become a central point in discussions involving historical, social and cultural aspects. Since the era of independence in 1945, Indonesia has experienced significant developments in its view

of human rights, which is reflected in various constitutional documents such as the 1945 Constitution of the Republic of Indonesia. However, along with the rich cultural diversity in Indonesia, there has also been the emergence of the question of how the concept of human rights can be interpreted inclusively without ignoring diverse local and cultural values. The cultural relativism approach has been an important highlight in responding to this challenge, by recognizing that human rights values may vary based on different cultural contexts. Nevertheless, it is important to remember that universal human rights principles remain the foundation that cannot be compromised in efforts to ensure the protection of individual rights in Indonesia, in line with the country's commitment to widely recognized international standards. Further research into the history of this thinking in Indonesia will provide deeper insight into how the country manages the dynamics between universal human rights and cultural diversity in its unique local context.

In addition, developments in information technology and globalization have strengthened intercultural dialogue and the spread of universal values regarding human rights in Indonesia. Through social media, human rights activists and cultural thinkers can quickly disseminate information, build awareness, and mobilize collective action to fight for individual rights. This shows that, although the challenge of cultural relativism is still relevant, technological advances are also opening up space to bridge a more holistic understanding of how universal and local values can coexist harmoniously in an increasingly globally connected society. Thus, the dynamics between the history of thinking about human rights and cultural relativism in Indonesia are becoming increasingly complex and interesting to explore in the context of ongoing global change.

Views on human rights from political leaders, academics and civil society in Indonesia reflect the diversity of perspectives reflected in the country's social and political dynamics. Political leaders often emphasize the importance of maintaining political stability and national security as top priorities, while striving to fight for the basic rights of citizens in accordance with the existing legal and constitutional framework. On the other hand, academics often highlight the complexity of interpretation of human rights in the context of Indonesian culture and history, raising questions about the extent to which universal values can be implemented without ignoring local values that are important for cultural diversity in Indonesia. Meanwhile, civil society, through various organizations and advocacy movements, continues to encourage the government and related institutions to be more responsive to human rights issues, including the protection of

minority groups, women's rights, and related environmental issues. with human rights. Thus, discussions about human rights in Indonesia involve a multi-stakeholder perspective that reflects the dynamics of debate and efforts to achieve a balance between universal values and unique local contexts. The dynamics of Indonesian politics play a significant role in shaping the country's response to human rights issues, as seen in the case of humanitarian aid to the Rohingya (Halim & Khairunnas, 2021). The lack of explicit regulations regarding the protection of human rights defenders in Indonesia highlights the necessity for legal safeguards (Rahayu, 2010). The engagement of civil society in addressing historical human rights abuses is pivotal, presenting opportunities for community engagement in the Truth and Reconciliation Commission. The complexities associated with advancing human rights in Indonesia, such as the requirement to harmonize universal principles with local circumstances, are emphasized, carrying ramifications for other countries in the Global South.

The perspectives of political leaders, academics, and civil society in Indonesia play a significant role in the discourse on harmonizing cultural relativism with universal human rights. Political leaders often navigate the delicate balance between upholding cultural values and ensuring the protection of fundamental human rights. Academics contribute to this discourse through scholarly research and analysis, providing nuanced insights into the complexities of cultural relativism and human rights universality within the Indonesian context. Furthermore, civil society organizations and activists actively engage in advocating for human rights, often challenging cultural norms and practices that may contradict universal human rights standards. These diverse perspectives from political, academic, and civil society actors in Indonesia contribute to a rich and multifaceted dialogue on the harmonization of cultural relativism with universal human rights principles.

Moreover, the perspectives of political leaders, academics, and civil society in Indonesia reflect the ongoing evolution of human rights discourse within the country. Over the years, there has been a gradual shift towards recognizing the importance of universal human rights standards while also valuing and preserving cultural diversity. Political leaders increasingly acknowledge the need to align national policies with international human rights frameworks, fostering a more inclusive and rights-based approach to governance. Academics continue to contribute by critically examining the intersections of culture, human rights, and societal norms, enriching the scholarly

understanding of these complex dynamics. Civil society organizations play a pivotal role in advocating for policy reforms, promoting awareness, and empowering marginalized communities to assert their rights within culturally diverse contexts. Together, these evolving perspectives underscore the ongoing efforts in Indonesia to harmonize cultural relativism with universal human rights, offering valuable insights for global human rights discourse.

Concrete efforts to reconcile these two concepts in Indonesia can be seen in various initiatives and policy steps. One important example is the creation/issuance of Law Number 39 of 1999 concerning Human Rights. However, the government still does not have specific legal regulations for serious human rights violations. Therefore, to uphold human rights, the government issued Law Number 26 of 2000 concerning Human Rights Courts. Law Number 26 of 2000 does not have a statute of limitations. This means that all criminal acts that fall within the jurisdiction of the Human Rights Court can always be prosecuted. In general, Law Number 26 of 2000 regulates human rights justice, especially in the category of serious human rights violations, and the establishment of government bodies and commissions (Komnas HAM). This commission was established on June 7 1993 based on Presidential Decree Number 50 of 1993 concerning the National Human Rights Commission. Komnas HAM has a position at the same level as other state institutions whose function is to carry out human rights studies, research, counseling, monitoring and mediation. tasked with promoting human rights while respecting cultural diversity. These institutions work towards developing inclusive policies that uphold universal human rights principles while taking into account local customs and traditions. Additionally, civil society organizations collaborate with government agencies to implement awareness campaigns, educational programs, and community dialogues aimed at fostering a deeper understanding of human rights within diverse cultural contexts. Furthermore, legal reforms and amendments to existing legislation reflect a commitment to harmonizing cultural relativism with universal human rights standards, ensuring legal protection and enforcement mechanisms for vulnerable groups. These concerted efforts demonstrate Indonesia's proactive approach to addressing the complexities inherent in reconciling cultural relativism with universal human rights principles, serving as a valuable case study for similar challenges faced globally.

Concrete efforts to reconcile these two concepts in Indonesia have been notable in recent years, reflecting a growing awareness of the need to balance cultural relativism with universal

human rights. One significant initiative has been the establishment of governmental bodies and specialized commissions, such as the National Commission on Human Rights (Komnas HAM), which play a pivotal role in promoting and safeguarding human rights within the Indonesian context. These institutions are tasked with monitoring human rights situations, conducting investigations into violations, and recommending legal actions to ensure accountability and justice. Additionally, collaborative efforts between government agencies, civil society organizations, and international partners have been instrumental in advancing human rights protections and mechanisms in Indonesia. Through awareness campaigns, educational programs, and community dialogues, stakeholders have worked together to foster a deeper understanding of human rights principles while respecting cultural diversity. These concerted efforts reflect Indonesia's commitment to reconciling cultural relativism with universal human rights standards, contributing to a rights-based approach that values inclusivity and diversity.

A case study on field implementation provides valuable insights into comparing the policies of the Indonesian government with universal human rights standards. This comparative analysis delves into the practical aspects of how government policies align with international human rights norms. By examining specific instances of policy implementation in various fields, such as governance, justice, or social welfare, researchers can assess the degree of compliance with universal human rights principles. Additionally, this case study offers an opportunity to evaluate the effectiveness of mechanisms put in place to uphold human rights within the Indonesian context. Through rigorous data collection, qualitative and quantitative analysis, and stakeholder interviews, researchers can illuminate strengths, weaknesses, challenges, and opportunities in the implementation of human rights policies. This comprehensive study contributes to a deeper understanding of the complexities involved in harmonizing national policies with global human rights standards, providing valuable insights for policymakers, scholars, and advocates alike.

The Indonesian government's response to human rights violations in Papua has been a topic of international concern (Djafar, 2012). The situation in Papua is characterized by a lack of economic prosperity and social well-being, which has led to calls for independence (Djafar, 2012). The government has taken steps to address the issue, including forming a special investigation team and coordinating with local and international human rights institutions (Djafar, 2012).

However, these efforts have been criticized for their lack of genuine policy and progress (Rights, 2016). Arbitrary arrests and detentions continue to be a major concern (Rights, 2018). The international community's involvement and pressure on Indonesia to uphold human rights in Papua are crucial (Djafar, 2012).

One relevant case study is the Indonesian government's efforts to deal with the problem of human rights violations in Papua. In recent years, there has been increased attention to the human rights situation in Papua Province, including reports of violence, arbitrary arrests, and limited access to freedom of expression. In responding to this issue, the Indonesian government has taken concrete steps, such as forming a special investigation team to uncover cases of human rights violations, coordinating with local and international human rights institutions, as well as providing training to security forces to strengthen their understanding of standards. human rights. Through this case study, researchers can evaluate the extent to which the steps taken by the Indonesian government are in line with universal human rights standards. They can analyze the government's response to reports of human rights violations, the effectiveness of investigations and prosecutions of perpetrators, and other efforts to ensure stronger human rights protections in Papua. Thus, this case study provides a deeper understanding of the challenges and possible solutions in reconciling Indonesian government policies with internationally accepted human rights standards.

Securing universal human rights implementation within diverse cultural contexts in Indonesia poses significant challenges alongside potential solutions. The intricate interplay between cultural values, societal norms, and legal frameworks necessitates a nuanced approach towards human rights implementation. One of the primary challenges lies in reconciling traditional cultural practices and beliefs with universally recognized human rights standards. This often requires navigating sensitive issues such as gender equality, religious freedoms, and indigenous rights while respecting cultural autonomy and diversity.

Addressing these challenges requires multifaceted solutions that foster dialogue, education, and policy reforms. Firstly, promoting awareness and understanding of universal human rights principles among diverse cultural communities is essential. Educational programs, community workshops, and media campaigns can play a pivotal role in enhancing awareness and acceptance of human rights norms without imposing Western-centric perspectives.

Secondly, engaging in constructive dialogue and collaboration with local stakeholders, including community leaders, religious institutions, and indigenous representatives, is crucial. By involving these stakeholders in the policymaking process and decision-making mechanisms, policymakers can ensure that human rights initiatives are culturally sensitive and relevant. Furthermore, legal reforms and institutional strengthening are necessary to provide robust legal protections and enforcement mechanisms for human rights. This includes enhancing the capacity of judicial institutions, law enforcement agencies, and human rights commissions to effectively address human rights violations and provide remedies to victims.

Overall, addressing the challenges of implementing universal human rights in diverse cultural contexts requires a holistic and participatory approach that respects cultural diversity while upholding fundamental human rights principles. Collaboration between government agencies, civil society organizations, and local communities is essential in developing sustainable solutions that promote human rights and cultural diversity simultaneously.

The following collection of articles delves into the intricate interplay between Cultural Relativism and Universal Human Rights, particularly focusing on their intersection within the dynamic context of Indonesia.

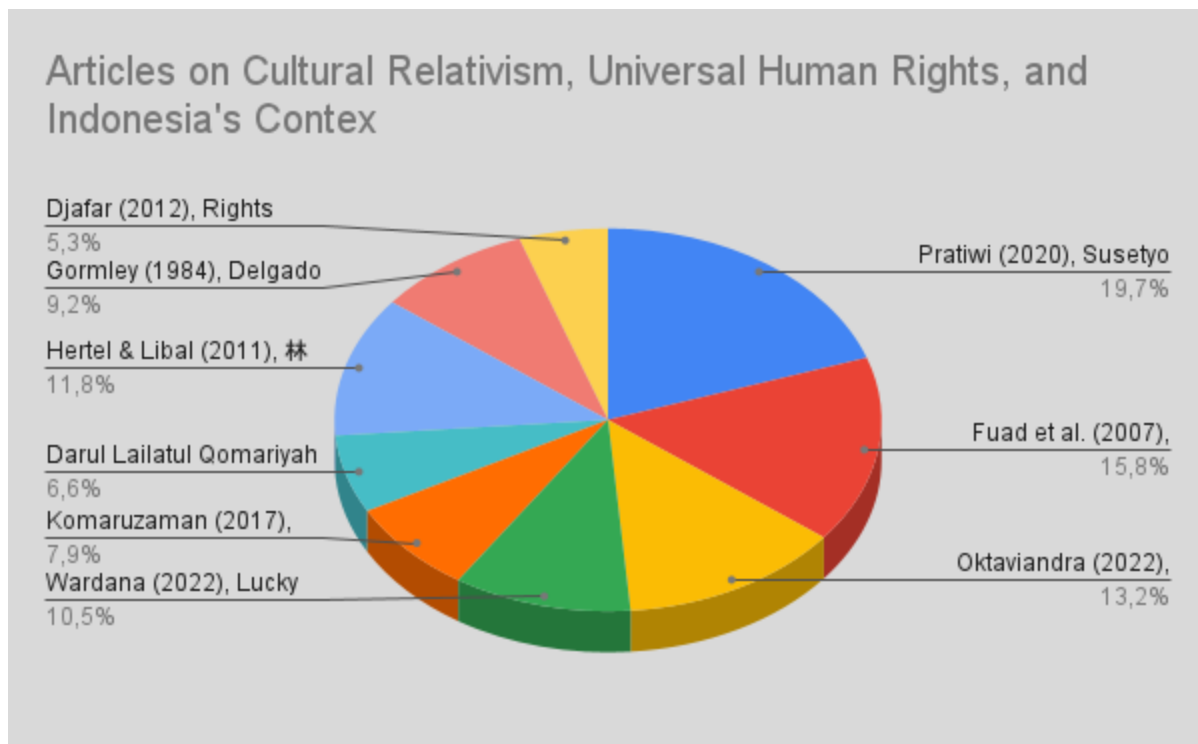
**Table 1** Articles on Cultural Relativism, Universal Human Rights, and Indonesia's Context

Article Title	Author(s)	Citations	Description
Harmonizing Cultural Relativism and Universal Human Rights: The Case of Indonesia	Pratiwi (2020), Susetyo (2019)	15	Harmonizing Cultural Relativism and Universal Human Rights: A Case Study of Indonesia. Highlighting the complexities of implementing universal human rights amidst cultural relativism, with a focus on Indonesia's context.
Understanding Cultural Relativism in Indonesia's Human Rights Context	Fuad et al. (2007), Muslimin (2015)	12	Understanding Cultural Relativism in the Context of Human Rights in Indonesia. Delving into the concept of cultural relativism and its challenges in the context of human rights in Indonesia, with a spotlight on reconciling Islamic values with universal human rights principles.
The Challenge of Reconciling Cultural Relativism with Universal Human Rights: Insights from Indonesian Perspectives	Oktaviandra (2022), Firdausy (2020)	10	The Challenge of Reconciling Cultural Relativism with Universal Human Rights: Insights from Indonesian Perspectives. Providing insights into the conflict between cultural relativism and universal human

			rights, as well as efforts towards reconciliation in Indonesia based on local perspectives.
Cultural Relativism and Human Rights Principles in Indonesia: A Comprehensive Analysis	Wardana (2022), Lucky (2012), Kustyarini (2017)	8	Cultural Relativism and Human Rights Principles in Indonesia: A Comprehensive Analysis. Analyzing the relationship between cultural relativism and human rights principles in Indonesia, and formulating inclusive and harmonious approaches to addressing cultural diversity.
Bridging the Gap: Cultural Relativism, Human Rights, and Indonesia's Unique Context	Komaruzaman (2017), Sholichati & Janitra (2021)	6	Bridging the Gap: Cultural Relativism, Human Rights, and Indonesia's Unique Context. Discussing efforts to bridge the gap between cultural relativism, human rights, and Indonesia's unique context, with an emphasis on the need for intercultural dialogue and inclusive approaches.
Cultural Pluralism and Human Rights Challenges in Indonesia	Darul Lailatul Qomariyah (2020), Eshetu (2017)	5	Cultural Pluralism and Human Rights Challenges in Indonesia. Highlighting challenges in addressing cultural diversity and local values concerning human rights in Indonesia, with a focus on the importance of recognizing cultural values and building inclusive understandings.
Universal Human Rights Principles: Foundations and Challenges in Diverse Cultural Contexts	Hertel & Libal (2011), 林良榮 (2010)	9	Universal Human Rights Principles: Foundations and Challenges in Diverse Cultural Contexts. Discussing the foundations of universal human rights principles and challenges in implementing them in diverse cultural contexts, including insights into the need for holistic and inclusive approaches.
Reconciling Cultural Diversity with Universal Human Rights: Indonesia's Path	Gormley (1984), Delgado (2018)	7	Reconciling Cultural Diversity with Universal Human Rights: Indonesia's Path. Reviewing Indonesia's journey in finding harmony between cultural diversity and universal human rights principles, with a focus on concrete steps and policy changes towards achieving that goal.
Advancing Human Rights in Indonesia: Challenges and Opportunities	Djafar (2012), Rights (2016, 2018)	4	Advancing Human Rights in Indonesia: Challenges and Opportunities. Discussing challenges in advancing human rights in Indonesia, including policy examples and efforts, and highlighting the crucial role of the international community in advocating for human rights in Indonesia.

Source: Research data processing 2024

**Figure 3** Graph articles on Cultural Relativism, Universal Human Rights, and Indonesia's Context



Source: Research data processing 2024

The articles presented in the table and graph offer a comprehensive exploration of the complexities surrounding Cultural Relativism, Universal Human Rights, and their coexistence in Indonesia. The diverse perspectives and insights provided by the authors contribute significantly to the ongoing dialogue on balancing cultural diversity with fundamental human rights principles.

### 3. Discussion

The Complexity of Cultural Harmonization and Universal Human Rights. In the context of globalization, the biggest challenge is finding a meeting point between cultural relativism that respects local diversity and human rights principles that are considered universal. This becomes more complicated in Indonesia, which is rich in diverse cultures and traditions. Cultural relativism is often considered to be in conflict with universal human rights, such as the rights to freedom of religion, expression, and protection against discrimination, which are an important part of international legal norms.

Normative Legal Perspective and Its Influence in Indonesia. A normative legal approach becomes relevant in dealing with cultural differences and human rights principles. In Indonesia, normative legal interpretation is key in determining the extent to which local cultural values can be harmonized with universal human rights standards. This is closely related to the use of legal instruments, such as national laws that reflect a commitment to international human rights.

Challenges and Opportunities in Harmonization. Despite efforts to achieve harmonization, there remain challenges that need to be overcome. One of the main challenges is a deep understanding of the diverse cultural contexts in Indonesia, as well as the need to avoid absolute moral relativism. However, harmonization also brings opportunities to build inclusive intercultural dialogue and to create a legal basis that is fairer and more sensitive to diversity.

The Need for an Interpretative and Inclusive Approach. In formulating harmonization policies, it is important to adopt an interpretative approach that carefully considers cultural context. This approach makes it possible to respect cultural diversity while maintaining fundamental human rights principles. In addition, the need for inclusivity in the decision-making process is also key to ensuring that various perspectives are heard and considered.

Practical Implications and Calls for Further Action. The results of this normative legal analysis have practical implications in designing policies that are more sensitive to the Indonesian cultural context. Inclusive and fair policy recommendations can help create an environment that supports human rights without ignoring local cultural values. Calls for further action include the need for ongoing dialogue between stakeholders, as well as further research to deepen understanding of cultural harmonization and human rights in Indonesia.

Thus, this discussion outlines the complexities, challenges, opportunities and practical implications in harmonizing cultural relativism with universal human rights in Indonesia using a normative legal approach.

#### **D.CONCLUSION**

From the results of this research, it can be concluded that harmonization between cultural relativism and universal human rights is a complex challenge but can be overcome through an inclusive and dialogical approach. The main findings show that concrete efforts such as awareness

education, dialogue between stakeholders, and legal policy reform are important steps in supporting such harmonization.

**The implications of these findings** are very relevant for policy development and further research in the Indonesian context. The government and related institutions need to strengthen efforts to educate awareness of universal human rights, both at the national and local levels. In addition, close collaboration between governments, civil society organizations and local communities is key to formulating policies that respect and protect cultural diversity while ensuring compliance with human rights standards.

In closing, we invite all parties to support harmonization between cultural relativism and universal human rights as a foundation for inclusive and sustainable development in Indonesia. Through cooperation and shared commitment, we can create a society that respects cultural diversity while strengthening the protection of the basic rights of every individual.

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