



The Impact of Social Structures on Redefining the Concept of the Right to Self-Determination in Contemporary International Law

Leila Ramezannezhad Kiasari¹, Maryam Moradi^{2*}, Mohsen Dianat³

¹. PhD Student, Department of Law, Qeshm Branch, Islamic Azad University, Qeshm, Iran.

². Assistant Professor, Department of International Law, Qeshm Branch, Islamic Azad University, Qeshm, Iran. (Corresponding Author)

Email: Maryam.moradi@iauqeshm.ac.ir

³. Associate Professor, Department of Political Science, Payame Noor University, Tehran, Iran.

Abstract

In multi-ethnic and multicultural societies, the manner in which minority rights are recognized and protected serves as a key indicator of democracy and social justice. This article adopts a sociological approach to examine the interplay between culture, power structures, and legislative systems regarding the status of minorities. The study aims to provide a sociological analysis of legal processes concerning minorities; utilizing a descriptive-analytical method, it elucidates how cultural, economic, and political factors influence the formulation of legal policies. The findings indicate that structural and cultural divides play a significant role in restricting minorities' access to equal rights, and that achieving social justice is impossible without reforming societal attitudes and implementing inclusive policies.

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Introduction

From a sociological perspective, the phenomenon of minorities is a social and historical phenomenon rooted in the transformation of class, ethnic, and religious structures. In modern societies, alongside the expansion of democracy and human rights, the issue of minority rights has acquired particular significance. Minority rights are not confined solely to the domains of law and regulation; rather, they are deeply intertwined with the ways in which social organization, the distribution of resources and power, and cultural reproduction operate within society. This study seeks, by adopting a sociological lens that goes beyond a purely legalistic perspective, to examine the underlying mechanisms that facilitate or impede minorities' access to equal rights.

The status and rights of minorities should be examined not only within the legal sphere but, more importantly, within the context of social structures, institutional practices, and cultural dynamics. Sociological analysis enables us to identify the hidden dimensions, historical roots, and contemporary dynamics associated with minorities, as well as their impact on social cohesion or fragmentation. This approach moves beyond a purely legal perspective and focuses on the interaction of power, symbolic reproduction, and forms of cultural resistance.

The Position of Minorities within the Social Structure

Discourse One: Conflict Theory and Majority Hegemony

Minorities often occupy a marginalized position within structures of power and access to societal resources. According to **Conflict Theory**, social relations are shaped by conflicts of interest between dominant groups (the majority) and subordinate groups (minorities). Within this framework, institutions of power, including the state, educational system, and media, tend to present the values and norms of the majority as “universal” and “general,” while group differences may be portrayed as threats, minimized, or even suppressed (Marx, 1848; Weber, 1978; Gramsci, 1971). Prominent examples include the status of African Americans in the United States during the era of racial segregation, as well as the position of Kurdish and Baloch communities within national decision-making structures in Iran.

Conflict theory is one of the classical theories in sociology and political science and has its roots in the works of Karl Marx. This theory is based on the assumption that persistent conflict exists among social groups with divergent interests. According to Marx, political and legal structures in human societies often reflect the interests of groups possessing economic power. Accordingly, law and social order are not necessarily products of “consensus”; rather, they may result from class and political domination. (Marx, K., & Engels, F., 1848)

In explaining the concept of minority rights, Conflict Theory demonstrates that legal inequalities among ethnic, religious, and linguistic groups generally arise from the power structure of the majority rather than from the absence of international legal norms.

In other words, the implementation of principles such as “equality of rights” and the “right to self-determination” may, at the domestic level, encounter resistance arising from the interests of dominant groups (Dahrendorf, R., 1959).

Discourse Two: The Development of Conflict Theory in the Fields of Politics and International Law

During the twentieth century, Conflict Theory expanded from the economic sphere into the political and legal domains. Scholars such as **Ralf Dahrendorf** and **Lewis Coser** argued that conflict is not necessarily destructive; rather, it can serve as a catalyst for transforming and reforming unjust structures. Accordingly, conflict between minorities and majorities may be regarded as a **driving force behind the development of human rights and the expansion of democracy**. (Galtung, J., 1969)

From the perspective of international law, the tension between the right to **territorial integrity of states** and the **right of minorities to self-determination** represents an example of structural conflict within the international system. The United Nations and international legal instruments have sought to address this tension by emphasizing **internal self-determination**, particularly through political reform and the civic participation of minorities. (Weller, M., 2015)

Discourse Three: The Concept of Majority Hegemony

The term “**majority hegemony**” derives from the theory of hegemony developed by **Antonio Gramsci**, which holds that political power is consolidated not merely through coercion but also through the **cultural and discursive domination of the majority over society**.

Majority hegemony refers to situations in which dominant ethnic, religious, or linguistic groups, within the framework of minority rights, regard their own values, language, religion, and culture as the “national norm” and impose them upon minorities through formal or informal mechanisms.

This form of hegemony may sometimes be reflected in constitutional provisions or public education systems, where cultural diversity is interpreted not as an opportunity for equality but as a threat to national unity. Such an approach constitutes a form of “**soft domination**” by the majority and may, over the long term, lead to the gradual erosion or marginalization of minority identities. (Gramsci, A., 1971)

Based on the foregoing analysis, Conflict Theory and the concept of majority hegemony can be regarded as two complementary dimensions for understanding the dynamics of majority–minority relations:

1. **Conflict Theory:** Emphasizes the reality of structural inequalities and the necessity of change through political, legal, and cultural struggle.

2. **Majority Hegemony:** Focuses on the persistence of domination through control over discourse, education, and cultural and legal institutions.

Consequently, successful international strategies concerning minority rights generally seek to challenge majority hegemony by strengthening the political participation of minorities and advancing the principle of **internal self-determination**.

Functionalism Theory and Social Inclusion

From a **functionalist perspective**, minorities constitute part of the complex network of society. Their challenges and demands contribute to social dynamism and encourage the reconsideration of the broader structures and values of society. Parsons and Merton regard minorities as potential agents of constructive criticism and as catalysts for reforming dominant norms. (Parsons, 1951; Merton, 1968)

An example of this approach is the role of minorities in pursuing human rights reforms or contributing to the development of new laws aimed at advancing social justice, such as the **Civil Rights Movement in the United States**, with significant participation by African Americans.

1. Functionalism Theory

A. Origins and Theoretical Foundations

Functionalism has its intellectual roots in the work of **Émile Durkheim** in the late nineteenth century. Durkheim viewed society as a “living organism” whose constituent parts—institutions, values, and norms—each perform specific functions that collectively contribute to the maintenance of social cohesion.

From his perspective, every social phenomenon can be analyzed from two dimensions:

1. **Its function for the social system as a whole:** that is, how it contributes to maintaining social order and stability.
2. **Its historical origins and existential necessity:** that is, the needs that contributed to its emergence. (Durkheim, 1893)

B. The Development of Functionalism in the Twentieth Century

In the twentieth century, **Talcott Parsons** systematized the theory and conceptualized society as a system composed of subsystems that must perform four fundamental functions for the survival of the whole:

1. **Adaptation**
2. **Goal Attainment**
3. **Integration**
4. **Latency or Pattern Maintenance** (Parsons, 1951)

Parsons emphasized that every social institution—from the family to the constitution—performs a function that contributes to maintaining the cohesion and stability of the system. Consequently, any change or conflict must be absorbed and accommodated in a manner that preserves social unity.

In the 1960s, **Robert K. Merton** revised functionalist theory and developed the concept of functions, arguing that not all social phenomena contribute equally to social order. Some phenomena may have **manifest and latent functions**, while certain unintended consequences may generate conflict or discrimination.

C. The Relationship between Minority Rights and Self-Determination

From a functionalist perspective, minority rights should be institutionally embedded within the social system in such a manner that they perform a **regulatory function** for society as a whole. In other words, the presence of minorities and the protection of their rights should not be regarded as threats to national

unity; rather, they should contribute to the **maintenance of stability, participation, and political and cultural equilibrium**.

Accordingly, from a functionalist perspective on **internal self-determination**, the state should structurally and institutionally ensure the inclusion of minorities in decision-making processes, education, and the distribution of resources, thereby enabling society to move toward **functional equilibrium and social cohesion**.

2. Social Inclusion Theory

A. Concept and Scope of Application

The concept of **social inclusion** emerged during the 1990s within the discourse of social policy and human rights, particularly in Europe, as a response to the phenomenon of **social exclusion**.

In simple terms, social inclusion refers to:

“The process of ensuring that all individuals, regardless of their differences or circumstances, have opportunities to participate fully in economic, social, and political life.” (Silver, 1994; Levitas, 2005)

B. Theoretical Framework

Social inclusion can be analyzed along three principal dimensions:

1. **Access:** Equal access to education, employment, public services, and justice.
2. **Participation:** The opportunity to participate actively in social decision-making, particularly for marginalized groups.
3. **Empowerment/Representation:** The capacity of groups to defend their interests vis-à-vis dominant structures.

This perspective places particular emphasis on **structural equality**, rather than merely formal or legal equality. In other words, laws should create genuine opportunities rather than merely recognize rights symbolically or formally.

C. The Relationship with Minorities and Internal Self-Determination

In the context of minority rights, Social Inclusion Theory provides an important conceptual framework:

- States should establish mechanisms for **social integration** that respect the identities of minority groups.
- Social inclusion can be understood as closely related to **internal self-determination**, insofar as it enables minorities to exercise decision-making power and cultural autonomy within the existing state structure, without requiring secession or territorial fragmentation.

From this perspective, social inclusion and functionalism both contribute to the preservation of **social order and national cohesion**; however, they approach this objective from different analytical directions: functionalism examines it from within the social system, whereas social inclusion approaches it primarily through the lenses of public policy, participation, and distributive justice.

Symbolic Interactionism

This approach emphasizes the formation of minority identity through processes of interaction and social representation. Membership in a minority group is not merely an objective status; rather, it is the outcome of everyday interactions, feedback from the majority, and the internalization of symbols and stereotypes (Mead, 1934). Accordingly, many forms of discrimination or solidarity are rooted in the lived experiences of minority individuals.

1. Origins and Historical Background

Symbolic Interactionism is one of the foundational approaches in microsociology, originating in the early twentieth century in the United States.

This theory is rooted in the ideas of **George Herbert Mead** and his student, **Herbert Blumer**. In contrast to macro-level perspectives such as **Functionalism** and **Conflict Theory**, which primarily focus on social structures, this approach emphasizes **meaning, subjectivity, and everyday human interactions**.

Mead argued that society is not merely a collection of external structures but rather a **continuous process of interaction based on symbols**. In 1937, Blumer formally introduced the term *symbolic interactionism* for the first time.

2. Fundamental Principles of the Theory According to Blumer

Blumer proposed three fundamental premises for Symbolic Interactionism (Blumer, 1969):

1. **Human beings act toward objects, individuals, and situations on the basis of the meanings that these entities have for them.**

In other words, human behavior is not merely a reaction to external stimuli; rather, it is a response to the subjective meaning attributed to a particular phenomenon.

2. **These meanings arise through social interaction with others.**

Meanings are neither inherent nor fixed; they emerge through processes of communication and dialogue.

3. **These meanings are modified and reproduced through interpretation.**

Individuals play an active role in social interaction: they interpret and redefine meanings rather than merely passively accepting them.

According to Mead, the key to understanding social behavior lies in the concept of the **Self**. The individual's identity is shaped through a process analogous to a "**looking-glass process**," whereby the self reflects how individuals perceive the views that others hold of them.

3. Key Concepts of the Theory

Several key concepts are essential for understanding this approach:

- **Self:** The product of an individual's response to others' perceptions of them. This concept demonstrates how the collective identity of minorities is shaped through interaction with the majority.
- **Role-taking:** The ability of an individual to view oneself from the perspective of another person, which constitutes the basis for mutual understanding in society.
- **Symbols:** Words, gestures, flags, and cultural rituals that generate shared meanings.
- **Social Interaction:** The context within which meanings are formed, transmitted, and transformed.

4. Sociological Analysis and Social Function of the Theory

Unlike macro-level theories that focus on structures or institutions, Symbolic Interactionism explains the **micro-level of individuals' lived experiences**.

From the perspective of this theory, social reality is inherently **interpretive and intersubjectively constructed** (Berger & Luckmann, 1966).

Accordingly, social order is not simply imposed; rather, it is the outcome of continuous **negotiation, interpretation, and interaction among social actors**.

5. The Relationship between the Theory and Minority Rights and Internal Self-Determination

- **Minority identity is a socially constructed phenomenon** that emerges through interaction between minority and majority groups. In other words, minorities develop an understanding of their "social self" through communication with the majority and through their perception of how others view them.

- Respect for, or disregard of, minority identity is the result of **symbolic meaning-making within the dominant discourse**. For example, if the majority associates a particular ethnicity or religion with negative connotations, the marginalization of that minority may result not from the law itself but from unequal symbolic meanings.

Accordingly, the realization of **internal self-determination** depends on transforming symbolic meanings and interactive processes of reproduction. In other words, social order should be redefined in such a way that concepts such as “**participatory citizenship**” and “**cultural pluralism**” acquire positive and equal meanings.

In practice, educational, linguistic, and media policies can serve as mechanisms for reproducing or redefining such meanings. Therefore, Symbolic Interactionism provides an appropriate theoretical foundation for studying **processes of minority identity formation, peaceful forms of protest, and pathways of cultural participation**.

Forms and Levels of Social Discrimination

Structural Discrimination

Structural discrimination occurs when institutions and laws are designed or implemented in ways that provide minorities with unequal access to opportunities and resources. Examples include limited access to education in one's mother tongue, minimal representation in senior government positions, and restrictions on cultural expression (Feagin & Eckberg, 1980).

In Iran, structural discrimination can be observed in restrictions such as the lack of formal recognition of certain ethnic groups and languages within the educational system, as well as the limited representation of ethnic and religious minorities in senior administrative positions.

Symbolic and Cultural Discrimination

Bourdieu emphasizes that discrimination is not limited to the physical or legal domains; it is also reproduced within the symbolic and cultural sphere (1984). For example, the exclusion of minority languages and cultures from the media, formal education, and textbooks may marginalize their identity-related symbols. Such forms of cultural exclusion often result in **linguistic homogenization** or unrealistic and negative representations of minorities (Hall, 1996; Said, 1978).

Everyday and Micro-Level Discrimination

Through an analysis of everyday experiences of discrimination, Essed (1991) demonstrates that minorities may continuously encounter stereotyping, suspicion, distrust, or subtle forms of violence in ordinary social interactions, employment settings, and interactions with public institutions.

This level of discrimination is often invisible but highly consequential and may contribute to the construction of a minority identity as the “**Other**.”

Collective Identity, Reconstruction, and Cultural Resistance

In modern society, minority identities are increasingly reproduced through **cultural resistance** and internal social networks. Language, rituals, and distinctive beliefs function not only as instruments for preserving identity but also as symbols of resistance to pressures toward cultural homogenization (Hall, 1996).

Cultural movements such as the revival of indigenous languages in Spain, particularly in Catalonia, or campaigns advocating Kurdish-language education in Turkey, constitute examples of resistance within civil society.

Festivals, historical rituals, local music, and activities conducted prominently in digital spaces have emerged as new arenas for representing minority resistance to repression or assimilation. These forms of

resistance have received international support from human rights institutions, while UNESCO (2003) has emphasized the right to the “**protection of intangible cultural heritage.**”

Sociological Models of Minority Management

Assimilation

The **Assimilation Model** is based on nationalist ideology and strong integrationist principles. Nineteenth-century France represents a prominent example of this model. Under this approach, minorities are expected to relinquish their identity and language in order to gain acceptance within society and to assimilate into the dominant culture (Weil, 2008).

Although this approach may enhance political integration, it can often lead to dissatisfaction and social crises.

Integration

Integration refers to the preservation of identity and cultural characteristics while maintaining active participation in political and social structures.

Prominent examples of this model include Switzerland, with its cantonal system, and Canada, with its multicultural policies and forms of regional self-government, such as Nunavut (Kymlicka, 1995).

This approach requires a **dual-language educational system**, multilingual media, and genuine political participation by minorities.

Multiculturalism

The **Multiculturalism Model** advocates the formal recognition of identity pluralism, the granting of specific rights—such as education in one's mother tongue—local forms of self-government, and extensive political participation.

The experiences of Canada, the United Kingdom, and certain Indian states, such as Kerala and Punjab, indicate that multiculturalism can contribute to reducing conflict, increasing social satisfaction, and maintaining national cohesion (Vertovec, 2007).

Social Consequences of the Neglect or Realization of Minority Rights

Negative Consequences of the Lack of Minority Rights

Neglecting minority rights can result in increased feelings of deprivation, erosion of social capital, mutual alienation, growing tendencies toward secession, and even security crises and civil unrest (Gurr, 2000; Fearon & Laitin, 2003).

Historical examples include ethnic conflicts in the former Yugoslavia and deep social divisions in Rwanda.

Positive Consequences of the Realization of Minority Rights

By contrast, the effective participation of minorities, recognition of linguistic and cultural rights, and equality of opportunity contribute not only to increased social capital but also to stronger national solidarity, reduced crises, and the development of capacity for sustainable development (Putnam, 2000).

A clear example is Norway's experience in managing the rights and status of the **Sámi minority**.

Overall, the realization of minority rights from a sociological perspective means that, beyond granting individual or collective rights, institutional structures, power relations, and the dominant culture must be reformed in such a way as to guarantee the principles of **participation, inclusion, and respect for difference**. Preserving identity diversity is not a threat to national unity; rather, it constitutes a necessary condition for the dynamism and social justice of modern societies.

Chapter Two: Concluding Remarks

The examination of Chapter Two demonstrates that the issue of minority rights and the right to self-determination is directly connected to the conceptual, historical, and sociological development of these notions. The chapter can be summarized around several key themes:

1. Historical and Theoretical Development

The right to self-determination has gradually evolved from a concept concerned primarily with “**territorial autonomy**” and “**independence-seeking**” into a multidimensional right influenced by the need for **political participation** and the **preservation of minorities’ cultural identities** within the existing borders of nation-states.

International scholarship emphasizes that implementing the **internal** dimension of this right constitutes a principal pathway toward justice and social cohesion, whereas the **external** dimension is justified only in circumstances involving manifest violations of fundamental rights and structural discrimination.

2. Theoretical and Sociological Frameworks

Sociological theories—from **Conflict Theory** and **Functionalism** to **Symbolic Interactionism**—demonstrate that minorities are frequently exposed to varying degrees of structural, symbolic, and everyday discrimination. These conditions affect the reproduction of social divisions, the erosion of social capital, and the increased risk of national security cleavages.

Nevertheless, international experience indicates that recognition of identity-based and cultural rights, strengthening mother-tongue education, and minority participation in decision-making constitute important pathways toward sustainable social cohesion.

3. Comparative Analysis of Iran

Although legal provisions, such as **Articles 15, 19, and 64 of the Constitution of Iran**, provide certain capacities for protecting minority rights, the centralized administrative structure, limitations on the formal recognition of certain groups—particularly ethnic and linguistic minorities—and incomplete implementation of legal provisions have created a significant gap between legal capacity and social reality.

Empirical manifestations of structural discrimination, media stereotyping, and barriers to mother-tongue education reinforce this gap, while contemporary international approaches advocate structural reforms and participation-oriented strategies.

4. Strategic Conclusion

Strengthening the **internal dimension** of the right to self-determination through administrative reform, redefining national identity in an integrative and participatory manner, and formally recognizing linguistic and cultural differences is consistent with international standards and constitutes a significant pathway toward national cohesion and social justice.

Such an approach does not inherently threaten territorial integrity; rather, it can contribute to sustainable development and long-term social stability.

Minority Rights from a Sociological Perspective: The Case of Iran

Iranian society, despite its rich historical heritage of multiculturalism and the intermingling of various ethnic and religious communities, has faced significant challenges in recent decades concerning the realization of minority rights. This section examines the situation of minorities in Iran and the consequences of neglecting their rights through a sociological approach informed by empirical findings and domestic and international studies.

2.1. Social Structure and the Position of Minorities in Iran

2.1.1. Demographic and Identity Profile

Iran is ethnically diverse, including Persians, Azeris, Kurds, Arabs, Baloch, Turkmen, Lurs, Gilaks, Mazanderanis, and others; religiously diverse, including Shi’a Muslims, Sunni Muslims, Jews, Christians,

and Zoroastrians; and linguistically diverse, including Persian, Azerbaijani Turkish, Kurdish, Arabic, Balochi, and Turkmen, among others (Yarshater, 1989).

Despite this diversity, the formal national identity and institutions of power have largely been centered around a **"Persian-speaking, Shi'a-Iranian identity."**

2.2. Conflict Theory and Hegemony within the Iranian Structure

According to Conflict Theory, many ethnic and religious groups in Iran have limited representation within political, educational, and media structures (Alizadeh, 2015; Gheissari, 2019).

This reality is reflected in the limited representation of minorities in legislative bodies, cultural and linguistic restrictions, and their underrepresentation in key positions of national administration. Consequently, historical patterns of centralization and distrust between the center and minority groups have been reinforced.

3. Forms and Manifestations of Social Discrimination

3.1. Structural Discrimination

- **Education and Language:** The incomplete implementation of Article 15 of the Iranian Constitution concerning education in the mother tongue has contributed to the erosion of the linguistic identity of minorities (Tajik, 2020).
- **Access to Power:** Unequal access to key political and administrative positions, particularly for Sunni Muslims and ethnic minorities, constitutes another manifestation of structural discrimination (Gheissari, 2019).
- **Media and Culture:** Minority languages and cultural practices have limited representation in national broadcasting and mainstream media.

3.2. Symbolic and Cultural Discrimination

- **Construction of a Unified National Identity:** Emphasis is placed on constructing a unified national and linguistic identity and on identity homogenization. This is manifested in the diminishing representation of minority names, rituals, and indigenous cultural practices in the media and textbooks (Sadeghi, 2017).
- **Stereotypical Representation:** Minorities are sometimes represented through stereotypical images—for example, portraying Kurds or Arabs as shepherds—which can reinforce cultural stereotypes and contribute to implicit forms of degradation.

3.3. Everyday Discrimination

Field studies (Mollaei, 2018) have demonstrated that minority individuals encounter challenges in the labor market, during interactions with administrative institutions, and even in internal migration, including racial preferences, security-related suspicion, and linguistic ridicule. Such experiences can have detrimental psychological and social consequences.

Collective Identity and Cultural Resistance among Minorities in Iran

In response to pressures toward assimilation and homogenization, minorities employ **local culture**, religious discourse, and social communication networks as instruments of **active or passive resistance**.

- **Revival of Indigenous Languages and Music:** Organizing nongovernmental cultural and linguistic festivals, engaging extensively in cyberspace, and producing indigenous cultural content.
- **Social Networking:** Establishing civil society organizations or charitable groups to strengthen intra-group social bonds.

- **Regional Affiliation:** In some cases, cultural and linguistic proximity to neighboring ethnic groups or countries also contributes to strengthening collective identity, as exemplified by identity-oriented tendencies in Kurdish- or Arab-populated regions.

5. Social Consequences: Cohesion or Division

5.1. Negative Consequences of Neglect

Neglecting the identity-based rights and civic demands of minorities can result in consequences such as a decline in national social capital, increased emigration of educated and skilled individuals, a heightened sense of relative deprivation, and periodic crises, including ethnic or religious protests in certain provinces (Jafari, 2018; Gurr, 2000).

Furthermore, the discrepancy between official discourse and lived reality may lead to declining trust and increased attraction to separatist discourses.

5.2. Consequences of Inclusion and the Realization of Rights

The experience of regions that have strengthened civic and cultural participation as well as mother-tongue education—for example, Kurdish-language cultural festivals in Iranian Kurdistan or Turkish-language education in nongovernmental schools in Azerbaijan—suggests that such measures can contribute to greater social satisfaction and strengthen a sense of national belonging within the broader framework of Iran.

Prospects and Proposed Strategies Based on Sociological Theories

In light of sociological findings, an important strategy for achieving social cohesion is the **maximum inclusion of minorities** through measures such as:

- Full implementation of **Article 15 of the Constitution**, including mother-tongue education;
- Genuine representation of minorities within the country's political and administrative structures;
- Formal recognition and institutional support for indigenous media and cultural rituals;
- Elimination of stereotypes; and
- Creation of equal opportunities in education and employment (Alizadeh, 2015).

Indeed, a society that recognizes diversity and invests in it can achieve greater long-term **national cohesion and security** (Putnam, 2000; Kymlicka, 2007).

Conclusion

A sociological analysis of minority rights demonstrates that the realization of social justice depends upon the reciprocal interaction among **law, culture, and structures of power**. Law alone cannot guarantee equality unless prevailing social values are also receptive to cultural diversity. Existing power structures often tend to preserve the status quo—particularly the prevailing position of the majority—through legal interpretations and institutional practices. Access to civil, cultural, and political rights for minorities is therefore not merely an abstract legal issue; rather, it constitutes a deeply sociological challenge that is closely interconnected with concepts such as **identity, recognition, and the distribution of power**. Addressing this challenge requires reconsideration of the ways in which the public is educated and socialized, as well as reform of institutional structures that reproduce **majority-centered attitudes and practices**.

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