



The Confrontation Between Cultural Diversity and Cultural Dominance in International Legal Instruments: An Analysis of the UN Development Agenda

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Abstract

This research was conducted with the aim of examining the confrontation between the two approaches of cultural diversity and cultural dominance within international legal instruments, specifically analyzing the United Nations development agenda. In terms of objective, this is an applied study; regarding its nature and methodology, it is descriptive-analytical, and data collection was carried out through library research. Cultural diversity is an intrinsic characteristic of human society, and its preservation and protection—as a common heritage of humanity—constitute a moral obligation. Consequently, the global community has sought to safeguard cultural diversity, and UNESCO has undertaken measures to protect and support it. It appears that the contemporary world is witnessing processes and policies that threaten cultural diversity and the peaceful coexistence of different cultures. Furthermore, the victory of the Islamic Revolution—which liberated the world from the grip of the Eastern and Western superpowers and saw the Islamic Republic of Iran champion the slogan "Neither East nor West"—ushered in a new era of transformation globally and across West Asia, posing significant challenges to the system of domination. Consequently, the experience of contending with the Islamic Revolution over recent decades has led these powers to realize that cultural domination is the most effective method for countering it. Research findings indicate that UNESCO faces significant challenges—ranging from internal intellectual, financial, and structural issues to external factors such as globalization, cultural industries and markets, media activities, and the politics of major powers and their reactions to the organization's performance—all of which profoundly impact UNESCO's effectiveness in safeguarding and supporting cultural diversity; yet, these challenges can also be transformed into opportunities. Furthermore, research findings indicate that the strategy of cultural domination employs tactics such as undermining and dismantling the political system and religious beliefs, inciting chaos and social disorder, and imposing so-called "crippling" sanctions. By controlling educational systems and promoting a culture of fashion-consciousness, this strategy seeks to erode beliefs, thereby paving the way for political and economic hegemony. These methods, utilized by the system of domination, yield highly destructive consequences—including the weakening of religious faith, a rift between the public and the clergy, intergenerational conflict, the erosion of moral zeal (*gheirat*), and a rise in illicit relationships—ultimately leading to the disintegration of the family unit and society at large. Therefore, a fundamental strategy must be devised to prevent the cultural domination of the "hegemonic system." Key measures in this regard include promoting values such as the culture of self-sacrifice and martyrdom, fostering a revolutionary spirit, encouraging the practice of "enjoining the good and forbidding the evil," producing and disseminating cultural products and films with value-based content, and increasing the active involvement of seminaries and universities in cultural affairs.

Introduction

Defining and delimiting the scope of the adjective “cultural” in the term *cultural diversity* is exceedingly difficult because of its multilayered and context-dependent nature. At different periods, scholars from various academic disciplines have examined its possible meanings and constitutive parameters; nevertheless, no comprehensive and universally accepted definition has yet been established. From a linguistic perspective, the term *culture* derives from the Latin terms *cultūra* or *cultus*, which have been used in various senses, including “cultivation,” “civilization,” “worship,” “way of life,” “dress,” “adornment,” and “decoration.” This concept has long been a central subject of inquiry among anthropologists and sociologists. However, following the Second World War and the increasing emphasis placed on it within the legal framework of the United Nations, legal scholars have increasingly sought to develop an operational definition of culture that is appropriate to the context of international legal obligations and commitments (Mohammadi, 2014).

In general, the existence of different cultural or ethnic groups within a society is referred to as cultural diversity. The definitional and substantive scope of cultural diversity, however, can be extended from the individual and family level to countries and different geographical regions. Consequently, it is not possible to establish a single, fixed definitional boundary for this phenomenon, and human society as a whole may be regarded as a combination of diverse cultural forms. The legal and manifest boundaries of this phenomenon become discernible when a particular cultural diversity distinguishes itself from monoculturalism, a universal culture, cultural homogenization, and cultural uniformity, while the influence of the larger society gradually causes it to decline. The expression *cultural diversity* may also refer to respect for different cultures and recognition of their differences. In this respect, it has particular implications for human rights at both the international and national levels, as well as for globalization and the process of global integration, concepts that frequently come into tension with cultural diversity at the global level.

Within this conceptual framework, diversity refers to characteristics that people employ to emphasize and affirm their distinctiveness in relation to others—“that person is different from me.” These characteristics include demographic factors, such as race, gender, and age, as well as cultural values and norms. Numerous distinct and differentiated societies have emerged throughout the world, displaying significant differences from one another, many of which persist to the present day. Manifest cultural differences among peoples include language, clothing, and traditions. There are also substantial differences in the ways societies are organized, including their shared understandings of morality, religious beliefs, and methods of interacting with their

environment. In this sense, cultural diversity may be regarded as a form of biodiversity (see Article 1 of the UNESCO Universal Declaration on Cultural Diversity).

Within this understanding, culture is generally perceived as an abstract force shaping human behavior and is therefore continuously subject to change as a result of transformations in context, preferences, needs, and people's perceptions (Araghchi, 2014).

Cultural Diversity

Despite its appealing outlook from a creative and ecological perspective, cultural diversity may also constitute a factor contributing to conflict, warfare, and political struggles associated with the policies of dominant cultures. This phenomenon is often conceptualized in terms of cultural hegemony.

Within Marxist philosophy, cultural hegemony refers to the domination exercised by the ruling class over a culturally diverse society through the manipulation of the cultures existing within that society. Such manipulation affects beliefs and definitions, perceptions, values, customs, and traditions in a manner that causes the worldview imposed by the ruling class to become culturally accepted and transformed into a norm. In this context, the dominant ideology legitimizes the prevailing social, political, and economic conditions from which the ruling class alone benefits, while presenting artificially constructed social structures as natural, inevitable, permanent, and beneficial to all social classes.

In philosophy and sociology, the term “cultural hegemony” derives from the ancient Greek word *hēgemonía* (ἡγεμονία), signifying leadership and rule. In political science, hegemony refers to imperialistic geopolitical domination involving elements of indirect influence whereby the hegemon, or leading state, governs subordinate states through the threat of intervention and the exercise of implicit power, rather than solely through direct governmental coercion or military attack. During the twentieth century, this definition became increasingly widespread and generalized within political science and came to encompass the concept of cultural imperialism.

Accordingly, cultural domination is exercised by a ruling class over a socially stratified society through manipulation of the dominant ideology within the sphere of the society's cultural values and practices. Under this conception, the ruling class may intellectually dominate other social classes through an imposed worldview that ideologically legitimizes the existing social, political, and economic order of society (Kymlicka, 1995).

Review of the Theoretical Foundations

Cultural Diversity

Cultural diversity generally refers to the variety of cultures and, in a broader sense, to differences among the cultures of different human societies across various regions of the world. When cultural diversity is discussed, cultural differences between countries are

not necessarily intended. In other words, cultures do not always correspond to states or countries (Araghchi, 2014).

Cultural Domination

Cultural domination, or cultural hegemony, overshadows the national or religious values and beliefs of peoples and is considered more subtle and less visible than other forms of domination, such as military or political domination. In the process of cultural domination, one culture replaces another. Cultural domination refers to the exercise of control by a ruling class over a culturally diverse society through the manipulation of its culture, beliefs, explanations, perceptions, values, customs, and traditions, in such a way that the worldview of the ruling class becomes an accepted cultural norm. The creation of hegemony in this process involves exerting control over various forms of symbolic existence, including educational and ritual processes, patterns of socialization, political and legal practices, modes of personal self-presentation, public relations, health, bodily order, and related matters (Esmaeili-Fard, 2009).

United Nations Agendas

The agendas of the United Nations comprise a collection of documents, publications, databases, and websites of the United Nations. Under United Nations regulations, a “document” is defined as a text submitted for consideration to one of the principal or subsidiary organs of the United Nations and relating to the work of that organ, as well as any material published by the United Nations for public access.

These documents and records are available online and include all United Nations documents from 1993; all resolutions adopted by the principal organs from 1946; general documents of the Security Council from 1946; the *Official Records of the General Assembly* (GAOR) from 1946, including records of meetings and supplements of its main and general committees; the *Official Records of the Economic and Social Council* (ESCOR) from 1946, including records of plenary meetings, supplements, and annexes; and the *Official Records of the Trusteeship Council* (TCOR) from 1946, including records of plenary meetings, supplements, and annexes.

The collection also includes digitized special series, such as the Charter of the United Nations (available in 39 languages), the *Report on the World Social Situation* (1952–1993), the United Nations Blue Books Series (1994–1996), the United Nations Conference on International Organization Documents (San Francisco Conference, 22 volumes), the *United Nations Statistical Yearbook* (1948–2017), and the *Human Rights Yearbook* (1946–1988) (Sharifi, 2010).

Research Methodology

In every research project, the researcher collects the information and statistics required, organizes them, and ultimately analyzes them in order to answer the research questions, objectives, and hypotheses and to confirm or reject the proposed hypotheses. Accordingly, the process of collecting information and data, as well as their analysis, is of considerable importance, because theories are manifested in the form of scientific

statistics and figures, their outcomes become quantitatively observable, and the theoretical model of the research becomes measurable and calculable.

It can reasonably be accepted that no science is devoid of method, and that the value of the findings of any scientific research is proportionate to the extent to which they have been obtained through appropriate methods. Research and scientific method, even if they are not identical, are closely related and interdependent. The scientific method, or scientific research methodology, is a systematic process of inquiry aimed at clarifying an uncertain situation.

Ultimately, it must be acknowledged that the achievement of scientific objectives or scientific knowledge is not possible unless the research is conducted through an appropriate methodology. In other words, the validity of research derives from its method, rather than from its subject matter. The present research is applied in terms of its objective and is descriptive-analytical in terms of its nature and methodology.

Cultural Diversity and Cultural Domination in International Law

Adoption of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions

In fulfilling its mandate and with increasing emphasis on educational, scientific, and cultural fields, UNESCO undertakes specific responsibilities and functions as a forum for discussion and exchange of views, norm-setting, information exchange, capacity-building, and facilitation of international cooperation. In light of its particular norm-setting function, UNESCO assumes the role of a global standard-setter and overseer, addressing intellectual, normative, and ethical issues through the development of resolutions, recommendations, and international conventions. These factors provide the necessary conditions for cultural, scientific, and educational cooperation among countries and peoples.

Accordingly, UNESCO is an organization that, pursuant to its Constitution, undertakes extensive activities aimed at preserving and protecting cultural diversity. In this context, the 2001 Universal Declaration on Cultural Diversity, which is regarded as the precursor to the 2005 Convention on Cultural Diversity, was followed by the adoption of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Therefore, in order to provide a more comprehensive understanding of the subject, the author examines the process leading to the adoption of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

In order to strengthen its cultural function, UNESCO addresses culture in four principal areas. The first concerns the protection of the world's cultural and natural heritage. This area includes the protection of immovable property, including natural and cultural sites, and is associated with the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage and the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, which concerns the protection of the cultural

heritage of countries affected by armed conflict and the preservation of their cultural property during and after armed conflicts.

The second area concerns cultural property and intangible heritage. This area is associated with the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the obligation to return such property to its countries of origin; the 2001 Convention on the Protection of the Underwater Cultural Heritage; and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. The latter places particular emphasis on safeguarding languages threatened with disappearance, the importance of linguistic diversity, the preservation and promotion of creative cultural diversity, and the preservation of the rituals and traditions of countries (Beth Gerber, 2006).

Background to the Adoption of the 2001 Universal Declaration on Cultural Diversity

Following the Stockholm Conference, the conference entitled “Towards a Pluralistic and Beneficial Diversity” (Paris, 1999) and the expert symposium entitled “Culture, a Unique Form of Commodity” (Paris, 1999) were held. The outcomes of each of these events had significant effects on subsequent UNESCO activities.

On 2 November 1999, the first Conference of Ministers of Culture, entitled “Culture and Creativity in a Globalized World,” was held at UNESCO Headquarters in Paris. This conference was organized at the initiative of the Director-General of UNESCO and outside the official agenda established for the thirtieth session of the General Conference. At the conference, the Ministers of Culture of the Member States emphasized their determination to defend and promote cultural diversity in a “globalized” world in order to safeguard human dignity.

At its thirtieth session in 1999, the UNESCO General Conference characterized “cultural diversity” as a rich treasure of humanity that should be emphasized and developed. It further called for diversity among cultures to be reflected not only in the diversity of their origins but also in the diversity of cultural products and cultural policies.

Globalization was understood as a process that, while creating closer links among cultures and enriching their interactions, also generated serious challenges for cultural diversity. Accordingly, in view of the importance of this process, the UNESCO General Conference in 1999 invited Member States to express their support for “cultural diversity” and for “strengthening UNESCO’s strategic role in recognizing and promoting cultural diversity in a changing world.” In this context, UNESCO decided to expand its role as an “intellectual space” for addressing issues related to the impact of the emerging international environment on cultural products.

Preliminary Steps toward the Global Convention on Cultural Diversity

One year after the adoption of the Universal Declaration on Cultural Diversity, the Third Conference of Ministers of Culture of UNESCO Member States was held in Istanbul, Türkiye, on 16–17 September 2002, under the title “Intangible Cultural Heritage, a Mirror of Cultural Diversity.” Its objective was to strengthen and protect intangible cultural

heritage, recognizing its importance alongside tangible cultural heritage in safeguarding global cultural diversity.

The UNESCO Medium-Term Strategy for 2002–2007 identified “safeguarding cultural diversity and encouraging dialogue among cultures and civilizations” as one of its priorities. Since the adoption of the Universal Declaration on Cultural Diversity, numerous international initiatives have been undertaken to strengthen the normative dimensions of cultural diversity. Examples include the conference on “Cultural Diversity and Biodiversity for Sustainable Development,” held within the framework of the World Summit on Sustainable Development; annual meetings of the International Network on Cultural Policy; and the adoption, by the United Nations General Assembly on 20 December 2002, of 21 May as World Day for Cultural Diversity for Dialogue and Development, among other initiatives (Taylor, 1994).

Alongside these developments, the issue of transforming the Declaration on Cultural Diversity into a legal and regulatory framework was discussed by intergovernmental and non-governmental institutions, cultural experts within international organizations, academic communities, and other actors. A broad range of activities contributed to confirming and strengthening the UNESCO Universal Declaration on Cultural Diversity. These included three international meetings of professional cultural organizations held respectively in Montreal (2001), Paris (2003), and Seoul (2004); the European Declaration on Cultural Diversity of 7 December 2000; the International Organisation of the Francophonie (OIF); the International Network on Cultural Policy (INCP); the International Network for Cultural Diversity (INCD); and other related initiatives.

Just as the Stockholm Conference contributed to the adoption of the UNESCO Declaration on Cultural Diversity, the Johannesburg Conference in the summer of 2003 may likewise be regarded as a turning point in the creation of an international laboratory whose outcome contributed to the development of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (Bousquet, 2003).

The Three Meetings of the Independent International Experts

The first preliminary draft of the Convention concerned was prepared between December 2003 and June 2004 by a number of independent experts from various fields, including anthropology, international law, economics, culture, and others. This 15-member group was established by the Director-General of UNESCO, and its first meeting was held at UNESCO Headquarters in Paris from 17 to 20 December 2003, in the presence of former UNESCO Director-General Koïchiro Matsuura. In his address at the meeting, the Director-General referred to the Universal Declaration on Cultural Diversity as a landmark in UNESCO’s activities and, at the same time, emphasized the need to develop a binding instrument at the request of the UNESCO Executive Board and General Conference. He classified the work of the 15-member group into five principal areas: the definition and scope of the Convention; its relationship with other international instruments, particularly the General Agreement on Trade in Services (GATS) of the World Trade Organization and the Agreement on Trade-Related Aspects of Intellectual

Property Rights (TRIPS); mechanisms for international cooperation and participation; and, ultimately, mechanisms for monitoring and implementing the Convention (Ghafouri, 1389).

Adoption of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions

The experts' preliminary draft, together with a report, was submitted to the Member States on 15 July 2004 in order to collect their comments and observations. Subsequently, the Secretariat received a total of 61 proposals from Member States. In addition, 15 NGOs and three IGOs (WTO, WIPO, and UNCTAD) submitted their comments and proposals concerning the preliminary draft.

Following the approval of the Executive Board, the Director-General convened three intergovernmental expert meetings. Experts from the Member States were invited to present their views and participate in discussing the details of the draft Convention.

The first meeting of these experts was held from 20 to 24 September 2004, with the objective of exchanging views on the initial preliminary draft. Following the first intergovernmental expert meeting, an "Ad Hoc Committee" meeting was convened from 17 to 20 December 2004 at the request of the aforementioned experts. This 24-member committee was entrusted with preparing a revised version of the preliminary draft Convention on the basis of the written comments submitted by the UNESCO Secretariat. These comments, as noted above, had been collected from Member States, NGOs, and the three IGOs and submitted to the Ad Hoc Committee.

The revised version of the preliminary draft Convention prepared by the Committee was presented to the second intergovernmental expert meeting, held from 31 January to 11 February 2005. This meeting was responsible for reviewing the work of the Ad Hoc Committee. The third and final meeting of the intergovernmental experts was held from 25 May to June 2005 with the objective of completing the outstanding work from the previous meetings. During this meeting, the preliminary draft of the Convention was finalized (Ahmadi, 1390).

The Approach of Cultural Diversity and Cultural Domination in International Legal Documents

Cultural Diversity in the Documents of the Charter of the United Nations, with an Emphasis on UNESCO

Numerous documents concerning cultural diversity can be found in the texts of the charters, provisions, resolutions, and declarations of the United Nations. Among these, the most significant, given the functions assigned to the various parts of the Organization, are those relating to UNESCO, which has approximately 23,000 relevant records in its digital library. In this regard, one of the principal policy-making objectives of this international organization is to establish a legal framework, in the form of international obligations for sovereign states.

One of the earliest efforts to define culture within the context of the United Nations can be found in the preamble to the UNESCO Declaration adopted in Mexico City at the World Conference on Cultural Policies:

“Culture may be regarded as the set of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It encompasses, in addition to arts and letters, lifestyles, fundamental rights of human beings, value systems, traditions and beliefs. It is culture that gives human beings the ability to reflect upon themselves. It is culture that makes us specifically human, rational beings endowed with critical judgment and a sense of moral commitment” (Niko, 1394).

The Theory of the Universality of Human Rights

The term “human rights” was first introduced into Western thought following the Second World War and the establishment of the United Nations, and it had not previously existed in international law in this form. The term was first articulated in the Universal Declaration of Human Rights of the United Nations, thereby giving the concept a global dimension. The Declaration consists of thirty articles and was adopted by the United Nations General Assembly in December 1948. It addresses the fundamental, inherent, and natural rights of human beings.

“The General Assembly proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms ...” (Ghasemi, 1391).

In this Declaration, the universality of human rights is recognized through three generations of rights: the first generation comprises civil and political rights; the second generation consists of economic, social, and cultural rights; and the third generation includes collective and solidarity rights, such as the right to development, the right to peace, and the right to a healthy environment.

The contemporary scholarly debate concerning the universality of human rights, as proclaimed in the Declaration, can be structured along two dimensions: horizontal and vertical. The horizontal dimension concerns the various ways of addressing human rights and the perspectives and approaches of different disciplines, whereas the vertical dimension raises the fundamental question of whether human rights are universal or particularistic.

Discussion of the universality of human rights necessarily entails defining human rights and even the concept of universality itself. This concept is closely associated with justice in the Eastern understanding and with democracy in the Western understanding. More precisely, the concept rests on the premise that every individual may have legitimate claims and expectations concerning freedom and defined interests vis-à-vis his or her society, and that the catalogue of these rights is set forth in the Universal Declaration of Human Rights.

These rights are regarded as politically and legally valid throughout the world and have been accepted by virtually all states, incorporated into domestic legislation, and transformed into international legal obligations. Ensuring respect for these rights requires the continued development of stable political communities and commitment to the constitutions of states. In practice, all societies are culturally receptive to the fundamental rights and human needs embodied in the Universal Declaration, reflecting a form of shared moral awareness, although certain other rights, including freedom of expression, religious and ethnic equality, and gender equality, continue to encounter substantial resistance in some societies.

The Theory of Cultural Diversity and Human Rights

The relationship between cultural diversity and human rights has been examined from two principal perspectives, and it may generally be stated that two discourses exist in this field:

1. Cultural diversity has no impact on the universality and general principles of human rights.
2. The discourse of relativism maintains that human rights are contingent upon specific cultural characteristics.

The first discourse is, in a sense, a product of modern thought following the Second World War and has emerged from the dominant paradigm of Western countries, based on the principles of liberalism and individualism. Within this paradigm, cultural diversity cannot have any influence on the norms and values of human rights.

In contrast, cultural relativism maintains that human rights are relative and that the interpretation of their norms and values is dependent upon the cultural, social, geographical, and regional characteristics and circumstances prevailing in each nation-state. Accordingly, each nation-state may interpret and implement the principles and provisions of human rights on the basis of its own national and cultural circumstances. The principal emphasis of this discourse is placed on the authenticity and primacy of cultural diversity and plurality. From this perspective, human rights are enhanced within a pluralistic society.

A third discourse also exists, according to which human rights are inherently universal, but existing definitions of human-rights norms are not necessarily universal. For example, different legal systems exist within human societies and their understandings of human rights differ; nevertheless, intercultural dialogue concerning human rights can contribute to a common understanding of the issue and facilitate the attainment of a shared position.

Despite the opposition among these three discourses in academic circles, there is also broad agreement that human rights and cultural diversity have a mutually beneficial relationship. Many human rights, including freedom of expression, freedom of religion, freedom of association, and the right to participate in cultural and educational life, play a direct role in promoting and protecting cultural diversity.

The Universal Declaration on Cultural Diversity, adopted by the UNESCO Member States in 2001, emphasizes that the defense of cultural diversity cannot be separated from respect for human dignity and entails a commitment to human rights and fundamental freedoms. The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) likewise provides that cultural diversity can be protected and promoted only where human rights and fundamental freedoms are guaranteed (ibid.).

Although the manner in which this relationship and interaction operates in practice is frequently the subject of intense debate at both the national and international levels—for example, in relation to religious challenges or the definition of the dynamic and complex concept of culture as a foundational element of cultural diversity—some scholars maintain that the prevailing doctrine in international legal practice is the primacy of the universality of human rights, in light of the importance of cultural diversity.

The Position of Cultural Diversity in Global International Development

Development of Legal Instruments and Human Rights

According to reports published by the United Nations, recognition of cultural diversity can prevent conflict and strengthen economic development. The following passage is quoted from one such document:

“Policies that recognize cultural identities and encourage the flourishing of diversity do not lead to fragmentation, conflict, weak development or authoritarian rule. Such policies are both feasible and necessary, because it is often the repression of groups with cultural identities that generates tension.”

The report refers to numerous ethnic conflicts, ranging from the Tamil conflicts in Sri Lanka and distinctions between Kurds and Shiites in Iraq to proposals in the French legislature concerning the prohibition of religious symbols in public schools. The report indicates that attempts to suppress ethnic identities can lead to an environment in which xenophobic policies emerge and ultimately impede human development.

Conclusion

An examination of the tension between the two approaches of “cultural diversity” and “cultural domination” in international legal instruments, particularly within the framework of the United Nations development agenda, demonstrates that culture can no longer be regarded as merely a domestic or peripheral issue in the development process. Developments in international law over recent decades indicate that recognition of cultural differences, protection of cultural identities, and the creation of opportunities for equal participation by communities in the production and transmission of cultural values have gradually come to stand alongside the economic, social, and political dimensions of development. From this perspective, sustainable development without consideration of the cultural contexts of societies and without ensuring the preservation and flourishing of cultural diversity will face significant limitations.

The findings of this study demonstrate that international instruments, particularly those relating to human rights, development, and culture, on the one hand emphasize the universality of fundamental human rights principles and, on the other, recognize the necessity of respecting cultural diversity. This situation reflects a complex relationship between universality and cultural diversity. Cultural diversity does not necessarily conflict with the universality of human rights; rather, within a framework of respect for human dignity and the fundamental rights of individuals, it may be protected as one of the elements contributing to the realization of human development. Accordingly, the central issue is not choosing between universality and cultural diversity, but rather identifying a legal and institutional mechanism capable of establishing a balance between these two approaches.

By contrast, cultural domination emerges when economic, political, or media powers use their structural superiority to impose cultural patterns, values, lifestyles, or systems of cultural production and consumption upon other societies. Under such circumstances, globalization may cease to serve as a platform for equal dialogue among cultures and instead become a process that reinforces cultural inequality. The concentration of the means of production and distribution of cultural products in the hands of a limited number of states and major corporations, inequalities in access to cultural markets, and the dominance of certain languages and patterns of communication are among the factors that may contribute to the weakening of particular cultural forms.

From the perspective of international law, one of the most significant developments in this field has been the gradual movement from the mere recognition of cultural differences toward the establishment of legal mechanisms for the protection of cultural diversity. In this context, UNESCO's initiatives, particularly the Universal Declaration on Cultural Diversity and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, are of particular importance. These instruments demonstrate that cultural diversity is not merely a social reality but may also constitute a subject of international protection and cooperation. Recognition of the right of states to adopt cultural policies, support domestic cultural industries, and strengthen international cooperation are among the instruments that have received attention in this regard.

An analysis of the United Nations development agenda also demonstrates that culture cannot be separated from sustainable development. Although the Sustainable Development Goals do not in all instances identify culture as an independent objective, the realization of many goals relating to reducing inequality, education, sustainable communities, social participation, and inclusive development is directly or indirectly connected with cultural factors. From this perspective, development designed without the participation of local communities, without consideration of cultural identities, and without respect for social and cultural differences may, in practice, result in the reproduction of inequality.

An examination of international instruments further demonstrates that there is a considerable gap between the normative recognition of cultural diversity and its practical realization at the national and international levels. The existence of legal rules and principles alone cannot prevent cultural domination. The effective realization of cultural diversity requires practical policies, effective institutions, equal access to cultural resources, protection of diverse languages and cultural heritage, capacity-building in developing countries, and the creation of equal opportunities for different cultures to participate in the international sphere. Consequently, the effectiveness of the international legal system in this field depends to a considerable extent on the implementation of obligations and cooperation among states.

Another important finding of the study is that the tension between cultural diversity and cultural domination should not be analyzed solely in terms of relations among states. Non-state actors, multinational corporations, transnational media, digital platforms, and cultural institutions also play a role in shaping global cultural flows. The transformation of communication technologies and the expansion of the digital sphere have, on the one hand, increased opportunities for introducing and disseminating diverse cultures and, on the other, created conditions for greater concentration of cultural and economic power in the hands of certain actors. Accordingly, international cultural law will inevitably have to regulate its relationship with these actors and technological developments with greater precision in the future.

Ultimately, it may be argued that the United Nations development agenda has significant potential for moving from a purely economic model of development toward a more comprehensive and human-centered model in which culture constitutes part of the foundation of sustainable development. However, realizing this potential requires that cultural diversity not remain merely at the level of declarations and normative instruments, but become incorporated into actual development policies, economic programs, educational systems, media policies, and mechanisms of international cooperation.

Accordingly, the appropriate legal approach to the issue of culture is neither the rejection of cultural interaction nor the acceptance of cultural homogenization; rather, it consists in creating conditions for equal interaction, intercultural dialogue, and the preservation of the possibility of choosing and reproducing cultural identities. Cultural diversity can become a factor contributing to development when it is accompanied by respect for human rights, equality, non-discrimination, and social participation. Likewise, opposition to cultural domination will have a legal foundation when pursued within the framework of international law and with the objective of preserving the dignity and rights of communities and individuals.

Overall, this study concludes that the tension between cultural diversity and cultural domination constitutes one of the significant challenges of contemporary international law and global development policy. International instruments have taken important steps in recent decades toward recognizing and protecting cultural diversity; however,

the persistence of economic, political, and communicative inequalities demonstrates that the practical realization of these principles still requires more effective mechanisms. Therefore, the future of the international legal system in this field will depend to a considerable extent on its ability to establish a balance among the universality of human rights, respect for cultural differences, justice in cultural relations, and the requirements of sustainable development. Such an approach can provide a framework in which cultural diversity is regarded not as an obstacle to development but as one of the essential capacities of human and sustainable development.

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