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THE INTERRELATIONSHIP BETWEEN CULTURE, LAW AND PEACE: CONNECTIONS AND FRICTIONS

Abstract: *The text explores the connections and tensions between culture, law, and peace. It contemplates culture's relationship with law, ranging from 'high culture' as art to broader definitions of culture as all things made by humans. The author defines culture as extra-legal norms. While many cultural norms don't clash with law, conflicts emerge where they coincide but differ. The text examines instances of conflicts between legal and cultural norms and their resolutions, focusing on German legal and cultural developments. The author offers examples that demonstrate how conflicts between law and culture can be resolved through legislative changes, external influences, and gradual shifts in societal attitudes. The author concludes that peace prevails where legal and cultural rules align.*

Keywords*: culture, law, peace, conflict, resolutions.*

I.

A conference on **Peace**, organised by **Law** faculties, conducted in the European capital of **Culture**[1]. So – what is the interrelationship between peace and law and culture, what are the connections, what are the frictions between these notions?

As lawyers, we know about the law and its important role (albeit too often not powerful enough) to upheld peace, both as between nations and within a nation.

[1] Note: Internet links – all data as retrieved on 14 October 2022.
International Scientific Conference "Peace and Law – European Peace Agreements in the Broader Social Context" held on 24 June 2022 in Novi Sad, Serbia, organized by the Faculty of Law, University of Novi Sad.

It is somewhat different, though, with the notion of 'culture'. What is the connection of law with culture? And what exactly is 'culture' anyway?

Some years ago, I was responsible for the admission of graduate students for the Centre of British Studies at Berlin's Humboldt University. In the admission interviews, I sometimes put exactly this question to the applicants: "What is culture?"

The answers varied widely.

On the one hand, some students did not try to find a definition. They said, "Culture, well, that is opera, poetry, painting." If such examples (sociologists might group them under the heading of 'high culture') signify the scope, and thus the limits, of 'culture', then there are *some* points of contact with the law, like copyright law or questions of artistic freedom and censorship, but in general, law and culture would be two quite separate fields.

At the other extreme, some students, occasionally invoking the Latin or even Indo-European etymological roots of the word 'culture', gave an all-encompassing definition: 'Culture is everything that is not nature', they said, or 'Culture is everything that is man-made'. Seen in this way, 'law' in its totality *is* 'culture', a part, a subdivision of 'culture'.

Frictions, then, may occur not between 'law' and 'culture' as such, but between 'law' and other subdivisions of 'culture', in particular to those in a sense adjacent or neighbouring subdivisions like morals, customs, traditions which – like 'law' – contain rules of conduct, behavioural standards, social norms.

So, for the purpose of this talk, I shall take as 'culture' the sum of such extra-legal rules, standards, codes, norms.

Many such cultural norms are quite outside the much narrower legal sphere – most of what is written in conduct books or courtesy books on rules of etiquette, for example, has no legal relevance whatsoever. The law does not care whether one follows the dress code for a 'black tie' or a 'white tie' invitation or not – so, in such cases, there are no conflicts.

Then there are cultural rules coinciding with legal rules. "Thou shalt not kill" is (with too many exceptions worldwide) as a general rule common to the legal and the cultural sphere, so there are no conflicts either – the legal and cultural rules are even reinforcing each other.

Conflicts arise only where legal and cultural rules and norms cover the same ground, but differ.

In rather static societies, this will not often be the case. Past differences will, in the course of time, have been settled by either the law relenting or the cultural rules adjusting or by both giving some way towards a pragmatic *modus vivendi*.

In more dynamic societies, however, such conflicts will ever so often arise anew. This may occur through cultural rules evolving while the state of the law remains unchanged. Or, it may occur through new laws while existing cultural rules are still being adhered to.

In short: when we have a progressive society with conservative lawmakers or *vice versa* a conservative society with progressive lawmakers.

At this point, I should add that I am using the words 'progressive' and 'conservative' in their literal sense of 'moving on' or 'moving forward' and of 'maintaining' or 'safeguarding', without regard to any particular or specific policies or aims.

In the usual political and sociological parlance, of course, 'progressive' stands for specific policies striving to raise society to a new and advanced higher level not previously achieved, sometimes with an ideal utopia in mind, be it socialist, religious, technological or else.

As antonym to 'progressive', dictionaries give us 'regressive' or 'reactionary'. In the political and sociological field, the latter word is often used for those who yearn for 'the good old days', when life was easy, people were decent, rulers were benign and honest: when justice reigned according to the 'the good old law'[2].

Thus, progressives and reactionaries will usually differ in their specific policies and objectives and will often pursue even completely contrary ones. Structurally, however, they are alike in that they want to change the status quo and create (or recreate) something different. For want of a better word to encompass both, I will therefore use the word 'progressive' for all who want to move on to overcome the (conservative) status quo in whatever direction and with whatever specific policies or goals.

II.

Based on this terminology, let us look now at some instances of frictions or discrepancies between legal and cultural norms, in order to see what types of frictions occur and what they tell us about the resolutions of the resulting conflicts – or the failure to resolve them.

I shall take my examples from the German or (for the post World War II period until 1990) West German legal and cultural developments of the last hundred or so years.

1) First example: 'Kuppelei'. A hundred years ago, various activities regarded as immoral were grouped together under this heading and were punishable as a criminal offence, among them pandering and procuring, but also the simple renting out of a room or an apartment to an unmarried couple; and in private law any such contracts were void as *contra bonos mores* (or 'sittenwidrig' in German). But later, in several successive legislative and judicial steps, the legal ambit of

[2] Michael T. Clanchy, "Remembering the Past and the Good Old Law", *History*, Vol. 55, 1970, pp 165-176; for a literary example see Ludwig Uhland's ballad *Das gute, alte Recht*.

'Kuppelei' as a criminal offence was gradually reduced, and today the former 'Kuppelei'-sections of the criminal code are limited to certain activities in relation to sexual acts towards persons under age or to the exploitation of prostitutes.[3]

How did this come about? Although, up until and into the 1980s, the majority of Germans disapproved of concubinage and the cohabitation of unmarried couples in a general moral sense or at least as improper[4], a growing part of the population, at least since the 1960s, didn't regard renting an apartment to such a couple as a matter for criminal prosecution by the state. The lawmakers relented, and in 1973 the statutory prohibition of 'Kuppelei' was repealed.

Even more interesting is the private law side of this development. Whereas statutory criminal offences must be clearly defined and precisely delineated, and as such enacted or repealed by parliament, private law sometimes works with broad general clauses like 'sittenwidrig' which give some latitude to the courts in determining what exactly constitutes or violates the 'bonos mores' at any given time. Changes in the general perception of proper or at least acceptable behaviour, i.e. cultural changes, can so seep into the application of the law and bring the law in line with the cultural attitudes of the time without legislative action to change the law in a formal sense. And in private law, there is no public prosecutor bound to take action, so the old proverb 'Where there is no plaintiff, there is no judge' applies – with fewer people regarding something as 'sittenwidrig', fewer court cases will be initiated. In this way, conflicts between 'law' and 'culture' sometimes just 'fizzle out' without much ado in the end. The latest reported case[5] I could find on 'Sittenwidrigkeit' of a room renting contract to an unmarried couple dates from 1975.

2) Second example: The Fire Service Levy (or 'Feuerwehrabgabe' in German). In the old times, the neighbours or sometimes teams from a guild or other groups helped in the case of a fire in an ad-hoc way. Then, in the mid-19th century, organised fire brigades were set up locally, manned sometimes by professionals, more often by volunteers. 'Manned' was to be taken literally: all fire guards, analogous to soldiers at the time, were men. The setting up of such fire brigades became connected with a statutory duty for men to serve in them if needed. Not all men were needed, however; in fact, only a minority. So, for those men who did not actually serve in fire brigades, a levy towards financing the brigades was

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[3] 'Kuppelei' ('lenocinium'; pandering, procuring), §§ 180 f StGB (German Criminal Code, sections 180 and 181, versions of 1871, 1900, 1927, 1968/1970, 1973).- *RGSt* 8, 172 (Decisions of the Reichsgericht in criminal matters, vol., 8, p. 172); 71, 13 (vol. 71, p. 13); *BGHSt* (Decisions of the Federal Court of Justice in criminal matters) 6, 46 (vol. 6, p. 46).- § 138 I BGB (German Civil Code, section 138, subsection 1).

[4] Christine Schlaga, *Die nichteheliche Lebensgemeinschaft*, *https://www.grin.com/document/112016*, p. 22.

[5] Amtsgericht (AG) Emden (District Court Emden), U. ('Urteil' – judgement) v. ('vom' – dated) 11 February 1975 , Az ('Aktenzeichen' – court file number) 5 C 788/74: *Neue Juristische Wochenschrift (NJW)* 1975, p. 1363.

introduced in some territories. In the Kingdom of Württemberg in the southwest of Germany, for example, this happened in 1885.[6]

One hundred years later, the levy was still charged, and it was still a levy on men only. It had become an anachronism. By then, some women served as professional fire fighters and many women served as regular volunteers in local fire brigades[7], but non-serving women were not charged with the levy, unlike non-serving men. The old duty to help against fires had *de facto* turned into a kind of tax to be paid by men only. Society had moved on, but the law was stuck.

In this case, the lawmakers did *not* relent, and the courts upheld the old law, referring to old precedents, not looking in any depth at the social and cultural reality, nor at the constitutional imperative of equal rights for men and women. As late as 1987 and 1994, the Federal Constitutional Court[8] and the Federal Administrative Court[9] gave short shrift to plaintiffs who sued against the levy, and did not admit the suits for decision.

When something is stuck, an external factor may be needed to get it moving again. Here it was the European Court of Human Rights in Strasbourg, appealed to by one of the plaintiffs. The Court held that the Fire Service Levy, imposed on men only, constituted a violation of Art. 14 (prohibition of discrimination) of the European Convention of Human Rights.[10] A year later the German Federal Constitutional Court, in a separate case, followed suit and declared the levy as unconstitutional, on the basis, this time, of thorough legal and factual deliberations.[11] And another year later, the lawmakers, here the state parliament of Baden-Württemberg, repealed the whole section about the levy in the Fire Service Act[12].

3) Third example: Seatbelts. From 1974 on, new cars in Germany had to be equipped with seatbelts.[13] Two years later, it became mandatory to use these seat-

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[6] Art. 22 Landesfeuerlöschordnung für das Königreich Württemberg, dated 7 June 1885, Regierungsblatt für das Königreich Württemberg 1885, p. 235 (244).

[7] E.g. Bavaria: 2,658 female volunteer fire fighters in 300 local fire brigades in 1978; Hamburg: professional female fire fighters from 1985 on (*Brandwacht – Zeitschrift für Brand- und Katastrophenschutz*, vol. 71, 4/2016, p. 121).

[8] BVerfG, B. ('Beschluss' – court order) v. 31 January 1987, Az: 1 BvR 1476/86 (Verfassungsbeschwerde, Nichtannahme). The court even heaped scorn on the plaintiff by imposing an abuse fee, § 34 BVerfGG (sect. 34, Act on the Federal Constitutional Court).

[9] BVerwG, B. v. 17 January 1994, Az: 8 B 235/93, *Neue Zeitschrift für Verwaltungsrecht (NVwZ)* 1995, p. 390 (Nichtzulassungsbeschwerde, Zurückweisung); see also Michael Sachs, *Juristische Schulung (JuS)* 1994, p. 1069.

[10] EGMR, U. v. 18.07.1994, Az: 12/1193/407/486, *NVwZ* 1995, 365.

[11] BVerfG, B. v. 24 January 1995, Az: 1 BvL 18/93, Entscheidungen des Bundesverfassungsgerichts *(BVerfGE)* vol. 92, p. 91.

[12] Gesetz zur Änderung des Feuerwehrgesetzes, 12 February 1996, GBl. ('Gesetzblatt'– Law Gazette) 1996, p. 171.

[13] § 35 a VII Straßenverkehrs-Zulassungs-Ordnung (StVZO), BGBl. I, 1973, S. 645 (Federal Law Gazette I, 1973, p. 645); initially for front seats only.

belts while driving.[14] This new law, however, was a 'lex imperfecta' – failure to comply with the law did not incur any fine. Nevertheless, and disregarding the significant decline in road crash fatalities where mandatory seatbelt legislation had already been in force at the time, e.g. in Australia[15], there was a lot of resistance against the obligatory use of the seatbelts. Some people were generally opposed to any new government regulation prescribing certain behaviour; others felt being restricted in their movements, or as if tied up by the belt; or were afraid of getting injured by the belt in the case of a crash, or not being able to leave the car fast enough; and for some it was just 'unmanly' to wear a seatbelt, something for 'sissies', with those who wore it regarded as 'pedants' or 'sticklers'. Some opponents even showed a degree of hostility towards those who used seatbelts.[16] And the media did their bit The widely read news magazine 'Der Spiegel', for example, put an injured woman on its cover, a seatbelt, and the words "Shackled to the car"[17]. So, it took another eight years with only a slow increase in the share of people who followed the law until fines for non-compliance were added.[18] It was a relatively modest fine[19], yet with marked effect. Within months, the share of people who did use the belts moved up to more than 90%[20]. Today, several decades later, the respective figure is 98%[21]. In other words, nearly everyone wears seatbelts in cars. It has become a matter of course, a routine: get in the car, sit down, buckle up, nothing to think about anymore, no vestiges of 'unmanliness' or 'pedantry'. So, in this case we had progressive lawmakers and a conservative population, at first reluctant to follow the law or even hostile towards the new legal rules. In the course of time, however, the cultural rules have fallen in line with the legal rules – mere habituation may have been a factor, but also the increasingly obvious benefit of wearing the belts: In 2018, the remaining 2% of non-users accounted for 28% of the fatalities.[22]

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[14] § 21a Straßenverkehrsordnung (StVO) i.d.F. v. ('in der Fassung vom' – version of) 24 November 1975, m.W.v. ('mit Wirkung vom'– with effect from) 1 January 1976.

[15] E.g. Australia: P.W. Milne, *Fitting and Wearing of Seat Belts in Australia. The History of a Successful Countermeasure*, 2nd ed., Canberra 1985; F.T. McDermott / D.E. Hough, "Reduction in Road Fatalities and Injuries after Legislation for Compulsory Wearing of Seat Belts. Experience in Victoria and the Rest of Australia", *British Journal of Surgery* 66, 1979, p 518.

[16] Der Spiegel No. 50/1975, 7 November 1975, pp. 41-52.

[17] Der Spiegel No. 50/1975, 7 November 1975, p. 1.

[18] § 49 I Nr. 2a StVO Straßenverkehrsordnung (StVO) i.d.F. v. 6 July 1984, mit Wirkung vom 1 August 1984.

[19] 40 DM.

[20] Arvid Kaiser, "Was Gurtpflicht und Impfpflicht gemeinsam haben", *Spiegel Online*, 7 December 2021: *https://www.spiegel.de/auto/gurtpflicht-wie-die-debatte-der-70er-jahre-dem-streit-um-die-impfpflicht-gleicht-a-a67acb6e-7cc1-4f47-8532-994eb75395de*.

[21] ADAC (Allgemeiner Deutscher Automobil-Club): *https://www.adac.de/verkehr/verkehrssicherheit/unterwegs/gurtpflicht* (on front seats).

[22] UDV (Unfallforschung der Versicherer): *https://www.udv.de/udv/presse/gurtverweigerung-kostet-200-menschenleben-79086*.

4) Fourth example: Speed limits on roads. Nearly all countries around the globe have general maximum speed limits for road traffic. Germany is the exception. There have always been advocates for change, for introducing a general upper speed limit. The main arguments – at different times – were road safety, stable traffic flow, reduction of petrol consumption, climate protection, and others. The defenders of the status quo argued that all these presumed advantages of a general speed limit would turn out to be far smaller than claimed or even non-existent. For many, however, their main point was the unwillingness to be restricted by the state in their freedom to decide for themselves how fast to drive: the right to drive fast as an element of liberty. In 1974, the leading German automobile club with at the time about 4 million members came out strongly against government plans for a general speed limit. A vociferous campaign ensued with the slogan "Freie Fahrt für freie Bürger" (roughly: Free driving for free citizens). The government dropped the plans for a mandatory speed limit and instead invented a 'Richtgeschwindigkeit'[23], a recommended maximum speed of 130 km/h without any fines for disregarding the recommendation, another *lex imperfecta*. Today, nearly half a century later, nothing has changed, no government, left or right, has tried again. A few years ago, a New York Times journalist wrote: "As far as quasi-religious national obsessions go for large portions of a country's population, the German aversion to speed limits on the autobahn is up there with gun control in America and whaling in Japan."[24]

III.

If we compare these four examples, we see that in the first two the cultural side was the progressive side, the legal side lagging behind, but eventually giving in, although in the second example not before a strong external nudge. In the third and fourth examples, it was or is the other way round, the cultural side conservative, opposing change. Change in the third example came when the lawmakers after long hesitation plucked up their courage and passed effective legislation. No riots broke out (and the government of the time was even re-elected). So, in the first three cases, legal and cultural rules are in accordance now, there are presently no significant controversies. In so far, peace prevails in society. And in the fourth case, change may be in sight. The government is still hesitating, but the most recent opinion polls show a majority of Germans, in spite of their presumed

[23] Autobahn-Richtgeschwindigkeits-Verordnung, BGBl I 1974, 685 (Federal Law Gazette I, 1974, p. 685).

[24] Katrin Bennhold, 4 February 2019: *https://www.nytimes.com/2019/02/03/world/europe/germany-autobahn-speed-limit.html*.

'quasi-religious obsession', actually to be in favour of a mandatory maximum speed limit.[25]

Admittedly, my four examples are of comparatively moderate momentousness. Looking around the globe and into the past, one can easily find much more drastic contemporary or historical examples of conflicts between legal and cultural norms; examples of progressive activist lawmakers putting their communities into straitjackets of required behaviour, with all deviation severely and even violently or deadly punished, as – or as if – a heresy; or of diehard conservative communities just as vigorously resisting (or sometimes stealthily defying) change; either or both sides often ideologically entrenched. But going into the details of such more severe examples in their different political or religious and historical contexts would require sufficient separate time for the individual cases. My focus in this presentation, however, is on the structure of such conflicts and the mechanisms, which facilitate or impede their resolution. In the rest of my allotted time, I would therefore like to address one general aspect that is characteristic for many recent legal/cultural controversies.

Law is a tool for lawmakers to regulate many facets of society: economy, finance, infrastructure, transportation, and so on. Many of these laws, or projected laws, are complex, very technical, interacting with other laws in various ways, sometimes with competing or conflicting goals. Cultural counterarguments to such projected laws are of course legitimate, if applicable. But for opponents of a particular regulation it can always be tempting to use the high prestige reference point 'culture' to fortify their position. "This cannot be changed – it is part of our culture" sounds so much better than saying "I just don't like the change". And "This must be changed – my (or our) culture demands it", sounds better than "I just want the change". Arguing on the basis of culture is, in a sense, claiming the moral high ground against mundane and boring financial or economic arguments while at the same time sparing oneself the trouble of dealing thoroughly with the details of the merits or demerits of the projected regulation or the consequences of its abandonment.

In recent years, this approach has been amplified by bolstering up the notion of 'culture' with the notion of 'identity': cultural identity. On the political right it usually appears as 'national identity' and is – not always, but typically – used defensively, to fend off unwelcome changes, unwelcome new ideas, in particular unwelcome ideas from abroad; a conservative stance. On the political left, in the context of 'identity politics', it is used – not always, but typically – aggressively, demanding change in form of specific policies for particular groups in society, groups based on gender, race, religion, or other significant factors; a progressive stance.

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[25] E.g. polls by the Umweltbundesamt (Federal Environment Agency): *https://www.umweltbundesamt.de/sites/default/files/medien/479/publikationen/ubs_2020_0.pdf* (p. 73) and by Allianz Direct Auto-Report: *https://www.allianzdirect.de/zahlen-daten-fakten/autoreport/tempolimit/.*

This approach can be very effective because it often leads to an asymmetrical discussion. If a cultural norm is a part of the identity, of the defining 'self', of members of a nation or of a particular group in society, then an attempt to change or abolish the norm, or to refuse to enact it, can be perceived as hostility towards the group or its members, even as an attack on the group, or as proof that the proponents are not really 'true'[26] members of the group or of the nation, if not foreign enemies. The other side is then no longer taken as a *bona fide* participant in a fact-based discussion about the merits or demerits of a proposition, so their arguments need not or perhaps even must not be considered. The position of those arguing on the basis of their proclaimed identity is, in a way, immunised against counter-arguments.

Sometimes such positions get fortified even further: when politicians talk of the 'sacred'[27] national identity, or when a renowned catholic writer, apparently regarding the traditional Tridentine Mass Rite of 1570 as part of Roman Catholic identity, questions even the pope's authority to restrict the use of that rite[28], thus elevating 'tradition' into something quasi-immutable if not eternal.

But traditions have started once – they can end. Or, more often, they can change, be modified, adapted to changed circumstances. And 'identity' is not a uniform petrified quality, either.

Without going into psychological and sociological details[29], one can say that identities – whether individual identities, identities as members of a group or group identities –, however perceived, are multi-layered composites of qualities, beliefs, traits, appearances, expressions, of varied significance[30], with sometimes quite accidental elements of no inherent or prior significance at all[31], possibly varying situationally and contextually, and fluid in time. Thus, a proposed new legal norm rejected as contrary to cultural identity will usually not be in conflict with that

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[26] Cf. the 'True Finns': *https://en.wikipedia.org/wiki/Finns_Party* (Note 1); in the European Parliament, the party's MEPs are members of the group 'Identity and Democracy': *https://www.idgroup.eu/perussuomalaiset*. More generally: Jan-Werner Mueller, *What is Populism?*, Philadelphia 2016, pp. 3-4 and passim.

[27] 'heilig', see e.g. László Tróczányi, "Demokratie, Identität und Rechtsstaat – Die Europäische Integration und die Mitgliedstaaten", in: Attila Badó (ed.): *Deutsch-Ungarisches Symposium 2018*, Potsdam, Universitätsverlag, pp. 19-29; p. 24.

[28] Martin Mosebach, Interview, *Welt am Sonntag* (German Sunday paper), 26 December 2021.

[29] For a starting point see: *https://en.wikipedia.org/wiki/Identity_(social_science)*, note 1 and detailed further references.

[30] Cf. Amartya Sen, *Identity & Violence*, London 2006, pp. xi-xiv, 18-39; Kwame Anthony Appiah, *The Lies that Bind – Rethinking Identity*, London 2018, pp. 3-32, 189-211 and passim.

[31] See e.g. the much discussed 'Robbers Cave Experiment', and in particular Appiah's take on it (K. A. Appiah, pp. 29-30). Or, as a recent example, the effects of New Jersey (more or less accidentally) being the last US state to maintain the complete prohibition of self-service petrol stations: *The Economist,* 9 April 2022, p. 34; *https://edition.cnn.com/2022/06/18/energy/new-jersey-oregon-pump-your-own-gas/index.html*.

identity as such, but with one or several of its constituent elements. Therefore, a rational debate about the relative importance of the legal and social norms in question should be possible.

In other words, my claim that something – like a proposed new legal norm – violates my individual or collective culture or cultural identity should not close the debate. It should, on the contrary, widen it. In how far would the norm violate my identity? Which element of my culture or identity would be affected? What is the relative importance of that particular element for my overall culture or identity? What is the relative weight of that particular element compared with the possible merits of the proposed norm? All this should be open for honest debate when the conservative side rejects change or, *mutatis mutandis*, when the progressive side requests change.

Even such broad and open discussion will, of course, often *not* lead to agreement. But, after a decision has been taken, it may facilitate the acceptance of the decision on the opposing side. My earlier third example, mandatory seat belts, might be instructive. The topic in all its aspects had been discussed extensively over years. A sizeable part of the population remained opposed. Then, after fines for non-compliance were enacted, most of the opponents changed their behaviour and complied with the law in remarkably short time. It is easy to assume that fear of the fines caused the change in behaviour, but I would argue that that is only part of the explanation. For sure, the introduction of fines was the 'trigger', but by the time the fines were introduced eventually, most people knew that wearing the belts was the reasonable thing to do. Grumbling a bit about being coerced to wear them in order to avoid fines (and grumbling about the politicians responsible for the fines), may have allowed previous opponents to save face, so to speak, to change their behaviour without admitting that their opposition had perhaps been somewhat unreasonable in the first place.

So, even if the broad debate does not lead straightaway to consensus about the proposed change, the knowledge of all the arguments might lead to a compromise, to a solution tolerable for the respective other side, to a pragmatic *modus vivendi*, or at least to some degree of acceptance of the solution on the 'losing' side of the dispute, and thus, to that extent, to peace in society.

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Међусобни однос између културе, права и мира: везе и сукоби

***Сажетак**: Текст истражује везе и тензије између културе, права и мира. Разматра однос културе према праву, обухватајући „високу културу" као уметност, али и ширу дефиницију културе схваћене као све оно што су створили људи. Аутор схвата културу као вануправне норме. Иако многе „културне" норме нису у сукобу са законом, међу њима су могући конфликти. Текст испитује примере сукоба између правних и културних норми и њихова решења, фокусирајући се на немачке правне и културне токове. Аутор наводи примере који показују како се сукоби између права и културе могу решити путем законодавних промена, спољних утицаја и постепених промена у друштвеним ставовима. Аутор закључује да мир преовладава тамо где постоји подударност између правних и културних норми.*

***Кључне речи**: култура, право, мир, конфликт, разрешавање кнфликата.*

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