

State system's traditions of free people

The gist of Kazakh state system can be defined not only by actual power balance, but also by view of the world, values, behavior samples and other cultural assets which have been accumulated over the course of historical development. Thereafter, characteristics of Kazakh statehood on different stages of its development contain scientific assessment of what and when was effective and useful in accordance with life quality criteria (“human dimension”); and vice versa, what things turned out to be erroneous, detrimental, which of them led to a deadlock and caused insoluble contradictions. All of this should be analyzed with regard to definite historical peculiarities, knowledge of Kazakh culture, traditions, national and social psychology, religious and overall spiritual development of Kazakhstan on some stage or another.

Thus, perception of Kazakh statehood's nature requires studying public authority in genesis, starting from early nomadic states of Saka, Huns, Wusuns, Turks, Mongols, and Kazakhs with due regard to the most significant political-legal reforms, starting from the epoch of Modu Chanyu, Bumin Qaghan, and Istami's reign and concluding with reforms by Kazakh khans proper, i.e. Yessim, Kassym, Tauke, Ablay, and Kenessary. In this context it is necessary to differentiate functional peculiarity of sociopolitical institutions in civilization of Eurasian steppes' nomads. This peculiar feature consisted not so much in solving political and legal issues, as in managing a complex of social, cultural and spiritual fundamentals. For example, the first and foremost duty of any ruler, initially embedded in Turkic concept of the state, is to facilitate people's prosperity. Next duty emerged from the first one, it consisted in armed forces strengthening, conquest of new lands and countries. Quite often those steppe rulers who failed to justify people's trust were subjected to “khan talau” custom. In this case, a conflict which had been boiling up was usually solved by moving onto another place.

Pages of Kazakhstan medieval history contain multiple case when people had to resort to that custom, in particular, it suffices to remind about Burunduk and Takhir khans, who provoked “a period of unrest” in Kazakh khanate by their inactivity and disregard of people's needs. Eventually they were banished by their own people and disgracefully passed away in a strange land.

Thus, the task of sociopolitical institutions in civilization of Eurasian steppes' nomads consisted not in governing, but protecting interests of nomadic society and preserving integrity of the entire ethnos. In traditional Kazakh society every person could use a three-level protection system; firstly, by khans destined to protect state and people's interests; secondly, by biys on the level of clans and juzes, and finally by aksakals on the family level. In this connection it is appropriate to mention another notable Kazakh custom called “khan sarkyty”, it has not been mentioned among customs of other nations. The essence of this interesting custom consisted in equal division of cattle, belonging to a newly elected khan between all fellow tribesmen, as it was believed that khan does not need cattle at all. He could not have had any other concerns except people's wellbeing, and if his people had cattle, then consequently the khan would have cattle as well....

Specifics of vertical social stratification of a traditional Kazakh society consisted in its open, democratic, distinctive potestary-political system based on social justice and principle of genealogical kinship. The system was easily adaptable to environmental factors. Nation-wide Kurultays, Majlises (according to “Jety Jargy” any free Kazakh “able to bear arms” aged at least 15 possessed not only the participation right, but also was entitled to vote for resolution of state matters), khans and biys' councils, jyrau and batyrs' institutions. According to researchers' statements, in case when khan's power did not serve the interests of nomadic aristocracy or derogated from their rights, the elite often entered into open struggle.

Therefore, it is only natural that nomadic states' administrative bodies, staying above traditional social institutions, had been formed not as a result of class formation process, but on a basis of military and tribal organization. Historically, state authority here has been formed through transition from military-democratic form to military-potestary structures, chiefdoms; a transition from chiefdoms to administrative structure had been carried out through so called "aristocracy way". Such systems of public relations underlie both nomads' military organization, in the capacity of a symbol of nomads' cultural tradition, and "free people" (Kazakhs') political organization, a symbol of cultural self-identity of the independent, freedom-loving nation.

In spite of inheriting typical of Gengis Khan's Empire autocratic forms of state management, socio-political structures of Juchi's ulus, of Ak Orda, Mogolistan, Nogay Horde and Abu'l Khayr's khanate represented somewhat different, adapted to nomadic environment, more democratic superstructural institutions. By way of example we can present some terms of Turkic origin, which had been used by Mongols in warfare and public administration: orda, oqlan, bi, zhyrau, tarkhan, tumen, zharlyk, tamgashy, bitikshi, zhassauyl, shygyn, tutyn, etc.

Thus, a specific feature of kinship-based social organization caused formation of an alternate type of the state system model where people acted as one of the political power sources. According to modern Turkish researcher Sadri Maksudi Arsal, there were three authority subjects "in Turkic 'ils": khan, beys and people ("budun"). Those elements' involvement in state issues is differentiated; if Khan's power is universal, then beys' authority is relatively limited. People's authority is to be manifested only at definite moments. Nevertheless, according to Turks' views, the people are viewed as a constant source of power".

Population in Turkic states (bodyn, zhurt, khalyk) represented not only subjects, but also it used to play definite role in state management and thus population possessed great influence, which means that subjects did not just take part in kurultays and khans and beks' elections, but, first of all, they acted as one of the sources of "tore" laws' development. Those laws were main state principles which both rulers and subjects had to follow equally. Thus, performance of the role of traditions, customs, faith and views bearer, which, in their turn, represented basis and heritage of a state, was a factor, defining people's status in nomadic society.

It is generally known that starting from ancient times, Eurasian steppe nomads' ideas on authority had been associated with traditionality and sanctity, justice and lawfulness. Such archetypes of authority perception existed in traditional Kazakh society of XV-XVIII centuries. According to classification by a researcher Ye. Shatsky, such archetype can be attributed to integral type of traditionalism, where assimilated traditions, considered to be valuable for life and for ensuring wellbeing, knowledge and experience, remain unchangeable over long periods of time, and get observed and repeated in ethnic environment.

Thus, traditional power in nomadic society was based on personal character, devotion and faith in sacredness of a legally elected person, who was ruling his subjects on the grounds of law and justice. From this it follows that sacredness and democratic approach were characteristic of the authorities in nomadic environment. Perception of a ruler as some charismatic personality, responsible for prosperity of all people, was widely spread among Turks. "Possession" of heavenly (sacred) grace called "Kut" was ascribed to khans. Such divine grace did not just give the right of power, but was also considered to be property of the entire ruling dynasty. Until our days multiple meanings of the word "kut", which originated from ancient Turkic language, have been preserved in modern Turkic dialects. "Kut" means spirit, vital force, dignity, bravery, luck, happiness and prosperity... One more meaning of this word is of special significance to us: strength of political power, force and authority, greatness of power. It is doubtless that the word

“kut” which used to be a part of all Turkic rulers’ titles, possessed deeper sense, distinguished from the meaning “happiness”.

According to the Turkic concept, besides peace and ordermaking tasks, a state (or “el”) had a higher purpose, which consisted in ensuring law and justice. Kyuntogdy khan, the hero of Jussup Balassaguni’s “Kutadgu bilik” said that he believes himself to be a symbol of justice and the law of truth, sitting on his omnipotent three-legged throne, which is stable and firm unless one of three legs gives way. The khan says that he is fair, in spite of the fact that truth and lies can be easily twisted; he faithfully rules both beks and slaves. Kyuntogdy khan believes that the only foundation for power is absolute justice

It is impossible not to notice correlation between image of “khan’s three-legged silver throne” and three classical subjects of a nomadic state (khans, beys and buduns), and three ideas about power (law, justice and kut) as well as three Kazakh juzes, not to speak of nomads’ triform perception of space, time and cosmos.

Ultimately, all listed phenomena have been stipulated by initial search by a nomad for harmony with himself, society and environment. Therefore, the Kazakh statehood formula is based on moral and axiological fundamentals; that is why in the given case, prospecting for any indications of class ownership patterns will be futile.

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