

Abstract of the thesis for the degree of Doctor of Philosophy (PhD) in the specialty "6D020400 - Cultural Studies"
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Relevance of the research topic. The modern world can definitely be qualified as a reality with a permanent increase in global problems and acute contradictions of social development; a world in which social disunity, racial and ethnic intolerance, and terror are visibly present, often resulting in dramatic social and interethnic conflicts. Many experts tend to see the immediate prospect of world development in the deepening conflict of ethnic groups, civilizations and cultures.

Among the numerous approaches to scientific identification of the nature of conflicts, the possibility of defining its problems as a component of the subject area of the theory of culture is noteworthy.

The most important actualizing factor in the study of conflicts is that they arise in almost all spheres of public life.

Conflicts permanently "tear" society, but most professional conflictologists tend to quickly and effectively smooth out numerous "sharp corners", assigning a special role to mediation.

The need to study mediation and its role in conflict resolution is due to modern reality, since conflicts are often based on cultural and civilizational differences. Therefore, today and in the future there are issues of social behavior, interethnic and interfaith dialogue in society. Mediation does not accept the paradigm of revolutionary transformation and does not accept the use of force to solve problems.

The relevance of the topic of the dissertation research is not limited to the theoretical significance of studying the phenomenon of conflict, because the current situation in the field of applied culturology poses challenges for science related to the technologies of using mediation tools in the course of socio-cultural design and programming the prospects for the development of a reformed society. This largely depends on the level of the ability of state and other administrative structures to "manage" the process of regulating conflict-generating processes, directing them to more or less comfortable for the life of society and social groups.

The degree of development of the problem. One of the important prerequisites for studying the phenomenon of conflict is a retrospective analysis of the works of philosophers of the past: Aristotle, Augustine, S. S. Averintsev, R. Barth, M. M. Bakhtin, R. Benedict, T. Gobbs, Yu.n. Davydov, R. Darendorff, E. Durkheim, A. G. Zdravomyslov, I. Kant, E. Cassirer, L. kozer, N. I. Conrad, K. Levi-Strauss, J. Locke, A. F. Losev, Y. M. Lotman, K. Marx, J. MFA, V. M. Mezhuyev, R. Merton, F. Nietzsche, Ortega Y Gasset, A. S. Panarin, Plato, E. B. Rashkovsky, G. Rickert, D. B. Russell, P. A. Sorokin, A. D. Toynbee, P. A. Florensky, Z. Freud, E. Fromm, M. Heidegger, S. Huntington, A. Schweitzer, O. Spengler, I. Evans-Pritchard, C. Jung, and many others.

The cultural significance of the overwhelming number of works of the researchers listed above is to find solutions to the problems associated with such a

culture of social relationships, which allowed minimizing the negative consequences in the process of all kinds of social conflicts.

S. Huntington believed that it is culture that will now determine the most important borders that divide humanity, and the prevailing sources of conflict.

The concepts of "positive functional conflict" by L. Kozler, "conflict model of society" by R. Darendorff, and "General theory of conflict" by K. Boulding are best known in Western conflictology. A common feature of these concepts is the recognition of social conflict as the norm of social development, giving it significant positive functions. In addition, in modern Western conflictology, the polylogical direction of conflict research is quite clearly manifested, where the primary attention is paid to the proper nature of this phenomenon. In the United States and a number of other countries, the pragmatic direction of conflictology has become widespread, in which attention is mainly paid to the problem of achieving peace and harmony through negotiations and dialogue between the conflicting parties.

Consideration of domestic and foreign policy, conflict prevention in the Republic of Kazakhstan, as well as analysis of the interaction of various factors in these areas are presented in the works of B. K. Sultanov, S. K. Kushkumbayev, M. A. Abisheva, M. T. Laumulin, G. G. Rakhmatulina, M. B. Asanbayev, S. S. Lukpanova, B. A. Auelbayev, A. A. Morozov, A. K. Rakhimzhanova, U. M. Nysanbek, E. T. Seilekhanov, A. K. Kazhmuratova, N. B. Seidin, V. N. Sitenko, K. B. Sheryazdanova, K. D. Isaev, L. A. Timofeenko, T. K. mamiraimov, A. B. Erasylova.

In modern sociology, there are studies in several areas: industrial conflicts, ethnic conflicts, conflicts in family and marriage relations, conflicts of "fathers and children", the dichotomy of conflicts between the government and the people, organized crime and society, etc. In this regard, we should note the theoretical and applied role of S. V. Sokolov's monograph "Social conflictology", which examines the nature and classification of social conflicts determined by social contradictions. It should be noted that the author of this monograph did not set himself the task of studying the phenomenon of cultural conflict.

The analysis of socio-cultural problems is also presented in the works of Kazakh philosophers, cultural scientists, sociologists, and political scientists: V. S. Baturin, G. A. Beisenova, T.H. Gabitov, G. Yessim, V.Y. Dunaev, Z.N. Ismagambetova, A.G. Karabaeva, R. Kadyrzhanov, B.G. Nurzhanov, G.O. Nasimova, A.N. Nysanbayev, D.S. Raeva, M.B. Sarsenova and M. Shaikemelev.

In the course of the research, it was not possible to find scientific works devoted to a comprehensive cultural study of social conflicts at best, they are only mentioned in fragments. The phrase "cultural conflict", although found in cultural publications and in journalism, but appears in a narrow sense as a General antipode of consent, tolerance and the ideal to strive for.

Without claiming to fully realize this goal, we hope that the efforts made within the framework of our research program will be useful in clarifying some necessary details of the future theoretical and cultural picture of the conflict as such and the role of mediation in its resolution.

The object of the research is conflict as a socio-cultural phenomenon.

The subject of the research is Social mediation in the culture of settlement and resolution of social conflicts.

The purpose of the dissertation research is a cultural and philosophical analysis of the features and regularities of resolving social conflicts through mediation.

This goal determined the nature of the following **tasks**:

- in the context of a cultural approach, analyze the history of the formation of ideas about conflict as a socio-cultural phenomenon and, in this regard, pay special attention to the evolution of understanding the role of mediation in solving various social conflicts;

- in the cultural context, to identify the reasons for the formation of mediation as one of the modern civilizational means in the " alternative resolution of disputes, (conflicts)»»;

- to analyze the features of conflict-prone behavior in the life of modern Kazakhstan society;

- to identify the nature and essence of mediation as an effective social institution in the culture of the Kazakh people;

- determine the role of biys in resolving various types of life conflicts;

- analyze the place and role of mediation in the development of legal culture in Kazakhstan;

- to justify the special demand for cultural achievements of the Kazakh people in the context of the formation of the judicial and legal system of sovereign Kazakhstan.

The theoretical and empirical base of the research consists of:

- works of foreign and domestic scientists in the field of philosophy, history, psychology, political science, sociology, conflictology, cultural studies, mediation;

- legislative acts;

- media publications.

Methodological basis of the study. The study uses the principles of the comparative method, when the analysis of the fundamental principles of the institution of mediation used in conflict resolution, from the standpoint of socio-cultural vision, is given on the basis of their comparison with the traditional, legal and legal understanding.

The study used the method of comparative and cultural-historical analysis to show the role of the institution of mediation in the culture of the Kazakh people and at the same time give the image of a modern mediator (mediator) alternative dispute resolution in public relations. It seems that conflictogenicity is ontologically inherent in human nature, so mediation is one of the social mechanisms for resolving social conflicts in society.

The basic approach of our research is a philosophical and cultural approach in conjunction with a conflictological approach to the problem of conflict in the development of social relations.

Scientific novelty of the research. In the course of the dissertation research, the following new scientific results were obtained in solving the set theoretical problems:

- for the first time in Russian science, in the context of philosophical and cultural discourse, an analysis of the formation of ideas about the causes and essence of social conflicts and the role that mediation was assigned to in overcoming them was carried out;

- the author's vision is given that the special demand for mediation (mediation) was largely due to the difficulties that almost all judicial systems of modern civilized States had to face;

- the author's view on understanding the essence of the institution of mediation in the culture of life of the Kazakh people is presented;

- the context of culturological approach first explains the role of biys in the use of customary law as a system kernel with the preservation of social integrity nomadic people;

- demonstrated that a set of competencies, which formed the culture activities of bis, the objective was influenced by the lifestyle conditions of the people, not by the order of the respective legal systems, as is the case in the modern reality;

- it is determined that the interest in mediation in the works of modern Kazakh scientists was formed primarily under the influence of ideas conditioned by the requirements of the legislative and legal systems of the West, and, to a lesser extent, initiated by achievements in this field accumulated in the history and culture of the life of the people themselves;

- the author's vision of the prospects for the development of the legislative and legal system of sovereign Kazakhstan, including pre-and extra-judicial resolution of any conflicts in life, with the mandatory use of cultural achievements of the Kazakh people in this area.

The main provisions of the dissertation submitted for defense:

1. A retrospective look at the formation of ideas about conflict as a socio-cultural phenomenon made it possible to reveal that the question at the level of theory about the use of mediation in this process in resolving various life conflicts was not relevant.

2. In practice, with the formation of various types of state arrangement for self-preservation in society, the function of mediation has become the prerogative of only the judicial and legal system. And in order to overcome the precipitously multiplying difficulties arising as a result of bureaucracy and excessive formalization of this type of judicial power, the question of finding out-of-court forms of mediation has become acute. In conflict management, this type of mediation began to be defined as mediation.

3. Kazakhstan, having embarked on the path of sovereign existence, began to build a new culture of its legal relations according to Western standards. And the appeal to mediation (mediation) began to be carried out according to a similar scenario.

4. In the culture of the nomadic lifestyle of the Kazakhs, the institution of mediation was formed in a completely different plane. The centuries-old experience of ancestors, transforming into certain social norms that allowed them to survive in the constant tough struggle for their existence, became the very "mediator", the appeal to which helped them to resolve the specific life problems that arose. At the same time, there was a demand for those who could, if necessary, provide a kind of "professional mediation" service in using this experience in each specific case. This is how the court of biys was formed. Their role was to bring to the opposing sides not only the degree of threat of the situation that had arisen, but also those demonstrated variants of the wisdom of their ancestors, which allowed them to overcome them with the least losses, in the format of analogy, through "reasoning".

5. At the same time, the set of requirements was objectively formed that was presented to this category of persons who took on this role of specific mediators (mediators in the modern definition) in solving most cases of life-threatening collisions. And the set of these requirements was not determined at all by the will of someone established by law.

6. Mediation appeared in Kazakhstan and is involved as a tool within the framework of humanization of the judicial system of the Republic of Kazakhstan. However, in order to prevent, manage, resolve conflicts, it is necessary to develop your own Kazakhstani conflict management. And it is necessary to train specialists-mediators taking into account all modern achievements in the field of conflict management. For only the successful implementation of this task will ensure the practical implementation of managerial actions in order to prevent and resolve various kinds of social collisions in our society.

7. The strategy for the further development of the legal culture of sovereign Kazakhstan cannot but take into account the experience in this area, which is accumulated in the culture of its people.

Theoretical and practical significance of the research lies in the fact that the factual material contained in it and its interpretation can be used in various studies concerning various aspects of sociocultural practice.

The significance of the study also lies in the philosophical and cultural analysis of the features of social conflicts in the context of systemic modernization of public consciousness, which can contribute to the creation of an integral concept of the conflict in Kazakhstani society.

The provisions and conclusions of the dissertation can also serve as a theoretical basis for further research on conflicts in Kazakhstani society for specialists in the social and humanitarian sciences, related scientific fields. In addition, the practical significance of the study of the institution of mediation is seen by us as a great potential for reducing the risk of conflicts in social relations, since it helps to prevent the development of conflicts before the manifestation of open conflicts.

Approbation of work. The main provisions of the study were tested in eight publications: including in special journals for publishing the main results of the dissertation recommended by the Committee for Control in Education and Science

of the Ministry of Education and Science of the Republic of Kazakhstan - 3, in collections of republican and international scientific conferences - 3, in a journal with a non-zero impact -factor indexed based on Scopus - 1.

Work structure. The dissertation consists of an introduction, three sections, consisting of six subsections, a conclusion, a list of sources used.