

ABSTRACT

**Thesis for the degree of Doctor of Philosophy (PhD)
Specialty “6D021500 – Islamic Studies”
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The continuity of religion and tradition in a secular state

In the Thesis, among the models of relations between the state and religion, the features of the secular system of the Republic of Kazakhstan are defined. This research work includes topical issues: the place of religion in the secular system, the influence of religion on Kazakh culture and life, the offensive of destructive religious trends on national traditions, the continuity of religion and traditions.

Relevance of the research topic. In the contemporary world, each country realizes secularism differently. Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950) provides the legal basis for European policy in the field of freedom of conscience. The Convention reflects two main directions of European regulation in relation to the rights to conscience freedom: protection of conscience freedom, ensuring public consent and tolerance that everyone has the right to freely adhere to any religion. The European Union presents three global models of interaction between the state and religious associations: identification, cooperation and separation. The relevance of research work for modern society can be noted on several levels:

A) Since the Declaration of independence, the Republic of Kazakhstan has established itself as a legal, democratic, secular, socially oriented state. During this time, the Republic of Kazakhstan has always strengthened its secular character on various legal bases. At the same time, it is relevant to study the question of how the concept of secularism developed in Western countries, and what historical processes it was achieved by. In particular, the analysis of the situation when clericalism prevailed in the Middle ages and how religion influenced the formation of the state makes sense in the modern period. Knowledge of the fundamental foundations of any concept formation, familiarity with the history, contributes to its deep understanding and deeper justification in the future.

B) Despite the fact that the concept of secularism originated in the West, it is used in modern Western countries in different ways. Due to the different influence of secularism on the culture and history of countries, various forms of relations between the state and religion have been formed today. Cooperative, separation, and identification types are mainly characteristic of Western countries. The gradual transition to a kind of model of secularism is the agenda in Kazakhstan. After all, representatives of more than seventy percent of the Muslim faiths live in the country. Today, the concepts of traditional and non-traditional religions are often used. In this regard, the preamble of the law “On Religious Activities and Religious Associations”, adopted in 2011, recognizes the contribution of the Hanafi madhhab of Sunni Islam and Christian Orthodoxy in local history and culture in Kazakhstan.

It is also a symbol of faith in a new model of secularism and consideration of local features for Kazakhstan. In this regard, it is important to consider widely the individual models of secularism that are characteristic of Western countries.

C) In the years following independence, the turn towards popular religion became intense. Especially strong fracture was observed in young people. The masses who had survived atheism during the Soviet years rushed to religion. Since the state did not interfere in religious situations, pseudo-religious movements began to manifest their extreme actions. Although secularism meant separating the state from religion, the state took into account that religion should be kept under surveillance. In this regard, the definition of relations between the state and religion has become relevant. Consideration of the features of state-religious relations in research work is also relevant.

D) It is known that Islam came to the Kazakh steppes many centuries ago and became part of the culture of our people. After all, the laws of the steppe clearly show the influence of Sharia on the “Ancient way of Yesim Khan”, “Righteous way of Kasim Khan”, “Seven statutes of Tauke Khan”. In an era when the country is undergoing a process of large-scale spiritual renewal, the analysis and examination of the influence of religion on our culture is certainly relevant from the point of view of religious identity. How much has Islam influenced Kazakh traditions and culture? What is the role of religion in shaping a nation? This problem is relevant today, when national and religious identities go hand in hand.

E) In our country, where freedom of religion is based on the Constitution, ultra-religious movements have appeared. Most of them were observed in the Islamic direction. Due to the fact that these religious organizations have a fundamentalist character, under the banner of the doctrine of pure Islam, they did not perceive the indigenous culture and traditions of the people, treating them as a violation of religion, a deviation from the purity of religion. As a result, there were violent protests against such traditions as bride bowing, blessing (*bata беру*), traditional music, building and visiting graves, cutting fetters (*tusau kesu*) and adding oil to fires, taking them for shirk (polytheism). In some areas, they destroyed graves and burned trees that people considered sacred. In many cases, this contrasted sharply with traditional principles. In this regard, the issue of religion and traditions has become relevant in our country. In view of the above, there is no doubt that the study of the topic “Religion and traditions in a secular state” is relevant.

The research object: features of religions and traditions continuity in the secular system.

The research subject: model of formation of religions and traditions continuity in the Republic of Kazakhstan, established as a secular state.

The purpose of the study is the conducting religious analysis of the religion and traditions continuity, determining the relationship between the state and religion, a comprehensive review of the secularism issue, which is relevant for contemporary Kazakhstan.

Objectives of research:

- Definition of features of state-religious relations;

- Analysis of religious policy in a secular state;
- Clarification of the continuity of religion and traditions in the preservation of religious identity;
- Definition of the secularism model typical for Kazakhstan;
- Analysis of the state of modern society and state-religious relations in Kazakhstan;
- Determining the place of customs characteristic of the Hanafi madhhab;
- Disclosure of the problem of religion in Kazakh traditions and Kazakh steppe laws;
- Identify the continuity of religion and traditions in the history of Kazakh culture;
- Analysis of the religious situation in the Republic of Kazakhstan in connection with the continuity of religion and traditions.

Scientific novelty of the Thesis

For the first time, the analysis of the continuity of religion and traditions in a secular state as a cultural and social phenomenon that forms the cultural and religious paradigm of Kazakhstan society from the point of view of religious analysis, using the methods of phenomenology of religion, comparative studies of religious studies, including Islamic comparative studies.

In the course of the research the following innovative **scientific results** were obtained:

- State and religious relations arose in the socio-political context in Western Europe and subsequently spread throughout the world. In the West, state-religious relations developed rapidly and were systematized after the Enlightenment. The relationship between the state and religion was determined by the type of taxonomic division that is focused on a complex based on researchers deducing from a single concept;

- Modern secularism includes, first, humanistic values, including the free exercise of human freedom of conscience and religion. Secularism is a recognition of the diversity of ideas in the spiritual sphere of society, while welcoming the ideological freedom of each person. It has been established that the secular nature of the state is characterized not only by its separation from religion, but also by the fact that it does not recognize the supremacy of atheistic, secular ideology or any other worldview;

- The Sharia norms of Islam were assimilated into the steppe laws, enriched, strengthened, supplemented and improved by their role. It was analyzed that the historical forms of Kazakh customary law include the power of the *bi* (judge), the decree of the Khan (king), rules, methods and the public;

- It is proved that the secular nature of Kazakhstan is determined by their specific features, such as freedom of religion, separation of religious associations from the state, the absence of a state or compulsory religion, equality of religious organizations within the law, interaction of state and religious organizations in solving certain social problems;

- Islam is integrated with the living spiritual and moral values, customs and traditions of the Kazakh people, forming the unity of religion and traditions. It was scientifically explained that our people have included the principles of religion in every proverb, legend, epic, fairy tale, eloquence, parable, folk songs and have turned them into spiritual and religious values that they can be guided by in their daily life.

Theoretical and practical significance of the research.

Scientific-theoretical and practical results obtained during the dissertation research are of great theoretical significance in connection with the philosophical-religious and cultural-social analysis of the continuity of religion and traditions in the cultural and social space of Kazakhstan. This allows us to study in depth the role of religion and traditions in the cultural and social space of modern Kazakhstan and the role of Islamic culture in the integration of secular values. The practical significance of the research can be used in the development of optional courses on the continuity of Islam and traditions in the field of domestic religious studies, state policy of the Republic of Kazakhstan in the field of Islamic studies and religion.

Theoretical-methodological bases of the research

The theoretical basis of the dissertation is the traditional methodological basis of the theory and philosophy of religious studies, in particular, the methods of historical-philosophical and theoretical-ethical analysis of the continuity of religion and traditions in a secular state, as well as the unity of historical-logical, comparative analysis, structural and functional, axiological, conceptual methods of analysis. The theoretical basis of the work is based on the works and opinions of past and present world thinkers and domestic researchers.

Main statements submitted for defense

1. The Relationship between the state and religion originated in a socio-political context in Western Europe, and then spread around the world. In the West, relations between the state and religion developed rapidly and were systematized after the Enlightenment. The type of taxonomic division that, depending on the researchers, leads from one concept to a more complex one can determine the relationship between the state and religion. According to this division, there are three types of taxonomy: first, the state legalized the predominant religion (state Church); second, the equality of religions is legalized; third, religion is alienated from state and educational institutions. The four taxonomic types are: a) theocracy, b) state religion, which means that a particular religion is assigned an official status, and C) separation of religion from the state or "popular religion". This means recognizing the equality of religions within the law, but the predominance of one. d) separation of state and religion. In addition to five or six taxonomic divisions, the concept of "Secular quasi-religion" is used, which implies the complete exclusion of religion from public life. Equipotential model: in these countries, the state wants to get rid of religion and try to separate confessions from society and human life. For this reason, the activities of religious organizations were reduced to the level of individuals. The main feature of the preference model is the long history of a particular religion in society, so the state

gives priority to this religion. The contamination model, in terms of its formation and further development, is typical of the East, the specifics of law and morality, the Islamic world and Buddhism. The identification model cooperates with many traditional religious associations in terms of cultural characteristics, ethnic identity and mentality of the population (Russia, the Baltic States);

2. The Concept of “secularism” means that the state conducts an open and transparent policy in all spheres, including religion, and ensures freedom of conscience of citizens, without mixing religion and state policy. Modern secularism includes, first of all, humanistic values, including the free exercise of human freedom of conscience and religion. Secularism is a recognition of the diversity of ideas in the spiritual sphere of society, while welcoming the ideological freedom of each person. The secular nature of the state is characterized not only by its separation from religion, but also by the fact that it does not recognize the superiority of atheistic, secular ideology or any other worldview. The secular state also regulates the activities of religious associations as an integral part of civil society. The main features of a secular state are neutrality, freedom and non-discrimination, freedom of religion and conscience, independence of the state from religious ideas and institutions, and equality of people regardless of religion. The diversity of state and religious models inherent in European countries means that the principles of secularism are implemented at different levels. While the United States views the Church as a voluntary organization that fights for its members, Europeans view the Church as a full member of society, a traditional institution supported by the state.

3. Kazakh customary law was gradually formed during the long social development of the nomadic population. Historical forms of Kazakh customary law include: the power of the *Bi* (judge), the decree of the Khan, rules, methods, and the public. The Saharan people were aware of two such legal documents. One of them is "Righteous way of Kasim Khan" (1511-1523), "Ancient way of Yesim Khan" (1598-1645). The most developed form of official life of the nomadic system of customary law is the Statue. This is a direct continuation and next stage in the development of the power of *biys* (judges), decrees, and ways of khans. The “Statues” had more Sharia influence than the “ways”. This can be considered as a sign of the spread of Islam in the Kazakh society. And “Rules” and “Principles” can be attributed to the following official sources of customary law. The Sharia norms of Islam were assimilated into the steppe laws, enriched, strengthened, supplemented and improved by their role. The “Seven statutes” were directly influenced by Islam, i.e. Sharia law. For example, a person who commits suicide should be buried separately. If one of the members of the tribe converted to Christianity, his/her and his/her relatives' cattle were seized. And if seven people confirm the blasphemy, he/she will be stoned to death. All the property of an unbeliever goes to his/her relatives. “Seven statutes” has a special section “About Zakat” and “Religion and the way of Sharia”, consisting of 30 verses. Based on this, the obligation of zakat and under what circumstances it should be given and in what quantity, to whom it should be given, is explained in detail in accordance with the Sharia, it is further stated that “the way of Sharia is based first on the

Koran, after the hadith and Sunnah”. The statutes also list a number of issues such as debt, divorce, inheritance, promise, adultery, suicide, etc. In addition to sacrifice, “Usher” was also practiced by the people as a tax on crops in accordance with Islam.

4. The secular nature of Kazakhstan is determined by such signs as the freedom of religion provisions of the Law “On religious activities and religious associations”, the separation of religious associations from the state, no special state or mandatory religion, equality of religious organizations within the law, the interaction of state and religious organizations. Kazakhstan aims to actively use universal, humanistic and tolerant values, inter-confessional harmony, dialogue, principles and provisions introduced by centuries-old world and traditional religions to preserve peace in the modern global and human civilization, the peaceful coexistence of many States consisting of different ethnic groups and faiths. In Kazakhstan, relations between the state and religion are neutral, equal, tolerant and open.

5. Kazakhstan pursues a serious policy in state-religious and inter-confessional relations. It is based on liberal legislation, tolerance and pluralism. Kazakhstan has been able to create its own model of state-religious relations based on democratic principles that respect human rights and freedoms while maintaining a balance between the interests of society and religion. The law adopted in 2011 has played an important role in the development of people's spiritual life, regulating the activities of religious associations, and strengthening their relations with the state. The new law has had a positive impact on the religious situation in the country. Its implementation is intended to clarify the relationship between the state and religion and prevent the use of religion for destructive purposes. The model of state-confessional relations that prevails in our country is based on the state's neutrality towards religions, that is, on the secular nature. All religions in Kazakhstan have equal rights and opportunities.

6. The Historical context and cultural, ethical features of Kazakhstan have had a positive impact on the spread of Islamic values in the Kazakh culture. Islam is integrated with the living spiritual and moral values, customs and traditions of the Kazakh people, forming the unity of religion and traditions. The people have incorporated the principles of religion into every proverb, legend, epic, fairy tale, eloquence, parable, and folk song and have turned them into spiritual and religious values that can guide their daily lives. Religious and Islamic concepts of the Kazakh people are reflected in its spiritual and moral principles. Specific examples of the continuity of religions and traditions: *suyunshi* (a gift for good news), naming a child, truth, cutting the fetters of a child (*tusau kesu*), sex education, circumcision, marriage, divorce, funeral, blessing (*bata беру*), pilgrimage, honoring the dead, the concept of honesty, etc.

Approbation of research and results

The Thesis was performed at the Department of Religious and Cultural studies, Faculty of Philosophy and Political Science at the Al-Farabi Kazakh National University.

The basic theoretical principles and the results were published in 9 scientific articles, among them in journals approved list of the Higher Attestation Commission of the MES: 2 scientific articles in “Bulletin of KazNU”, 1 scientific article in the journal “Adam Alemi”, 1 scientific article in the journal “Al-Farabi”, 1 scientific article in international peer-reviewed scientific journals with nonzero impact factor, 4 scientific articles in materials of international conferences (including 2 in foreign international conferences).

The structure of the Thesis

The Thesis consists of introduction, three chapters (nine paragraphs), conclusion and bibliography.