

STEPPE LAW AND STEPPE DEMOCRACY: HISTORICAL EXPERIENCE, MODERNITY AND PROSPECTS

Research on the political culture of the Eurasian steppe peoples led the author to believe that the original, “pre-Genghis Khan” political culture of the Eurasian nomads (restored after the collapse of the Genghisid Empire) is closer to European than to Eastern, that steppe pastoralists have developed a kind of steppe democracy, also restored in the post-Genghisid era. One of the manifestations of this steppe democracy is that some steppe peoples have a court similar to the European jury; thus, Kazakhs have a biy court. Any respected Kazakh who knew the basics of customary law, could be chosen as a biy or a jury for a given trial. Simple cases were solved with one biy, a board of biys, sometimes up to 24 people, was selected for complex cases. At the same time, the original purpose of introducing such a court was to find an alternative to the court of sultans, just as in Europe the jury court replaced the court of lords.

Unfortunately, after the Kazakh steppes became part of the Russian Empire, as a result of the ill-conceived policy of the Russian administration the biy became permanent judges, although they still were elected. This completely negated the positive experience of the biy court. Nevertheless, there is reason to believe that the tradition of the latter may still be useful in carrying out democratic reforms in the modern judicial system.

Keywords: *steppe democracy, European jury court, Kazakh biy court*

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References

- Akimbekov, S. 2011. *Istoriya stepei. Fenomen gosudarstva Chingishana v istorii Evrazii* [The history of the steppes. The phenomenon of the Genghis Khan State in the history of Eurasia]. Almaty: Izdatel'stvo “Tsentri Azii”, 2011. 639 p.
- Brusina, O. I. 2016. Obychnoe pravo kochevogo naseleniya Turkestana v sisteme rossiiskogo upravleniya. [The customary law of the nomadic population of Turkestan in the system of Russian governance]. In *Sredneaziatskiy etnograficheskiy sbornik* [Central Asian Ethnographic Collection], ed. by S. N. Abashin and V. I. Bushkov. Issue V. Moscow: Nauka. S. 217–234.
- Bykov, A. Yu. 2003. *Istoki modernizatsii Kazahstana* [The origins of Kazakhstan's modernization]. Barnaul: Izdatel'stvo “Azbukha”. 267 p.

- Grodekov, N. I. 1889. *Kirgizy i karakirgizy Syr-Daryinskoi odlasty*. Vol. I. *Yuridicheskiy byt* [Kyrgyz and Karakirgiz of the Syr-Darya region. Vol. 1. Legal life]. Tashkent: Tipolitografiya S. I. Lakhtina. 298 p.
- Ibragimov, I. 1878. Zametki o kirgizskom sude [Notes on the Kyrgyz Court]. Sankt-Peterburg: Tipografiya V. Kirshbauma. 25 p.
- Kopanev, A. I. 1953. Ustavnaya zemskaya gramota tryokh volostei Dvinskogo uezda 25 fevralya 1552 goda [The charter of the zemstvo of the three volosts of the Dvinsky district on February 25, 1552]. *Istoricheskiy arkhiv*. [Historical Archive] 8: 7–20.
- Kurylyov, V. P. 1998. *Skot, zemlya, obschina u kochevyh i polukochevyh kazahov (vtoraya polovina XIX — nachalo XX vv.)* [Cattle, land, community among nomadic and semi-nomadic Kazakhs (the second half of the XIX — early XX centuries)]. Sankt-Peterburg: Muzei antropologii i etnografii. 287 p.
- Martin, V. 2001. *Law and custom in the Steppe: The Kazakh of the Middle Horde and Russian colonialism in the nineteenth century*. Richmond (UK): Curzon Press. 244 p.
- Nukishenkov, A. A. and Yu. I. Semenov (eds.). 2000. *Stepnoy zakon. Obychnoe pravo kazahov, kirgizov i Turkmen* [Steppe Law. Customary law of Kazakhs, Kyrgyzs and Turkmens]. Moscow: Staryi sad. 288 p.
- Radlov, V. V. 1989. *Iz Sibiri* [From Siberia]. Moscow: Glavnaya redaktsiya vostochnoi literatury. 749 p.
- Shakaev, G. 1966. *Protsessual'noe obychnoe pravo kazahov XIX–XX vv.* [Procedural customary law of the Kazakhs of the XIX–XX centuries]. Ph.D. diss. abstract, Kazakh National University. Alma-Ata, 1966. 21 p.
- Shahmatov, V. F. 1964. *Kazahskaya pastbischno-kohevaya obschina* [Kazakh pastoral and nomadic community]. Alma-Ata: Izdatelstvo Akademii Nauk Kazahskoy SSR. 207 p.
- Sitnyanskiy, G. Yu. 2021. Zolotaya Orda i evropeiskaya politika (1241–1359) [The Golden Horde and European Politics (1241–1359)]. *The scientific heritage* (Hungary) 81 (4): 12–19.
- Sitnyanskiy, G. Yu. 2012. Liberal'noe evraziystvo — oksyumoron ili natsionalnaya ideya dlya Rossii? [Is liberal Eurasianism an oxymoron or a national idea for Russia?] *Tsentr Vostoka i Zapada*. 14 aprelya. <http://www.mesoeurasia.org/archives/8630>.
- Sitnyanskiy, G. Yu. 1996. Mirovoy demokraticheskiy protsess i stepnaya traditsiya [World democratic process and steppe tradition]. *Aziya i Afrika segodnya* 3: 14–19.
- Sitnyanskiy, G. Yu. 2016. Sovmestima li evraziyskaya politicheskaya kul'tura s evropeiskoy [Is the Eurasian political culture compatible with the European one]. *Istoricheskie issledovaniya* 4: 196–211.
- Slovohotov, L. A. 1905. *Narodnyi sud obychnogo prava kirgiz Maloy Ordy* [The People's court of customary law of the Kyrgyz of Little Horde]. Orenburg: Turgayskaya oblastnaya tipolitografiya. 156 p.
- Usenbaev, K. U. 1967. *Vosstanie 1916 goda v Kirgizii* [The 1916 Uprising in Kirgizia]. Frunze: Ilim. 327 p.
- Valihanov, Ch. Ch. 1958. Zapiska o sudebnoi reforme [A note on judicial reform]. In *Izbrannye proizvedeniya* [Selected works]. Alma-Ata: Kazgosizdat. S. 196–235.
- Wittfogel, K. 1957. *Oriental Despotism*. New Haven: Yale Univ. Press. 570 p.

THE CUBAN RITE “CAMBIO DE VIDA”: THE SUBSTITUTE VICTIMS AND MAGICAL TREATMENT METHODS IN THE 21ST CENTURY

The article is devoted to the ritual practice “cambio de vida” which exists in the Afro-Caribbean religious and magical traditions, in particular, in Santería, Ifa and Palo Monte. The author shows the structure and logic of the rite which have not been detailed in the scientific literature. Particular attention is paid to the implementation of this practice in the context of the modern urban and medical infrastructure including inpatient care. Witchcraft has become a part of socio-cultural bricolage in Cuba. In the individual patient histories, it often complements a mixture of biomedical therapies and non-conventional healing practices. It is shown that witchcraft substitute sacrifice may contribute to the tensions and mistrust. Conversations with informants suggest that the ritual practice of “cambio de vida” generates and intensifies the logic of distrust, and the narratives that are formed around it correspond to social tension and competitive concerns of the population. The moral dubiousness and ambivalence of the described magical practice is noted. The article is based on the author’s field research in 2013 and 2019. Using the scientific literature related to the issues raised the author aims for a complete description of the cambio de vida current existence in Cuba.

Keywords: Cuba, Santería, Palo Monte, healing, sacrifice, rituals, spirits, witchcraft, hospitals

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References

- Cabrera, L. (2018) 1954. *El monte* [Weald]. La Habana: Editorial Letras Cubanas. 631 p.
- Cabrera, L. 1984. *La medicina popular de Cuba: Médicos de antaño, curanderos, santeros y paleros de hogaño* [Cuban Indigenous Medicine: Doctors of the Past, Curanderos, Santeros and Paleros of the Present]. Miami: Colección del Chicherekú. 272 p.
- Gascoigne, B. (1971) 2010. *Velikie Mogoly* [The Great Moghuls]. Moscow: Tsentrpoligraf. 311 p.

- Genep, A. van. (1909) 2019. *The Rites of Passage*. Chicago: The University of Chicago Press. 256 p.
- Geschiere, P. 1997. *The Modernity of Witchcraft: Politics and the Occult in Postcolonial Africa*. Charlottesville: University of Virginia Press. 311 p.
- Jungbauer, J. 1934. *Deutsche Volksmedizin* [German Folk Medicine]. Berlin und Leipzig: Walter de Gruyter & Co. 248 p.
- Kerestetzi K. 2011. Fabriquer une nganga, engendrer un dieu (Cuba) [Making a Nganga, Begetting a God (Cuba)]. *Images Re-vues* 8: 1–23. <https://doi.org/10.4000/imagesrevues.478>
- Kerestetzi K. 2016. *Vivre avec les morts à Cuba. Réinvention et transmission religieuse dans le palo monte* [Living with the Dead in Cuba. The Reinvention and Religious Transmission in Palo Monte]. Paris: Karthala. 431 p.
- Mazalova, N. E. 1995. Narodnaia meditsina lokal'nykh grupp Russkogo Severa [Folk medicine of local groups of the Russian North]. In *Russkii Sever: k probleme lokal'nykh grupp* [Russian North: to the problem of local groups], ed. by T. A. Bernshtam. Saint Petersburg: Muzej Antropologii i Etnografii RAS. 63–109.
- Manichkin, N. A. 2020. Traditsionnoe znanie i transformatsii meditsinskoi politiki Kuby na rubezhe XX–XXI vekov [The traditional knowledge and the transformations of Cuban medical policy at the turn of the 20th–21st centuries]. In *Al'manakh Konferentsii molodykh uchenykh Instituta etnologii i antropologii RAN: vypusk I* [Almanac of the Conference of Young Scientists of the Institute of Ethnology and Anthropology of the Russian Academy of Sciences: issue I], ed. by A. A. Plekhanov and N. A. Lapkina. Moscow: Institut Etnologii i Antropologii RAS. 100–109.
- Manichkin, N. A. 2020. *Shamanizm i dukhovno-magicheskie praktiki kyrgyzov* [Shamanism and spiritual and magical practices of the Kyrgyz]. Moscow: Smart Ivent.
- Tokarev, S. A. 1999. O zhertvoprinosheniakh [On sacrifices]. *Etnograficheskoe obozrenie* [Ethnographic Review] 5: 24–35.
- Wedel J. 2004. *Santería Healing: A Journey into the Afro-Cuban World of Divinities, Spirits, and Sorcery*. Gainesville: University Press of Florida. 209 p.