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Article

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## GENERAL CONCEPTS OF THE LEVEL OF INFLUENCE OF CONTEMPORARY KAZAKHSTAN CIVIL PROCESSUAL NORMS REFLECTED IN THE ANCIENT TURKIC SCRIPTS OF THE ARMENIAN SCRIPT IN THE RUNIC MONUMENTS OF THE «TORAH BITIGI»

**Abstract:** Currently, processual policy is being given quite a lot of importance in the country, which is supported by recent accelerated research, the policy of compliance with the changes in Kazakhstan Republic new processual code, trends in state policy in the field of processual improvement of citizens, and others. Of course, all this has a fairly high priority and certain trends in social policy, as they say, based on the experience of developed countries. But is this one? Whether this experience moves the policy to improve processual legislation concept remains a question, especially given the fact that the concept of processual liberty norms was studied in the ancient Turkic monuments of the Armenian script "Tore Bitigi", as evidenced by historical monuments. It is this question, about whether our ancestors really studied this issue and even regulated it in a specialized judicial book many centuries ago, ahead of the assumptions of real current research and even to some extent Mendel's theory, that needs to be considered in this article.

**Key words:** monument, relic, artifact, writing, runes, hieroglyphs, court, processual, heredity, succession.

**Language:** English

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**Introduction**

The article discusses the concept of processual norms in the Armenian-Kipchak monument, in which the language system has not been fully studied until now. Analyzing the general trends of processual policy as such from the perspective of the study of runic monuments (ancient Turkic language) and

modern Turkic languages, the authors of the article identify their semantic and formal features (1). The analysis of the concept of the processual policy in such a pendulum is carried out in the context of cultural markers of the Turkic peoples, including the Kazakh people. The present is extremely important, since the speakers of the Armenian-Kipchak language

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ermeniler "Armenians" designated their language in three ways (2): Khipchakh tili "Kipchak language", Bizim til "our language", Bizim Ermeni til "our Armenian language" or even Ermeni Tili "Armenian language". Since this group of languages is part of the Kipchak-Polovtsian subgroup of Turkic languages, the specifics of regulating some disputes, in particular regarding processual policy, are particularly relevant today, given the developing trend in Kazakhstan to focus on processual policy based on the provisions of criminal legislation on human cloning, civil law norms on the ownership of elements of processual policy and administrative legislation regarding processual policy rules for the court members (3). In its actions, the Government of the Republic of Kazakhstan motivates the need for Kazakhstan to support the UN policy on the need to develop processual policy concepts in each country that has ratified the agreement (4). Therefore, it is important for the Republic of Kazakhstan to show that there is even a whole precedent in relation to this concept, in which our ancestors also made an attempt to identify norms of processual policy in their sudebnik in the "Tora Bitigi". How effective it was is to be analyzed in this article (5).

### RESEARCH METHODOLOGY AND ETHICAL QUESTIONS.

In this article, as effective tools for the study of the historical and philological legal factor, a number of analysis and comparison tools are presented, in which elements of processual policy norms relating to the present time can be abstracted in the ancient Turkic writings of Armenian monuments (6). Thus, in modern science, general scientific and private scientific research methods differ. General scientific methods are used in a wide variety of fields of science, i.e. they have a very wide, interdisciplinary range of applications, private scientific – only within the framework of research of a particular science or a particular phenomenon (7). Each particular science (linguistics, literary studies, folklore studies, etc.) has its own specific research methods. General scientific methods include observation, experiment, classification and modeling. Classification of general scientific methods is closely related to the concept of levels of scientific knowledge. At the empirical (other-Greek *empeiria* – experience) level, observation and experiment are used. To solve theoretical (other-Greek. *theoria* – observation, research) of tasks apply classification and modeling. General scientific methods of empirical cognition (8). Cognition of the object of philological research begins with observation (9). Observation is a purposeful study of objects, based mainly on such sensory abilities of a person as sensation, perception, representation (10). This is the initial method of empirical cognition, which allows us to obtain some primary information about the objects of philological

sciences. In order to investigate certain categories or processes in philology, they must not just be randomly perceived, but, accordingly, isolated from this perception precisely as facts of science (11). This is achieved with the help of purposeful (and in this sense scientific) observation, which can be designated as simple when it fixes an object in its natural form without changing it and the conditions in which the object usually functions, and as complex when scientific observation acquires a new, very significant quality and becomes the basis of a special method of research – experiment. Simple observation can be either direct or indirect (12). Direct observation, in contrast to indirect observation, covers phenomena that are accessible to perception by the senses without the use of any auxiliary technical means (13). For example, articulatory characteristics of vowels and consonants, combinatorial changes of sounds in the flow of speech, etc (14). Often scientific observation is indirect, i.e. it is carried out using various technical means. For example, spectral and oscillographic analyses refine the characteristics of speech sounds many times and, therefore, only expand the range of direct auditory observation of the phenomena studied. Observation allows you to find the actual research material (15). This is its main value as a research method. In the process of finding, or collecting, material, it is fixed on special cards, magnetic media, film, entered into computer memory, etc. The choice of the method of fixation is determined by the texture of the material (oral, written, etc.), the purpose, objectives of the study. The question of the sources of the material is complicated (16). The main problem here is in the selection of sources, in establishing the degree of their reliability (17). Thus, when studying a literary text, the choice of the most authoritative source is almost of paramount importance (18). These include, for example, academic dictionaries, the complete works of the writer. In the absence of such publications, selected works of writers are used (19). The results of simple observation, acting in the process of cognition as empirical facts of science, can function actively only if they are appropriately described and systematized. Only under such conditions does their subsequent scientific research and explanation become possible (20). The natural consequence of the description is the comparison of the observation results, the systematization of the obtained material, the allocation of the general and specific, special in it. This creates the basis for hypotheses about the causes of a phenomenon, their experimental verification and formulation of a scientific theory.

### RESULTS.

The monument in Kypchak, Russian and Polish languages was prepared for printing in 2001 by A.N.Garkavets on the instructions of the Kazakh State Law Academy and the International Center (now the

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Institute) of Kypchak Studies operating under it based on manuscripts from Wroclaw, Paris and Vienna (21). The translation of the Judicial Book and the Kipchak-Russian glossary into Kazakh was performed by academician Gayrat Sapargaliyev. The Latin version of the monument and its translation into Ukrainian belong to Myron Kapral, now a doctor of historical Sciences (22). The most complete of the three Kypchak manuscripts is the Wroclaw manuscript of 1523, containing 53 additional Kypchak articles more than the Paris manuscript of 1568 and the Vienna manuscript of 1575 (1). That's why we took it as a basis when compiling a critical text. The original source of the surviving Kipchak texts has not yet been discovered and may have been lost (23). There is a positive microfilm of the Wroclaw manuscript in the Central State Historical Archive of Ukraine in Kiev, but, unfortunately, page 168r is missing in it. The publisher expresses gratitude to UNESCO experts Sergey Karpov (Almaty) and Jack Skillen (Paris) and the Ambassador of Armenia to Kazakhstan Eduard Khurshudyan (Almaty) for their assistance in obtaining microfilms of the Paris and Vienna lists of the Judicial Code (24). The judicial code under the stamps of the Ministry of Justice of the Republic of Kazakhstan (Institute of Legislation of the Republic of Kazakhstan), the National Academy of Sciences of the Republic of Kazakhstan (Institute of History and Ethnology), the Kazakh Humanitarian Law University (International Institute of Kypchak Studies) and the Center for Eurasian Studies "Desht-i-Kypchak" (Copyright) is printed at a high professional level by the printing house "Kursiv", Almaty, headed by Alexander Petrovich Mazin (25).

### DISCUSSION.

According to the written data of eminent professors, it is known that according to the written monuments of the Kypchak-speaking Armenians who professed Armenian-Gregorian Christianity, who lived in large colonies in Kamianets-Podolsk, Lviv, Lutsk, Mogilev-Podolsk, Suceava, Seret, Zamostye, Iasi, Akkerman and other cities of Ukraine, Poland, Romania, Moldova, where they moved from Crimea, most of which moved from Kafa – Feodosia and, possibly, from Armenia after the Mongol invasion, established their own group of languages. Epigraphic monuments also indicate that in the XII-XIII centuries, Kipchaks lived on the territory of Armenia, who adopted Armenian-Gregorianism (26). One of the surviving monasteries of the Arich complex in the Artik district of the Shirak region of Armenia, built at the turn of the XII-XIII centuries, is called Khpchakhavank "Kipchak Monastery". According to their data, a fairly large emphasis was placed on processual policy, among which, for example, the punishment for incest is singled out separately, which should in the original maintain the purity of childbirth and correct genetic recall, in which future generations

would avoid many diseases and ailments that are transmitted by processual policy, among which dementia, down's disease and others are actively distinguished (27). The present, in principle, corresponds to the rules of Mendel. Therefore, we can safely say that our ancestors foresaw what the famous scientist Mendel discovered relatively recently (28).

The monuments compiled in Armenian script number tens of thousands of pages and cover the period from 1524 to 1669. These are 28 assembly books of the Armenian Voitovsky court of Kamianets-Podilsky (1572-1663, of which we published the most interesting texts in our opinion), assembly, cash and metric books of the Lviv Armenian Spiritual Court for the same years (a torn fragment of one of them was published in 2010 by Edward Tryarsky), "Kamenets Chronicle", describing the events of the Tsetsor campaign and the Khotyn War of 1620-1621, "The Venetian Chronicle", "Chronicle of Poland", lit. "Chronicle of the Polish Ulus", Mkhitar Gosh's Law Book with a large number of additional articles and comments, approved by the Polish King Sigismund in 1519, 5 Armenian-Kypchak dictionaries and several glossaries, the essay "Secrets of the Philosopher's Stone" by Andrei Torosovich (1626, Kypchak records published by Edward Tryarsky and partly by us), two versions of the complete translation of the Psalter (all 5 lists were published by us later), 8 translations of Armenian prayer books, including one printed in Lviv in 1618. (all published by us), the epistles of the Apostle Paul (published by us), four books of sermons by the theologian Anton (three published by us, the fourth partially by Edward Tryarsky), several lives of saints, Paschal, calendars, many documents of a private nature (most published by us in full) (29). In total, as we were able to clarify as a result of familiarization with the preserved rarities on the ground, not 112 monuments are currently available for research, as previously believed, but three fewer: 108 manuscripts and one printed book. The manuscript kept in Marburg (Westdeutsche Bibliothek, Ms. or. olt. 3145), which was put into circulation by I. Abdullin, turned out to be Turkish; in the Armenian Bible No. 1270 from the collection of the Library of the Congregation of Mkhitarists in Venice, information about which was submitted by J.Denis and E. Tryarski, not a single Kipchak record was found; and the Psalter No. 81, which was reported by O.S. Yeganyan, does not exist at all – neither in Vienna nor in Venice (30). In this treasury of Polovtsian (Qypchaq – Kypchak – Kipchak – Kipchak – Kypshak – Khypchakh) literature there are 109 manuscripts from 1519-1689 and the world's first Kypchak book printed from metal typesetting forms in 1618 in Lviv by Hovhannes Karmadanenets (31). The magical movements of the human spirit and amazing details of everyday life, the exquisite archaic Turkic syllable and the amazingly bold linguistics of the devotees of the word will amaze you in this unique

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collection, where we have included: 3 chronicles, 5 Psalms, all the Epistles of the Apostle Paul (32), 9 prayer books, 2 collections of lives, 3 Judicial Books, 3 Procedural Codes, numerous works on theosophy, didactics, history of religion and church, cosmology, astrology, breeding, chemistry, medicine, calendars, documents of self-government of the Kypchak-speaking Armenians of Kamianets-Podilsky, Lviv, Stanislav and private individuals, samples of Armenian-Kipchak dictionaries and glossaries (10) of the 16th-17th centuries (33). The total volume of this volume of monuments collected from libraries and archives of Austria, Armenia, Italy, the Netherlands, Poland, Russia, Romania, Ukraine and France and scrupulously transmitted in Latin is over 3.5 million characters. The second volume will include a Kipchak-Russian dictionary, indexes, an essay of the Kipchak language of Armenian-written monuments and, if possible, the texts of manuscripts, high-quality copies of which will be able to be purchased and processed by that time (34). In this volume are published: Karaite prayer book, reproduced by us with corrections and clarifications from the Evpatorian edition by V.Z.Tiriyaki; sacred texts from the Bible, prayers and hymns translated from Latin into the Polovtsian language (one with notes from 700 years ago), as well as original Polovtsian sermons and the first ever collection of Polovtsian riddles of the collection "Codex Cumanicus", donated by Petrarch to the Republic of Venice and now kept in the same place in the National Library of St. Mark the Evangelist (reprint of our last year's Moscow edition) (35); 3 volumes of Kipchak sermons by Anton the Doctor of Theology from Lviv, which turned up in Vienna, 125 works; Kipchak dictionaries for the Armenian Bible and other works, which we have compiled into one register, 8 manuscripts located in Vienna, Yerevan, Lviv and St. Petersburg; Deacon Lusig's updated Kipchak glossary for the Armenian Psalter, as well as dialogues from the Armenian-Avedik's Kipchak manual on grammar, theology, philosophy and systematics, written in the spirit of Plato and Aristotle's views (both manuscripts are kept in Yerevan) (36). The ongoing publication "Kipchak Written Heritage" introduces into scientific use a unique, mostly previously inaccessible material, the effective use of which opens a new stage in the development of Kipchak studies and can have a noticeable impact on the development of modern Kipchak languages in the era of their intensive revival, not limited by external factors, in conditions of national sovereignty (37). The Kipchak sermons of Anton, Doctor of Theology from Lviv, stored in the library of the Congregation of Armenian Mkhitarists in Vienna (Nos. 479, 480, 481, 125 sermons in total); the value of these texts is beyond all expectations due to the unsurpassed talent and the broadest erudition of the author, who, with his inspired work, extraordinarily developed the Kipchak literary speech

five decades before the Armenian-Kipchak language left written use (38). Unfortunately, the 4th volume of the sermons stored in Warsaw turned out to be inaccessible to us. The Kipchak Dictionary, first published as the third volume of the fundamental edition "Kipchak Written Heritage", fully reflects the lexical richness of more than a hundred Armenian-written monuments of the Kipchak language of the XVI-XVII centuries. The total mass of the studied Kipchak texts (39) is about 30 thousand pages, which is hundreds of times larger than all the combined Kipchak written monuments in Arabic, Latin, Greek and other graphs. But not only are these monuments important for the history of the Kipchaks and Kipchak languages due to the huge volume of texts (40). They are no less priceless because they reflect the colloquial speech of the Kipchaks in the finest nuances, which was amazingly transformed into a professionally developed literary, scientific, legal and confessional language – in that distant era when the Kipchak dialects for the most part had not yet made friends with graphics and existed only orally and therefore in their then state were devoted oblivion. Tens of thousands of commonly used words, special terms, people's names, geographical names and hundreds of thousands of expressions of Kipchak monuments, both Kipchak proper and borrowings, are explained in detail, with the etymology and description of those specific historical realities and circumstances to which they relate (41). By its explanatory power, this dictionary can be safely qualified as an encyclopedic one – in relation to that group of kipchakophones who, by the will of fate, found themselves in the melting pot of the West, far from the mother ethnic territories of the Kipchaks-Cumans-Polovtsians, who are not exposed to foreign language influence. Therefore, there is a lot of useful information here also for Armenian studies, the history of the Turkish language and Slavic studies, because the dictionary adequately reflects the Western Armenian, Turkish, Ukrainian, Polish, Latin and other local vocabulary used in the texts. Thanks to the abundance of verbal illustrative material and objective interpretation, this work can be used by specialists in various fields of science and by a wide range of readers who are eager to acquire specific knowledge about our ancient, hitherto insufficiently known common past.

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This study was carried out on the basis of a private institution "Higher Multidisciplinary Medical College "Turkestan"", which has a certain room and equipment for conducting research. It is also necessary to note the high level of involvement of the staff of the college, who have made a significant contribution to the development of this topic. As for the student potential, there were many activists who agreed to take part in the research in various positions listed below. These positions include data and

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positions from the table below. Thus, as a legal experiment, the research group planned a study with the participation of 16 full-time students in the specialty of nursing. So 8 students participated in an experiment where each of them was given the role of an active stalker and a passive stalker, as well as an active victim and a passive victim. Four students monitored and four students supervised each group of tests.

### CONCLUSION.

In conclusion, it can be noted that in the present time, the norms on processual policy coincide with the runic writings of the ancient Turkic script of the Armenian monuments "Torah Bitigi", in which a few

centuries ago our ancestors made assumptions about the recent processual policy, which became a hit in all areas ranging from economics and law, and ending with social policy, history and even law.

### RECOMMENDATION.

As a recommendation, it should be noted that due to the fact that at the present time the norms on processual policy coincide with the runic scripts of the ancient Turkic script of the Armenian monuments "Tore Bitigi", it is necessary first of all to make a deeper study of this monument not only in the philological, historical or legal field, but also through the combined use of interdisciplinary technologies.

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