

ЗАГАЛЬНОТЕОРЕТИЧНІ ПРОБЛЕМИ ДЕРЖАВИ ТА ПРАВА

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LAW OF EQUALITY: HISTORICAL POTENTIAL  
OF GLOBAL WOMEN'S MOVEMENT IN  
A CONTEMPORARY UKRAINE

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The article presents a General historical overview of the global women's movement for their rights, as the idea of the formation and development of legal equality of the sexes and the present realities of legal support of women in Ukraine. The emergence of feminism is quite natural, since not only due to socio-economic changes, but also associated with the growth of the female consciousness attempts of women to find its place in the world that changes, and the measure of women's impact on society. Feminist/women's movement has made changes to the legislation in favour of women. On the level of declared rights and opportunities of the individual, regardless of sex, actually not complied with. Prejudice and gender discrimination continue to play. Women and men as a social community at large have unequal access to social statuses, resources, privileges, prestige, power.

Integration of the Ukrainian state in the world community requires a rethinking of the role and place of women in society and their equal participation in all spheres of life, and, in particular, in politics and state-building. However, the current situation of men and women in society, the gender stereotyping of the population, official gender policy suggests that this will not happen soon. The basis for this conclusion is the state of gender relations in economic, social, legal and political spheres of the Ukrainian society, as well as the state of public consciousness, where it still plays successfully a number of deep-rooted gender stereotypes. In society there is a double standard estimates of social contribution person depending on gender, different evaluation motivation the same thing men and women (as motivated by obligations to society for men; how selfless, personal, motivated by family responsibilities for women).

Idealization of the historical experience and the traditional way of life inevitably led to and unconditional acceptance by disapproval and basic components of everyday collective consciousness – gender stereotypes and the corresponding representations of the social statuses and roles of men and women. The question remains, however ensure not only equal rights but also equal opportunities the implementation of these rights in the development of legal state.

**Key words:** rights of equality, gender, gender equality, feminism, gender stereotypes, gender relations, policy nodiscrimination

## ПРАВА РАВЕНСТВА: ИСТОРИЧЕСКИЙ ПОТЕНЦИАЛ МИРОВОГО ЖЕНСКОГО ДВИЖЕНИЯ В СОВРЕМЕННОЙ УКРАИНЕ

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В статье представлен обобщенный исторический обзор мирового женского движения за свои права, как идеи становления и развития правового равенства полов и современные реалии правового обеспечения женщин в Украине. Феминистическое/женское движение внесло изменения в законодательство в пользу женщин. Открытым остается вопрос реального обеспечения не только равных прав, но и равных возможностей реализации этих прав в условиях развития правового государства.

**Ключевые слова:** права равенства, феминизм, гендерные стереотипы, гендерные отношения, недискриминационная политика.

## ПРАВА РІВНОСТІ: ІСТОРИЧНИЙ ПОТЕНЦІАЛ СВІТОВОГО ЖІНОЧОГО РУХУ ДЛЯ СУЧАСНОЇ УКРАЇНИ

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У статті представлено узагальнений історичний огляд світового жіночого руху за свої права, як ідеї становлення й розвитку правової рівності статей та сьогоденні реалії правового забезпечення жіноцтва в Україні. Феміністичний/жіночий рух вніс зміни у законодавство на користь жінок. Відкритим залишається питання реального забезпечення не тільки рівних прав, але й рівних можливостей реалізації цих прав в умовах розбудови правової держави.

**Ключові слова:** права рівності, фемінізм, гендерні стереотипи, гендерні відносини, недискримінаційна політика.

In the general system of law, the rights to equality have a great importance. These rights regulate the equality in the formation and functioning of nations, states, political parties, and public organizations. However, the equality in the relations of these structures is related to the basic equality, namely the equality between a man and a woman. The increasing number of publications of Ukrainian scientists on problems of women's rights and gender approach testifies to their topicality in the development of a modern scientific thought in Ukraine. Many Ukrainian and foreign scholars (V. Ageyeva, T. Hovorun, N. Zborovska, O. Kikinezhdi, O. Kis, A. Malanchuk-Rybak, S. Pavlychko, N. Pushkareva, K. Weedon, E. Campbell, G. Marfn, S. Hodgson-Wright, and others) explored the questions of women's struggle for their rights, highlighting their specific features and identifying the ways to overcome discrimination.

However, despite the Constitutional provision of the gender equality in Ukraine, the issues of women's rights violation are actual.

The purpose of this article is to determine the main ideas and achievements of the world's women's movement for their rights from the historic beginnings to the modern legal support of women in Ukraine.

The idea and practice of the formation and development of the legal equality of the sexes are connected with the feminist movement which politically declared a legal necessity for a politico-legal expression of equality, needs of the realization of equality in the legislation and in real practice.

In European science, the beginning of studying of women's situation in the society was founded by the ancient Greek philosophers. Plato and Aristotle justified inequality against women under the influence of the ancient society and its traditions. This point of view about women's defectiveness becomes dominant even with the origin of Christianity, which in a sense glorifies a woman. This position was further developed in the philosophical investigations of I. Kant, A. Schopenhauer, A. Weinger, E. Durkheim, Z. Freud, who put forward the ideas about women's narrow-mindedness due to specific biological and physiological features [1].

According to another point of view, the origin of feminism should be sought in the times of Renaissance [1]. Exactly this period should be considered as a starting point in the transformation of Western European consciousness in the direction of rationalism, one consequence of which was the rise of the ideas of feminism, with a nominal proclamation of the equality of women and men.

According to the general definition, the history of feminism dates back to the Age of Enlightenment, a new different metaphysical picture of the world where an important place belongs to the principle of equality and the belief in the realization of various utopian projects of the human mind. Such shifts in values could not but led to a change in the image of a woman [2].

It is believed that originally the feminist movement was mainly based on the philosophy of liberalism, with its emphasis on the human rights and utopian ideas of A. Saint-Simon, Owen, Charles Fourier. The term «feminism» is ascribed to the latter (it is possible to talk about men (not women) of liberal and left-wing views standing at the origins of feminism [2].

Women themselves demanded, at first, only some economic and legal rights, that can be seen in numerous manifestos in defense of women's rights written by British and French writers and publicists, «Declaration of women's and citizens' rights» (1792) by Olympia de Gouges, «About the subordination of women» by Mary Walston Kraft (1792), where the necessity of taking into account women's social experience, etc. was firstly proclaimed [3].

Directly the beginning of feminism is commonly dated by the end of the XVIII th - the beginning of XIX th centuries, when the idea about a depressed position of the woman in the society, headed by a man (patriarchy), become increasingly widespread. It is considered that feminism in the broader sense was generated by the active desire of women to change their position in the society.

The origin of feminism is connected with the economic changes and the destruction of the old morality that was due to the substitution of cheap workers by immigrants from low layers of population, particularly in the USA. The feminist movement is originated from the reform movement in the western society of the XIX th century (the events connected with the struggle for independence in North America; women's political clubs of the French revolution, etc.) [3].

Along with the origin of feminism there was a process of mythologizing of «women's purpose», which was seen as exclusive competence of women to keep household and be spiritual support for their men. A woman turns into an obedient, modest, pious lady. The

coexistence of these two trends – the development of feminist ideas of equality for women and promoting the idea of «female purpose» – is a kind of indicator of a collision in the culture of patriarchal and egalitarian gender stereotypes.

However, the origin of feminism is quite natural and due not only to socio-economic changes, but also is connected with the growth of women's identity, their attempts to find their place in a changing world and the extent of women's impact on the society. Under the influence of the ideas of feminism the concept of the influence of the system was born which later would be called the «Sex/gender» and influence the type of the society, of production and of culture in general. This concept connects the category of sex in productive and social spheres which determine the type of the society.

There are three waves in the history of struggle for rights in the feminist movement.

The first originated in the late XIX th century and the main content of it was suffragism – the struggle for women's right to participate in elections – the right to vote and to be elected. By the time this wave coincided with the global rise of labour and socialist movement. And this is logical: when everyone talked about reforms and revolution, women could not stay aside. The tasks of suffragism were mainly solved in the first third of the XX th century.

The first countries that decided to grant women suffrage were Australia, Finland and Russia (the role was played by the 1917 Revolution, but this did not diminish the role of women, on the contrary, the February revolution itself started with a huge demonstration of women in Petrograd to mark The International Women's day on March 8 (on February 23 by the old style). The major powers introduced suffrage for women in the 1920–1930 [3].

At about the same time, in the first half of the XX th century, women also got the right to control reproduction along with the right to vote. This struggle was very hard, especially in catholic countries.

150 years ago in the most developed countries of the world, women were denied the right to higher education, and often to upper secondary.

The beginning of Ukrainian women's movement in the middle of the XIX th century was closely connected with the European women's movement, which became very intensive at that time.

Along with that, its development on the national basis had its own peculiarities and specific features. Its first manifestations appeared in the Dnieper Ukraine in the 50-ies of the XIX th century and were connected with women's struggle for the right to receive higher education. At that time higher educational establishments for women were organized by the initiative and means of private individuals and charities. One of the first women's societies in Ukraine – the Society of women's higher education, worked in the same direction and its important achievement was the establishment of The Higher Women's courses in Kiev in 1878. The first Ukrainian women's club of Helena Dobrograyeva was created in 1884 [4].

Russian feminists began their struggle for the right to education and got it earlier than suffrage.

In the West, the order was reversed – at first the electoral and political rights were gained, then came equal education. In America and Western Europe, radical changes took place only in the 60-ies of the XX th century. when there was a great number of open universities where housewives after 40 years of age were given new and sometimes the first professions. The world revolution of 1968, in which women took the most active part attached equal rights to education of men and women, immigrants from rich and poor layers of the society [3].

The second wave of feminism arose in the 60-ies of the XX th century and coincided with a world-wide liberation process, the independence of former colonies, the military defeats suffered by the old world powers from the peoples of the third world, the origin of rock music and contraceptives, the rise of countercultural movements, the sexual revolution and the

world revolutionary crisis of 1968. The second wave of feminism put forward slogans of social and sexual liberation of women.

Theorists and practitioners of the second wave drew attention to the fact that everyday violence and oppression of women takes place not only in politics, but in the sphere of household, at work, in the field of culture and leisure [3].

The first and second waves of feminism resulted in many changes in the western society including granting women the right to vote during the elections; a wide choice of professions with the wages close to the wages of men of the same professions; the right to ask for a divorce; the right of women to have control over their own bodies and the right to decide what medical intervention is permissible for them, as well as many other social changes.

Giving prominence to the third wave is quite reasonable because at the end of XX th – beginning of XXI st centuries feminism faced to a series of socio-political and economic challenges, particularly with the range of trends, which are called «neoliberal globalization» that significantly change the theory and practice of social and political movements.

The map of the feminist movement today has become more varied and much broader than that which took place at the dawn of the second wave of feminism in 60's-70's of the XX th century.

In many countries and in Ukraine as well women's non-governmental and governmental organizations do their work, create women's transnational networks; the differentiation and specialization of the women's movement also takes place. Their activity is built on:

- the principle of considering any issue from the standpoint of women and of their interests;
- the gender approaches to change unfavorable social conditions;
- the commitment to civilizational values;
- a broad cooperation with international women's organizations, conferences, forums, foundations, etc.

The basis of the Ukrainian women's movement is grounded on the conviction that the Ukrainian woman is equally responsible for the present and future of Ukraine as men [5], continuing the historically caused Ukrainian feminist movement concentrated not on the rights of women but on their duties, on a great voluntarily taken responsibility for the destiny of the nation.

The traditional task for the women's movement in Ukraine, namely, the attainment by women of equal opportunities with men and the assertion of Ukrainian statehood helped to establish «The all-Ukrainian women's society after O. Teliga» in 1993 as a women's society at the foundation of O. Olzhych.

The Ukraine of today realizes non-discriminatory policy and guarantees the principle of equality of men and women at the constitutional level, but has not fully ensured its implementation with real mechanisms and means yet.

On the social level, the declared rights and opportunities of an individual, regardless of sex, are actually not observed. Prejudices and gender discrimination go on. Women and men, as social communities in general, don't have equal access to social status, resources, privileges, prestige, power.

The integration of the Ukrainian state into the world community requires rethinking of the place and role of women in the society, their equal participation in all spheres of life, and particularly in politics and state-building. However, the contemporary position of men and women in the society, gender stereotypes, widely spread among the population, an official gender policy give reasons to think it will not happen soon. The basis for this conclusion is the state of gender relations in the economic, social, legal and political spheres of the Ukrainian

society, as well as the state of public consciousness, where a number of deeply rooted gender stereotypes are realized.

Despite the dramatic changes in the Ukrainian society, there is a traditional distribution of social roles. Like many years ago there is the mythologization of the «women's mission»: traditionally male public space regarded the woman historically as deviation, a private sphere was nevertheless labeled as predominantly female.

In the society there is a double standard estimating a social contribution of a person depending on gender, different valuation of motivation of the same act of a man and a woman (motivated as obligations in front of the society for men; like selfless, personal, motivated by obligations to a family – for women).

The gender researchers see little risk in showing of gender stereotypes that artificially reduce the dignity of women or deny their femininity. The more a woman is successful and financially independent, the more often she is considered to be unrealized in the private sphere [5].

Idealization of the historical experience and a traditional way of life inevitably caused and accepted as the most right and basic components of everyday collective consciousness, gender stereotypes and corresponding concepts about social statuses and roles of men and women.

Today we live in the times of rapid change. Of course, the relationships between men and women also change in all spheres of the society. The promotion of gender equality is an important direction in Ukraine in recent years. This question goes through all the problems of today and is important for everyone.

For a long time the woman was alienated from power, limited in rights and therefore had no opportunities to realize their formally proclaimed rights.

The equality between men and women is an integral part of a human progress, an element of democracy and an essential condition of the development of a democratic legal state. Modern state of public relations does not let ignore knowledge, skills and creativity of women and requires their use.

However, the equal status of women in the society significantly changes the traditional understanding of such traits as femininity and courage and the society should be prepared for this.

Thus, one can conclude that only in the conditions of building a legal state, when actually not only equal rights but also equal opportunities are given to be exercised by different legal means, the principle of equality of the rights and freedoms of a man and a citizen and we will achieve rights in practice.

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