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## HISTORY OF DEVELOPMENT OF THE CONCEPT OF GENDER EQUALITY.

### **Abstract.**

*The article defines the concept of gender equality as equal legal status of women and men and equal opportunities for its implementation, which allows persons of both sexes to participate equally in all spheres of society.*

**Keywords:** *gender equality, research methodology, history of development, men, women, equal rights.*

Like any other existing phenomenon or concept, the phenomenon of gender research had an initial count of creation, causal aspects of formation, historical, political and general social conditions of origin.

The aim of the article is to systematize the knowledge accumulated by scientific doctrine on this issue, to study international experience and Ukrainian trends in its implementation, as well as to clarify the place of gender equality in the legal system of independent democratic Ukraine.

The study is based on the current legislation of Ukraine and foreign countries, as well as the work of domestic and foreign scholars in the field of law and sociology, political science. It is worth noting the work of such scientists: Petrova R.G. [1], Zhrebkina I.O. [2], Melnyk T.M. [3], Uvarova O.O. [4], Gritsay I.O. [5], Miroshnichenko O.A. [6].

It is impossible to begin the study of even the main theses and components of the studied concept without touching on the research that preceded it. That is why it is necessary to consider, first of all, the phenomenon of the feminist movement, which is generally known and widespread in the perceptions and speech of society, but the nature of which for many is mistaken for a directly identical phenomenon of gender equality.

For a long time, a special place in the system of scientific research was given to the study of the direction of "women's research", which consisted in studying the position and status of women as those who are unequal to men and suffer the most discriminatory harassment.

These studies had a characteristic type of argumentation and methodological capabilities to explain the inequality of status, status and social positions of women and men, namely, did not take into account the power relations "domination - submission" in the system of relations "woman - man" and did not analyze power relations in a particular culture. related to the article. The range of their study does not include the reasons for the position of women in the historical practice of public life, based on a "gender neutral" model of their description and explanation - "women in revolution", women and collectivization, "women in World War II" and more.

That is, women were studied alongside other social or demographic groups, but the specifics of the po-

sition of women compared to the latter were not studied. Often such research, especially in the fields of culture, philosophy, and literary criticism, focused not so much on analysis as on a woman's assessments of a "saint" or a "prostitute," a "fatal woman," etc., and focused on her imaginary virtues or similar imaginary vices. Under such tendencies, the formation of new approaches to research in this segment and the formation of thorough "women's research" was inevitable [5, p.89].

Women's research is defined in the literature as a field of research aimed at studying the status and position of women at the global level or in a nationally defined society at a certain historical time, which examines women's life experience in the system of social and cultural reality.

It was women's research that became the source and created the theoretical basis for the emergence of direct gender research dating back to the 1970s. Originally formed as one of the narrow branches of women's research, gender studies embodied the transition from the study of specifically women's experiences to the analysis of the gender situation in a particular country, gender relations, covering both sexes, and eventually reached a new scientific level. The emergence and development of the concept of "gender", which the world scientific community now clearly distinguishes from the concept of "sex", fully reproduces this change. Women's research is increasingly evolving into gender, which is actively spreading during the 80's and 90's, becoming increasingly multifaceted and actively involving issues and methods of various disciplinary branches of socio-humanities [5, p.99].

A special aggravation of the gender theme took place in the 70-90s of the twentieth century, which led to new areas of research. Among the most intense is feminism, which originally had a political purpose. In Western countries, this was called the "silent women's revolution." Genderology has become a follower of feminism and feminism. In 1968, R. Stoller first defined the difference between the concepts of "sex" and "gender". In 1993, the Center for the Study of Women and Gender was established. The reason for such studies was the opposition of women and men, stereotypes about male purpose [1, p.37].

Thus, feminism is a social theory and critique of patriarchy as an unjust social order and a movement

that strives to overcome gender discrimination and injustice and embodies the struggle for equal rights and opportunities for women and men. Feminism is considered, taking into account a variety of cultural contexts, economic, political and social conditions.

It is scientifically accepted to distinguish three conditional waves of feminism - the stages of women's struggle for their rights.

The first wave of feminism began in the 1830s with the beginning of women's struggle for the right to vote, known as "suffrage", and lasted until about World War II, when women in the Western world reached their goal. New Zealand was the first in the world to give women the right to vote in 1893, in 1894 - Australia. The first in Europe was Finland in 1905, followed by other Scandinavian countries and the rest of Europe. The right to property, higher education, and employment are other pressing issues of the first wave of feminism. European universities first opened their doors to women only at the end of the 19th century [7, p.35].

The issue of the second wave of feminism has acquired a wider range of issues. The place of women in the labor market, decent wages, unpaid domestic work, social support from the state and a number of other requirements have formed the purpose of this movement. "Personal is political" is a well-known slogan of activists who have put violence on women on the political agenda, both in the family and in the workplace. In the feminist movement of that period, three main directions were clearly distinguished: suffrage - a movement for giving women the right to vote; humanistic - the ability of women to learn, develop and thus achieve equality; Marxist, according to which the position of the working woman is conditioned by class reasons, so that the struggle for her liberation coincides with the general task of liberating the proletariat.

The 1990s saw the third wave of postmodernism and poststructuralism. Since activism has not fully provided the expected results, the approach to the problem is changing [2, p.144].

The first document of feminism is considered to be the "Declaration of the Rights of Woman and Citizen", written by the Frenchwoman Olympia de Guz in 1791, which stated that women have the same rights to freedom, property, as men, but is hindered by tyranny. strong sex ". The declaration provoked strong opposition in society, especially the phrase: "If a woman has the right to go to the scaffold, she should have the right to go to the podium."

Thus, it was feminist issues and the formation of feminist teachings that became the basis for the emergence of a number of other issues in society concerning the injustices and inequalities of its members.

The emergence of gender research as a scientific field should be associated with the active development of production, political and other capital in the second half of the twentieth century, which required the growth of human capital, expanding its quantitative and qualitative capabilities.

The renewal and reform of the world community, national societies and states has been impossible without scientific analysis and recommendations on the new

content of gender relations, which are increasingly seen as basic. Further changes and related development programs required the development of the scientific principles of gender equality on which they are based and developed. First of all, progress in social development required a scientific analysis of the replenishment and expansion of new sources of economic and social resources, including women's society, new forms of their organization and management. From this point of view, gender research emerged as a social order of modern society, as a reflection of the relevant organization of social space, the need to reconstruct the individual, family, social and state coexistence of the sexes.

These processes were understood as economic, political and social transformations on a global and national scale. In historical practice, the issue of gender equality is increasingly considered as a fundamental principle of democratic development of societies, the humanistic content of their political organization. Gender begins to take on the meaning of a category comparable to the categories of "class" and "race"; is increasingly associated with the concepts of nation, politics, democracy, considered in connection with art, culture, etc. All this required a theoretical explanation and the development of appropriate arguments [12].

The subject of in-depth study and scientific understanding are the values and life orientations of men and women, the expansion of their interests and the emergence of new needs, updating the nature of relations between them in accordance with the renewal of world space, new approaches to socio-sexual culture and the formation of modern cultural realities. living space of self-expression, as well as deepening interest in defining and creating the future, taking into account the gender perspective.

Gender theory emerged as a modern scientific search for parity and balanced relations between the sexes, their global and national coexistence based on analysis and rethinking of history, organization of public and private life of women and men, all social culture as a sphere of life strategies of individuals according to their sex [3, p.16].

Depending on the forms of government in Ukraine, it is possible to identify the following stages of formation of domestic gender equality:

a) early feudal - dating from the late ninth - early fourteenth centuries. At this time, in civil law, the status of women in ancient law was much higher than, for example, in Roman or Old Germanic. In the days of princely Russia, a married woman kept all her property, which even after her husband's death was not included in the common inheritance, and the widow became the full head of the family. Women had the right to dowry and inheritance. Husbands often depended on their wives in the property sense [3, p.20];

b) caste-representative - this period is marked by the adoption of Christianity in Russia, which did not change the legal status of the woman of that time. Thus, the wives, widows, daughters and sisters of princes had a significant influence in the public sphere. The burghers, or rather the widows of housewives of Kyiv and other older cities, traditionally had their representatives in the village councils with clear instructions on how to

behave when voting on important issues. However, as the number of church works and sermons increased, so did the idea of women's inferiority, which diminished their importance in the family and perpetuated women's inequality. The wife's obedience to her husband came first, regardless of her abilities and personal qualities. She was forbidden to give advice to her husband in public, to show awareness and competence in family affairs, the economy, public life;

c) imperial - this period began with the loss of autonomy of the Hetmanate, which led to the disappearance of political gender equality in Ukrainian society. Thus, after the subordination of the Ukrainian Orthodox metropolitanate to the Russian patriarchate, *Domostroy* was considered the standard of behavior of spouses in the family and society, according to which the wife in the family had to adhere to strictly regulated behavior, non-compliance with which was punished by both husband and church. However, under the influence of the ideas of the French Revolution of 1789 and the Enlightenment in the second half of the XVIII century. in the Russian Empire and, in particular, in Ukraine, a new type of followers of the idea of gender equality is being formed - women writers and poets declare themselves and their self-consciousness [3, p.22].

d) the national-republican period is directly related to such documents as the Resolution of the Provisional Government of April 15, 1917 "On holding elections of public city dumas" and "Provisional rules on holding elections of public city dumas", according to which to elect and be elected to All male and female citizens of all nationalities and religions who have reached the age of 20 and have lived or had a home or business in the city could have been self-governing. This period is characterized by the awareness of both men and women of the need to release the individual regardless of gender. The direct legal consolidation of gender equality in public administration and the actual implementation of this social phenomenon begins with the revolutionary democratic events in Ukraine in 1917-1918 and the creation of the foundations of the Ukrainian nation-state and law. For the first time in Section II. "Rights of Citizens of Ukraine" (Article 10) of the Constitution of the Ukrainian People's Republic (Statute on the State System, Rights and Freedoms of the UPR) of April 29, 1918 recorded: The UPR does not know any difference in rights and responsibilities between a man and a woman. " No country in the world had such a constitutional position at that time [9, p.53].

With the formation of the Western Ukrainian People's Republic at the end of 1918, the Provisional Basic Law on State Independence of the Ukrainian Lands of the Former Austro-Hungarian Monarchy, adopted by the Ukrainian National Council at its meeting on November 13, 1918, enshrined: his patronage, elected on the basis of universal, equal, direct secret and proportional suffrage without distinction of sex. On this basis, the constituent assembly of the Western Ukrainian People's Republic should be elected.

Until the time of the constituent assembly, all power is exercised by the Ukrainian National Council and the State Secretariat. " Women of the Western

Ukrainian People's Republic participated in parliamentary elections, held government and judicial positions, were soldiers of the Galician Army, after the Unification of the Ukrainian People's Republic and the Western Ukrainian People's Republic together with women of the Ukrainian People's Republic created a united Ukrainian women's organization in Kamianets-Podilskyi. international women's movement, participated in international congresses of the International Women's Council, the International Suffrage Union and the International Women's League for Peace and Freedom [11, p.464];

e) Soviet - began with the consolidation of Soviet power. Thus, the Constitution of the USSR of March 10, 1919 indirectly enshrines women as citizens only the right to vote and to be elected. There is no clear formulation of gender equality in this act, but, first of all, it is a question of class proletarian unity. However, already in the Constitution of the USSR in 1929 in Art. 66 states: "The right to elect and be elected to councils have, regardless of gender, religion, race, nationality, residence, etc., such citizens of the Ukrainian Socialist Soviet Republic who are 18 years old before election day."

Later, in the Constitution of the USSR in 1936, it was dedicated to women. 122, which states that women in the USSR are granted equal rights with men in all spheres of economic, state, cultural and socio-political life. The possibility of exercising these rights by women is ensured by granting women equal rights to work, pay for work, leisure, social insurance and education, state protection of the interests of mother and child, granting a woman during pregnancy leave with maintenance, a wide range of maternity hospitals, nurseries and kindergartens [7, p.101].

All these constitutional innovations were progressive, because at that time, no country in the world legislated an exhaustive range of rights for men and women equally. Further, the constitutional consolidation of gender equality in Ukraine took place in the Constitutions of the USSR in 1977 and the Constitution of the USSR in 1978.

In the second half of the 1950s and early 1960s, the limited liberalization of society and the "privatization" of private life gradually weakened the Bolshevik gender code and prompted an alternative interpretation of femininity and masculinity in the USSR. Soviet propaganda has always been proud of the fact that for the first time in history women were involved in the socio-political and cultural life of the country. Indeed, by the end of Soviet history, women made up 51 percent of the total workforce. Nine-tenths of women of working age worked or studied. In terms of their educational level, Soviet women were practically equal to men.

However, that these indicators do not indicate compliance with the principle of equality and equality in public administration;

f) modern in the conditions of independent Ukraine - after the collapse of the USSR, despite structural changes and the emergence of new gender practices, the transformation of gender relations was accompanied by a return to patriarchal notions of the role status of men and women in society [4, p. 82].

Thus, based on the analysis of the above, I believe that it is possible to argue about the direct connection of the phenomenon of gender equality, as well as any other social phenomenon, with the trends and features of historical and political periods. Despite the diversity of the latter both globally and in Ukraine itself, the issue of equality of human rights, regardless of any of its features and belonging to certain groups, was realized and appeared in public sentiment. The long and incomplete movement of women for the rejection of patriarchal oppression and the establishment of common independent criteria for assessing the professional, business, moral and ethical qualities of women and men, of course, gave rise to public awareness and a number of other significant shortcomings and stereotypes of the past.

Gender research in the field of scientific theory began relatively recently - in the 1980s at universities in North America. Attempts to analyze the issues of gender equality that preceded them were marked by a rather disordered and chaotic form. Thus, the first courses of women's studies in high school in the United States were organized directly under the influence of women's movements in the 1960s and 1970s. It is known that the theoretical analysis of the time was considered perhaps the most important condition for social change, and the study of women's oppression was associated with the search for political and social opportunities to overcome inequality in patriarchal and capitalist societies [5, p.18].

Gender studies have been shaped by feminist critiques of science and history: followers of feminist ideas have sought to free human thinking and language from all that creates a less favorable position for women than men. Representatives of gender studies paid special attention to how the fair coexistence of men and women within one society can be ensured. Thus, although feminist and gender studies have a certain affinity, and the latter arose within the former, the further gender studies are, the more clearly they differ in their particular subject matter and methodology.

The methodology of gender research is a system of methods and techniques of cognition, characterized by a number of inherent tools that distinguish gender research among others.

The main tools of the gender research methodology are:

- distinction between the concepts of "gender" and "sex". Although the differences between the words "gender" and "sex" practically do not exist in everyday communication, in the humanities they have long been distinguished. According to the position supported, in particular, by the International Labor Organization, the term "gender" reflects socially determined differences and ties between men and women. In different societies and cultures, they are different and change over time. The term "gender" is not interchangeable with the term "sex", which reflects only biological differences between men and women, which are universal and unchanging [6, p. 20]. The term "gender" can be used, for example, when it comes to organizing the collection of statistics. Instead, the term "gender" is used to refer to

differences in roles, responsibilities, or special needs of women and men;

- defining the role of men and women. These social roles are ingrained in the public consciousness common stereotypes about the activities and tasks performed by men and women. As noted in the scientific literature, changes in the roles of the sexes often occur in response to changes in economic, natural and political conditions, including development or structural adjustment and other national or international forces. Roles in this social context can be flexible or rigid, similar or different, complementary or conflicting [6, p. 29]. Due to natural features, women and men participate differently in both reproductive and productive activities. In addition, due to the fact that the socio-political movement of emancipation, for all its indisputable achievements, failed to achieve equal conditions for the exercise of rights by men and women, the latter tend to play a less important role in the life of social (eg, labor) in particular political (parties, movements, etc.), groups;

- Gender justice is a fair treatment of women and men that requires positive action by the state to compensate for historical and social asymmetries caused by being in a less favorable position for a long time, which now complicate equal access for men and women to rights and other social benefits. Justice here is understood flexibly: as an attitude that is not always the same, because it takes into account the peculiarities of the situation and needs of men and women. It may therefore be fair to give men and women a somewhat different legal status. According to the position of the ILO, gender justice can be embodied both in equal treatment and in an attitude that, being different, is seen as equivalent in terms of rights, benefits, obligations and opportunities [6, p.30];

- gender equality, which means the need to give men and women equal rights and opportunities, as well as equal treatment in all spheres of public life. Legal equality often manifests itself in the identity of rights, freedoms and responsibilities. This is true, in particular, for the vast majority of women's and men's labor rights. However, equality can be achieved even when rights and responsibilities are not the same. Thus, Article 24 of the Constitution of Ukraine provides that equality of rights of women and men is ensured: by providing women with equal opportunities with men in socio-political and cultural life, in education and training, in work and remuneration for it, special measures for labor protection and women's health, the establishment of pension benefits, the creation of conditions that allow combining work with motherhood, legal protection, material and moral support of motherhood and childhood, including the provision of paid leave and other benefits to pregnant women and mothers [7].

Of particular importance for the study of gender equality in the context of legal sciences is the system method, which is associated with the system of law as a phenomenon.

In the methodology of law, the system is understood not as a simple set of elements, but as a set of organized, connected into a single stable coherent



whole through various connections between its constituent elements. The analysis of the links between the interaction reveals how the legal norms of some branches of law can affect the provision of gender equality in other legal relations.

A special scientific method is gender analysis of legislation, through which it is possible to establish not only differences in the legal status of men and women, but also how the state, distributing the rights and responsibilities of legal entities, can influence gender attitudes and subordination, facilitating or hindering the implementation of gender roles by bearers. Gender analysis of legislation involves: collecting information on the sectoral legal status of men and women; establishing a less favorable attitude towards one gender group; identification and analysis of the needs, opportunities and limitations of women and men in legal relations imposed on them in connection with the implementation of a certain social role; analysis of the constitutionality, validity and proportionality of establishing a less favorable attitude to a particular gender group; identification of unreasonable asymmetries in the legal status of men and women that cause violations of gender equality [8, p.261].

According to the UN, gender analysis is the process of evaluating any planned activity in terms of its impact on women and men, as well as legislation, strategies and programs in all areas and at all levels. This strategy is based on the fact that the interests and experiences of women, as well as men, should become an integral criterion in the development of the overall concept, in monitoring and evaluating the general activities and programs in the political, economic and social spheres. as well as men, could receive the same opportunities and chances, and inequality that never took root [9, p.59].

For more specific, mostly statistical and regular-qualitative tasks of gender research, scientists use general scientific methods of cognition such as analysis and comparison. For example, monitoring the publication of open government data and applying innovative approaches to their processing allow us to study the differences in the situation of women and men at the national and regional levels, as well as depending on the region, district, type of settlement and economic activity. landscape and form the basis for policy making and concrete actions at different levels to overcome gender inequality [10, p.50].

In general, given that gender continues to be in the status of an innovative phenomenon and is undergoing a stage of active methodological adaptation within certain disciplines, gender research is widely used, including the methods of political science.

In particular, the theoretical method is a method that connects the set of knowledge acquired by all methods into a conceptual vision of the problem. In gender research, this method makes it possible to identify a range of existing issues and specify the subject of study, to determine the place of gender knowledge in individual fields of science and science in general.

Sociological methods - methods that make it possible to compare and correlate any gender parameters with other social characteristics.

Statistical methods - involve the introduction and application of indicators that demonstrate the degree of equity in the distribution and use of national goods and services between social groups, taking into account the gender factor.

Empirical method - reveals the positive and negative experience of gender activities, confirms or refutes the correctness of certain theoretical models or schemes.

Prognostic method - a method of predicting the prospects of gender development depending on the specific gender situation [11, p.464].

The classification of methodological approaches proposed by D. Hudyma is interesting, according to which the first approach to the classification of research approaches is based on the concept of legal understanding:

- positivist - an approach that allows to clarify the essence of gender empirically;
- natural law - an approach that during the study assumes the existence of independent of the will of the subject, universal, including transcendental, norms and principles that postulate the prohibition of gender inequality.

Depending on the worldview, the scientist identifies:

- biologization - an approach that can justify the biological conditionality of certain types of gender stereotypes and gender discrimination solely by the social nature of its prohibition;
- sociologizing - based on the fact that society itself (some of its social groups) generates gender stereotypes and takes measures to stop them;
- transcendentalist - connects the prohibition of gender discrimination with certain supernatural (supernatural) human characteristics, which postulate the impossibility of discriminating against each other.

Depending on the philosophical concepts and categories on which the research approach is based, the following approaches are distinguished:

- necessary, on the basis of which it is possible to justify the prohibition of gender discrimination during a certain human activity as objectification of the needs of a certain part of society in such a prohibition, which is a means of realizing the interest of this part in the relevant law;
- anthropological (in the context of legal anthropology) allows us to explore the problem of human existence from ancient times until now in the legal context through the prism of a gender approach to it;
- axiological, according to which the primary value of man, his rights and freedoms at the international and national levels, the principle of gender equality as a universal value and reflection in international human rights instruments determines the derivative value of the prohibition of gender discrimination established to ensure legal equality.

Each of these approaches involves the choice of certain research methods:

- philosophical (dialectical, metaphysical, dialectical-materialist, phenomenological);
- general science (systemic, historical, ascent from the concrete to the abstract and vice versa, etc.);

- special (comparative law, dogmatic, interpretation of legal norms, etc.) [12].

The statement about the use of various methodological approaches and methods in conducting gender research, the choice and combination of which depends on the specifics and purpose of a particular study [12].

However, it is possible to highlight a specific feature of gender methodology - the focus on the elimination of hierarchical relationships and leadership in research and in the political, social and legal spheres.

The methodology of gender research provides the basis for its development and the reliability and clarity of the data obtained, which become the basis for further development of its new forms and directions.

In democratic communities, the issue of reconciling family and professional life of women and men, giving them the opportunity to exercise their equal rights is proclaimed today as one of the basic components in solving social problems. Achieving gender equality, its implementation in the system of social relations - this is the fundamental value that determines the real changes in the economic, humanitarian, social dimensions, and is a powerful reserve for the progress of any state [5, p.112].

In the 70s of the twentieth century in the world (first in the United States, and later - in Canada, Britain, the Netherlands, Scandinavia, Australia, Italy, France) there are studies of cultural anthropology and sociology, revealing the concept of "gender", distinguishing the concept of "sex" (sex) and "gender" (gender, sex). According to A.M. Fesenko, these works were based not only on proving biological differences between men and women, but also on their division into social roles, forms of activity, differences in behavior, mental and emotional characteristics.

Research in the field of cultural anthropology has convincingly shown that what is considered a characteristic of women in one society may be a characteristic of men in another. Thus, for the first time, the gender role ceases to be seen as a manifestation of a predetermined nature, and is distinguished as a system of expectations of adequate behavior. At the same time, gender was considered not as a natural sex, but as a socio-cultural construct. It follows that some characteristics of women, such as emotionality, propensity for self-sacrifice, focus on family and children, are not natural traits, but characteristics formed by a certain type of society.

Thus, it turned out that the concepts of "femininity" and "masculinity" are conditioned by culture and are polysemantic. Later, in the early 80's, gender science penetrated into the research programs of Eastern European countries [12].

Historically, the concept of "gender" was introduced into scientific circulation by the American psychologist Robert Stoller in 1968 and translates as "social sex".

The concept of gender does not have a clear and unambiguous definition in sociology, nor in psychology, nor in sexology, nor in law due to lack of agreement on understanding its essence.

In the broadest sense, gender can be defined as a system of values, norms and characteristics of male and

female behavior, lifestyle and way of thinking, roles and attitudes of women and men, acquired by them as individuals in the process of socialization, primarily determined by social, political, economic and cultural contexts of life and captures the idea of women and men depending on their gender.

Gender is a rather complex concept, as it reveals the multifaceted meaning of the phenomenon. In the scientific literature it is used in several senses:

- gender as a socio-role and cultural interpretation of personality traits and patterns of behavior of men and women, in contrast to biological;

- gender as the acquisition of sociality by individuals born in the biological categories of female or male sex;

- gender as a policy of equal rights and opportunities for men and women, as well as activities to create mechanisms for its implementation [3, c. 122].

Gender as certain social roles that are expected to be performed by men and women, in contrast to gender, which is associated with the genital structure, reproductive system, chromosome set, ie with biological indicators. Gender equality is one of the conditions for social development. In general, real rather than formal equality is recognized as one of the most important values of a democratic society, the commitment to which is enshrined in international human rights norms and standards.

Terminologically, most international instruments deal with the wording of the prohibition of discrimination on the grounds of sex. However, in the 1990s, at the international level to denote cultural norms and expectations due to biological sex, the category of "gender" began to be widely used [1, p.23].

The purpose of using the term "gender" is to emphasize that many manifestations of inequality, stereotypes and, as a consequence, violence do not stem from existing biological differences between women and men, but rather from socially constructed differences, understanding and perception of how women and men have to be represented in social life [8, p.268].

When we talk about gender, we also mean concepts such as masculinity and femininity (social notions of what it means to be a man or a woman) that reflect gender identity. In particular, masculinity in the traditional (patriarchal) paradigm is associated with strength, power, courage, endurance, aggression, non-emotional, success orientation. Instead, femininity is the opposite of masculinity: emotionality, sensitivity, weakness, dependence, and so on.

Very often the concept of "gender" as the main category of social science is a social construction used to study the foundations of sociality and its forms. Thus, gender, on the one hand, is defined as a set of social manifestations, and on the other - as a hidden cultural content of gender, which includes generally accepted social and cultural ideas about its role and essence. Due to the fact that social sex is determined by social practice, certain norms of behavior are fixed in the society, which require the fulfillment of specific gender roles. As a result - in the minds of a society there is a clear idea of the existence of "male" and "female". As a result, in modern society it is increasingly difficult

to distinguish between the biological definition of sex and its social modeling, and therefore, sex is defined as gender, ie socialized sex [12].

Gender theory, one of the sources of which is feminism, is universal in content, scope and application. Gender studies are not identical to theories of feminism. The latter, as a system of general views that allow to describe, reveal and explain the social experience of people, focuses on the "woman" as its object, its role and significance. The main aspects of feminism as a theory are: women as the main object of study of social life in a particular historical situation; woman as a subject in the social world; feminism - as a critical attitude to social realities from a woman's point of view and in her interests, and hence in the interests of humanity.

Gender theory studies the social life of both sexes, their behavior, roles, characteristics, common and different between them, the social relationships of the sexes, considering the world from the standpoint of both socio-sexual groups. It is aimed both at the theoretical rehabilitation of specifically female experience, which can no longer be perceived as "exotic", and to make "visible" both female and male experiences of social life. The subject of modern gender research is not only female subjectivity, but also the comparison of women and men in real life, in all their manifestations and spheres. Modern gender studies note the presence of not only female and male types: in addition to them, the subject of gender analysis is homosexual, heterosexual and transsexual types.

Gender studies also aim to explain differences within a particular gender - between women themselves, between men - and to give them a holistic comparative characterization depending on status - their class, race, nationality, marital status, place of residence, age, religion, etc. that is, they provide a comparative analysis of the entire social life of people from the standpoint of their gender. In general, the expansion of the subject scope of gender research will require the formation of new critical discourses [3, p.358].

The concept of gender equality arose in the wake of equal rights for men and women. At the same time, it is inadmissible to perceive equality as equality, because gender roles are not the same in social content, but require equality in legal guarantees for the realization of the possibilities of different sexes. The conceptual basis of gender equality is the denial of the unity of the standard without taking into account gender differences and the denial of the male standard as universal. In this regard, the category of human rights of women has been introduced.

This was a step towards taking into account the specifics of gender as a determining factor for the whole complex of human rights. Recognition of sexual characteristics of the individual, construction of the subject of law in its gender dimension, ie providing the opportunity to realize the gender role without limiting the general social status, is the essence, the core of the principle of gender equality [10, p. 51].

Article 1 of the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men" defines the concept of "gender equality" as equal legal status of women and men and equal opportunities for

its implementation, which allows persons of both sexes to participate equally in all spheres of society [ 9, p.52].

The essence of gender methodology is not just to describe the difference in status, roles and other aspects of life of men and women, but to analyze the power and dominance asserted in society through gender roles and relationships [2, p. 691].

When it comes to gender equality as an ideal of socio-political development, this concept can be understood as the following phenomena:

- formal equality (legal equality, enshrined in law);
- equality of opportunities (granting a certain statutory advantage to a certain socio-demographic group to create the same conditions as other groups);
- equality of results (purposeful provision of elimination for competing parties of obstacles that may be due to previous discrimination) [1, p.191].

In the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men", the concept of "gender equality" follows from the legal context and is related to the influence of social structures on the lives of women and men - their rights, freedoms, opportunities, needs, etc. This is clearly and unambiguously enshrined in law.

Gender equality - equal legal status of women and men and equal opportunities for its implementation, which allows persons of both sexes to participate equally in all spheres of society [9, p.53].

Despite the multifaceted approaches of different scholars and lawyers to the definition of gender and gender equality, these categories remain too comprehensive in their meanings and change according to the needs of a society whose progress is constantly gaining momentum and new forms. It is clear that the separation of the concepts of "sex" and "gender" has become a significant step and trigger in the restoration of natural rights and freedoms, but the process of formation of the methodological apparatus of gender research continues.

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