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S. V. Kudin,

*Doctor of Law, professor,
professor of the Department theories and history
of the state and law State tax official university
e-mail: kudin@i.ua*

ORCID ID 0000-0003-1396-3212

HISTORICAL AND LEGAL REASONS FOR THE ESTABLISHMENT OF THE SOCIAL VALUE OF A WOMAN IN UKRAINE IN THE MEDIEVAL AGE

It is revealed that during the period of the Medieval State (for Ukraine - the period of the Lithuanian-Russian State and the Commonwealth), there was an evolution of philosophical and legal concepts of the social value of women, in particular, there is a combination of anthropocentric, humanistic and axiological elements in understanding their purpose and the results of their activities. The Renaissance period is associated with the spread of humanist ideas in the philosophical and cultural spheres, which affirmed the human right to happiness, self-expression, and the development of sciences free from religious restrictions, and within which the concept of man as the highest value, the creator of his own destiny, was formed. It is explained that the geological basis for the spread of anthropocentric views in Ukraine in the Renaissance and humanistic form was the tradition that gradually developed in Western Europe and spread through Poland. At the same time, the philosophical and legal thought of Kyivan Rus had a significant impact. In particular, since the period of Kievan Rus, the philosophical and legal tradition has paid attention to the problems of man, his self-knowledge, understanding of his essence, the purpose of life, the problems of freedom of choice, individual and personal in man. It is proved that during the fifteenth - first half of the seventeenth century, compared to the period of Kievan Rus, the specific historical situation changed significantly, which influenced a different understanding of the social value of women: feudal relations were formed and the estates inherent in feudalism were formed; various oppressions, the presence of the hostile Steppe caused the emergence of the Zaporozhian Cossacks; the State was relatively centralized throughout the period; Catholicism and Polonization were expanding. It is revealed that one of the elements of the historical specificity of the existence of Ukrainian society during the period of the Medieval State is the constant expansion of the Catholic, and after the Union of Brest in 1596 – the Greek Catholic religion in the Ukrainian lands. It was a period of constant struggle for the Orthodox Church to preserve its rights. This course of events also left its mark on the emergence of a rather important area of activity, primarily by Ukrainian women nobles who remained patriots: the defense of the Orthodox Church, its support and care, financial assistance, popularization of the Orthodox religion, and the creation of new centers of

Orthodoxy, in which, among other things, the Ukrainian language and culture were to be preserved and developed.

Key words: *medieval times, Ukraine, history, social value, person, woman, family, family, rights, equal opportunities.*

Formulation of the problem. The problem of a woman's social value, the understanding of her status in society has always been relevant in various historical eras, primarily in societies in which women had gender equality and could exercise their rights. The period of the 16th century, when the Ukrainian lands were part of the Lithuanian-Russian state and the Polish-Lithuanian Commonwealth, was indicative in this sense. After all, it was at this time that processes of legislative regulation of the family-marital, civil and criminal legal status of women, establishment of her inheritance rights, etc. took place, which was also reflected in the essence of the understanding of the social value of women. The ideas of Renaissance humanism, the legal traditions of Kyivan Rus, the reception of legal norms of Western European states, etc. had a great impact on these processes. Relevant for the period of the Medieval state is the gender factor associated with attempts to legislate equal rights for men and women in various spheres of social life, including legal ones.

The aim of the study To identify the historical and legal conditions for the formation of the social value of women in the Middle Ages.

Presenting main material It should be noted that during the existence of the medieval state, philosophical and legal thought developed under the influence of the ideas of Renaissance humanism. From a philosophical and legal point of view, this period should be interpreted as a series of students whose authors substantiated the earthly spontaneous self-assertion of the human personality and its desire to embrace and comprehend the world in its entirety.

The Renaissance period is associated with the spread in the philosophical and cultural spheres of the ideas of humanism, which affirmed the human right to happiness, self-expression, the development of sciences free from religious restrictions, and within the framework of which the concept of man as a higher value, the creator of his own destiny was formed.

It is worth noting that a number of prerequisites contributed to the spread of the ideas of Renaissance humanism during the existence of the Medieval state. Among them, a number of Ukrainian scientists name a number of factors of the then socio-economic, political, religious and cultural life that influenced the formation of the corresponding spiritual culture [1; 2, p. 20; 3, p. 14].

The ideological basis of the spread of anthropocentric views in Ukraine in the Renaissance and humanistic form was a tradition that gradually developed in the countries of Western Europe and spread through Poland. At the same time, the philosophical and legal thought of Kyivan Rus had a significant impact. In particular, since the period of Kievan Rus, the philosophical and legal tradition paid attention to the problems of man, his self-knowledge, understanding of his essence, the purpose of life, problems of freedom of choice, individual and personal in man.

As V. Litvinov rightly points out, the development of Renaissance humanism in Ukraine in the 15th and first half of the 17th centuries, passed two stages:

– in the first (up to the middle of the 16th century), humanists were more interested in socio-political, confessional and ethical issues;

– during the second period (from the second half of the 16th century to the beginning of the 17th century), an intensive development of early humanistic ideas takes place, intertwined with reformation ideas, as well as with the ideas of the Byzantine Renaissance. At this stage, educational, scientific, literary and educational associations appeared; a characteristic feature of that time was the active formation of the historical self-awareness of the Ukrainian people, the development of the ideal of humanistic patriotism [4, p. 13–14].

Philosophical and legal understanding of human value in Ukraine in the 15th – first half of the 17th century, develops: at this time it gradually evolves towards a combination of anthropocentric and axiological elements. It should be noted that some domestic scientists believe that the meaning of human understanding at this time is reflected in anthropocentric individualism [5, p. 9; 6, p. 15]. At the same time, Renaissance humanism could not become a spiritual program for the self-development of every person, because it was oriented towards the creative elite and was therefore characterized by narrow casteism, and Ukrainian humanists were only an elite group of secular intellectuals [7, p. 121–122; 8, p. 54].

It is clear that in the period of the medieval state, humanistic ideas about freedom and equality for all could not meet the interests of the privileged feudal strata of the population – magnates and nobility. So, in the first half of the 15th century, the socio-political and legal life of the Ukrainian lands was based mainly on the democratic norms of customary law, Russian Truth, which were confirmed by the regional privileges of the princes of the Grand Duchy of Lithuania.

But the situation begins to change significantly from the second half of the 15th century. The tycoon-noble state turns into a closed group that seizes both political power and land ownership. Initially, this was sanctioned by the status privileges of grand dukes and kings, and in the 16th century, three revisions of the Lithuanian Statute were issued, the Statute on Voloki of 1557, in which its political primacy was finally established, and the peasantry was basically established and lost its plots.

Philosophical and legal understanding of the social value of a person of those times became an idealized reproduction of what should be. However, we should not forget about the historical and specific situation that developed in the Ukrainian lands in the 15th – the first half of the 17th century.

It is, first of all, about the specialization of a woman's activities, her purpose and the result of her activity depending on her belonging to different strata of the population. This specialization depended on a number of factors.

1) It was inherent in the activities of women during the period of Kyivan Rus. At that time, activities to ensure the interests of Russia were carried out by grand duchess and duchess – wives of local princes. Basically, they were engaged in diplomatic, foreign policy, cultural and educational activities, establishment of trade relations with foreign countries, management of state affairs, reconciliation of social contradictions, fiscal policy, problems of Christianization of Russia.

Instead, free commoner women were engaged in farming, giving birth and raising children, creating a positive microclimate in the family, and preserving folk traditions. Significant changes took place in the 15th – the first half of the 17th centuries. Gradually, but steadily, the socio-economic situation changed in the Ukrainian lands that became part of the Grand Duchy of Lithuania, and later – to the Polish-Lithuanian Commonwealth.

In the 16th century classical feudal relations are formed in Ukraine, and states arise. A privileged state of magnates and nobility is formed; on the other hand, there is also a stratum of personally free population (burghers, registered Cossacks and others). In addition, a number of factors, both internal (oppression of the lords) and external (the presence of the enemy Steppe) led to the emergence of a de facto free state of the Zaporizhia Cossacks. But a huge mass of residents consisted of disenfranchised serfs – "boys" and their wives.

In this connection, the opinion expressed by the Ukrainian researcher D. Kohan, who noted that the position of a woman in the Ukrainian family is determined by special economic and property rights, is quite interesting, and at the same time, debatable; possession of movable and immovable property, control over a certain economic and industrial sphere and the ability to dispose of certain sums of money contributed to a rather high status of a married housewife [9, p. 117].

In general, this is a fair thesis, but it does not take into account the historical realities of the period under study. Such an ideal construction can be applied if we are talking about women who belonged to the privileged strata of the population, free burghers or Cossacks. But in no way does this apply to women serfs, because it should be remembered that all the property that was in the possession of a serf family belonged to its master. Therefore, both legally and factually, unfree women were deprived of the opportunity to obtain a high status in the then feudal society.

All the named population groups differed in social status, legal status, participation in the exercise of political power, availability of land ownership, etc. This is precisely what led to differences in the purpose and usefulness of women who belonged to the mentioned population groups, therefore, it is possible to trace the different content of their social value.

2) The state-political component changed significantly during the period under study. If Kievan Rus, at least until the second quarter of the 12th century, was a relatively centralized state, then the times of fragmentation come. It was during the period of centralization that the princesses who led the country could show themselves as diplomats, conduct fiscal policy, engage in economic activities, etc.

On the other hand, in the Lithuanian-Russian state (approximately from the second half of the 15th century), especially in the Polish-Lithuanian Commonwealth, no centrifugal processes took place. After all, a rather powerful state apparatus was formed (the Grand Duke (king), the "Ladies Council" (senate). Of course, there were powerful magnate cells that were full-power owners of their estates, but it was not profitable for them to pursue a policy of decentralization for two main reasons: the danger of peasant-Cossack uprisings and attacks by Tatars and other neighboring states.

This also left its mark on the activities of women who belonged to the magnate-noble estate: legally and in fact, the state was managed by men, they conducted diplomatic activities, managed the economic sphere, carried out fiscal policy, etc.

That is why we do not have reliable evidence that such types of activities were carried out by the wives of the rulers of the state. Accordingly, the activities of noble women are transferred to another plane, their purpose and usefulness change.

3) An external threat to Ukrainian lands from the Tatars from the Crimean Khanate, who carried out predatory raids from the south, killing people and dragging them into captivity; thousands of Ukrainian men and women ended up in the Ottoman Empire and were sold into slavery in other countries. This, with a historical regularity, determined (along with the strengthening of social, national, and religious oppression on the part of the feudal lords) the formation of the defenders of Ukraine - the state of the Cossacks. Along with the Cossacks, there were also Cossack women ready to fight back. Thus, the direction of women's activities related to the defense of their own land is being formed.

4) One of the elements of the historical specificity of the existence of Ukrainian society in the period of the Medieval state is the constant expansion of the Catholic, and after the Union of Brest in 1596, the Greek-Catholic religion into Ukrainian lands. It was a period of permanent struggle of the Orthodox Church to preserve its rights. Such a course of events left its mark on the emergence of a rather important line of activity, first of all, of Ukrainian noblewomen who remained patriots: protection of the Orthodox Church, its support and guardianship, financial assistance, popularization of the Orthodox religion, creation of new centers of Orthodoxy in which among others, the Ukrainian language and culture were to receive preservation and development.

Conclusions. 1. During the period of the Medieval State (for Ukraine – the period of the Lithuanian-Russian State and the Commonwealth of Nations), the evolution of philosophical and legal ideas about the social value of women takes place, in particular, a combination of anthropocentric, humanistic and axiological elements is observed in the understanding of her purpose and the results of her activities.

2. During the days of the 15th – the first half of the 17th century. compared to the period of Kievan Rus, the specific historical situation has changed significantly, which has influenced a different understanding of the social value of women: feudal relations are formed and states inherent in feudalism are formed; various oppressions, the presence of the enemy Steppe causes the Zaporozhian Cossacks to appear; the state throughout the period was relatively centralized; expansion of Catholicism and Polonization takes place.

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С. В. Кудін. ІСТОРИКО-ПРАВОВІ ПРИЧИНИ СТАНОВЛЕННЯ СОЦІАЛЬНОЇ ЦІННОСТІ ЖІНКИ В УКРАЇНІ У СЕРЕДНЬОВІЧНУ ДОБУ

Виявлено, що в період середньовічної держави (для України – період Литовсько-Руської держави та Речі Посполитої) відбулася еволюція філософсько-правових концепцій соціальної цінності жінки, зокрема, існує поєднання антропоцентричного, гуманістичного та аксіологічного елементів у розумінні своєї мети та результатів своєї діяльності. Епоха Відродження пов'язана з поширенням гуманістичних ідей у філософській та культурній сферах, які стверджували право людини на щастя, самовираження, розвиток наук, вільних від релігійних обмежень, і в рамках яких сформувалась концепція людини як творця власної долі. Пояснюється, що геологічною основою поширення в Україні антропоцентричних поглядів у ренесансно-гуманістичній формі стала традиція, яка поступово склалася в Західній Європі й поширилася через Польщу. Водночас значний вплив мала філософсько-правова думка Київської Русі. Зокрема, ще з періоду Київської Русі філософсько-правова традиція приділяла увагу проблемам людини, її самопізнання, розуміння своєї сутності, мети життя, проблемам свободи вибору, індивідуального та особистого в людині. Доведено, що впродовж XV – першої половини XVII ст., порівняно з періодом Київської Русі, суттєво змінилася конкретно-історична ситуація, що вплинуло на інше розуміння соціальної цінності жінки: сформувалися феодальні відносини; різні утиски, наявність ворожого ступеня спричинили появу запорозького козацтва; держава була відносно централізованою впродовж усього періоду; поширювалися католицизм і полонізація. Виявлено, що одним із елементів історичної специфіки існування українського суспільства періоду середньовічної держави є постійне поширення на українських землях католицької, а після Берестейської унії 1596 року – греко-католицької релігії. Це був період постійної боротьби православної церкви за збереження своїх прав. Такий перебіг подій наклав відбиток і на появу досить важливого напрямку діяльності, насамперед українських дворянок, які залишилися патріотками: захист православної церкви, її підтримка та опіка, матеріальна допомога, популяризація православної релігії та створення нових осередків православ'я, в яких, крім іншого, мали зберігатися й розвиватися українська мова та культура.

Ключові слова: середньовічна доба, Україна, історія, соціальна цінність, людина, жінка, родина, сім'я, права, рівність можливостей.

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