

LUISS GUIDO CARLI

POLITICS: PHILOSOPHY AND ECONOMICS



**Feminism**

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## Introduction

Feminist jurisprudence, also called the legal theory of gender, examines basic legal principles such as: justice, equality, conditions and situations of possession or deprivation of rights, as principles that are relevant to all legal areas, viewed through the prism of specific differences between women's and men's needs and demands, as well as the relationship between women and men in the social and legal environment. The coin feminist jurisprudence was born, not without reason, from two expressions: feminism and jurisprudence.

The term jurisprudence, characteristic of the Anglo-Saxon area, is used as a synonym for legal theory, that is, the general study of law. This term, despite the developing legal processes, has been retained especially for the reason that, especially today, in addition to "practical purposes", it corresponds to the usual distinction between legal philosophy and legal theory.

The term jurisprudence belongs to the Latin compound consisting of the terms *ius* and *prudentia*, where the term *ius* means law, and the term *prudentia* means prudence, wisdom, knowledge. In the literal sense, jurisprudence represents "knowledge of law", or "skill, experience of law". Jurisprudence, according to Gumplovic, is a rational science by its nature. The task of jurisprudence, i.e. legal theory, is the analysis, determination and "legitimization" of positive law, then the search for the origin and the complex meaning of its theoretical contents, pointing out the fundamental civilizational values of law, as well as connecting law and legal theory itself with other, more or less legally oriented, i.e. legally bordering disciplines and knowledge.

The term feminism means a social movement that seeks for women equal rights and the same status as men, as well as the freedom to decide for themselves about their career and the organization of their lives. Feminism is also an ideology, a personal belief, a network of theoretical positions, a starting point in considering phenomena that no longer have to concern women, a conceptual framework, a set of different activities aimed at improving the position in which women find themselves today. Often, feminism also represents an attempt to reinterpret history, to extract from it certain concepts, places and phenomena that can represent the basis for future practice.

# **1. The concept and historical development of feminism**

Feminism is a social movement that seeks equal rights and the same status for women as men, as well as the freedom to make their own decisions about their careers and the organization of their lives. Feminism is also an ideology, a personal belief, a network of theoretical positions, a starting point in considering phenomena that no longer have to concern women, a conceptual framework, a set of different activities aimed at improving the position in which women find themselves today. Often, feminism also represents an attempt to read history differently, to extract from it certain concepts, places and phenomena that can represent the basis for future practice.

The word feminism first appeared at the end of the 19th century. Socialist utopian Charles Fourier used it for the first time in 1830 with the remark that the emancipation of women expresses the measure of the emancipation of society as a whole. Then, the word "feminism" is defined in Robert's dictionary in 1837 in France as "the teaching that advocates the expansion of the rights and role of women in society." We notice that already then, when determining the meaning of the word "feminism", its three elements crystallize: theory, action and personal commitment. Namely, feminism represents learning, the expansion of women's rights, as well as personal commitment.

Feminism is an ideology that should contribute to the improvement of all areas of human relations, as well as the progress of society as a whole. The axiom of feminism should be the inviolability of every person, which would create reliable supports for criticism of patriarchy, its institutions and norms. Patriarchy is a system that enables permanent male dominance in the community and systematic discrimination against women. The word patriarchy is derived from the words pater (father) and archo (to rule). The theoretical elaboration of patriarchy or systemic male dominance is the foundation of a radical feminist critique of conventional understandings of politics. Father in the family, ruler in the state, God in the sky patriarchy thus works on different levels and through different organizations: sexuality, physical strength, reproductive control, church, state. Thus absolute male control over the order of the whole world is established. The position of women in such a society is a product of the centuries-old tradition of shaping social reality. <sup>1</sup>

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<sup>1</sup> Anderson, S. (2016): *Feminist*, Oxford, London. page 20

By passing such rules of behavior from generation to generation, that is, from generation to generation, we arrive at a modern, value-framed model of behavior. In relation to the position of women, the entire Western tradition is completely patriarchal. That is, the subordinate position of women and the authoritative position of men, which pervades all life relationships, is a basic feature of patriarchal morality and the inherited patriarchal social relations of today's society.

The French writer Simone de Beauvoir, not accepting patriarchy as something given by God, summed up the whole problem of women in the statement: "One is not born a woman, one becomes a woman", thinking at the same time that a woman as an original human being eventually becomes a woman as a victim of the tradition of a dominantly male culture. Accepting her inferior social position, a woman automatically becomes a passive and dependent human being, subordinate to the male part of humanity. The traditional roles of men and women, based on biological determination, over time become natural and therefore notorious. In this way, they survive as a regulatory principle of overall social relations. The unequal position of women is already determined by language terminology. Terminologically, the term woman comes from the Indo-European *gūenā*; with the original meaning of "husband's companion". Adequate Latin innovations: *femina genetrix* and *generate* (to give birth), derived from the Indo-European root *ḡen*, show how the Indo-European root *gūenā* stands in connection with the phenomenon of birth. So, in the primitive Indo-European family, *gūenā* was just a "birthmother", and that's why she was named as such.

Even today, due to language tradition and life customs, women are most often still treated as mothers or "birthers". On the other hand, the term husband is terminologically equivalent to the Germanic term *Mann* which means "to think or master". According to this, the basic meaning of the word husband would be: a man who manages, thinks, takes care of something, or in short: the head of the family, someone who is superior to the wife and children. When a woman marries in the traditional and cultural sense, taking her husband's surname, she becomes his property. Her public identity does not actually exist, she first inherits it from her father, then changes it to her husband's and finally ties it to her son's identity. All of this leads us to the conclusion that patriarchy is a political creation and that it is maintained as such by ideological means, and above all by language in which the male gender represents the basis and the female a variant.<sup>2</sup>

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<sup>2</sup> Brown, A. (2017): Political, Reflector, Daram. page 20

## 2. The first wave of feminism

As we have noted so far, feminist awareness of the unequal position of women was present in all known societies long before women organized themselves more and came forward in the pursuit of change. It is this massiveness in the initiative that separates the so-called first wave of feminism from all the other aspirations and participation of women in the public life of the community that preceded it. In Western societies, the first wave of feminism occurs in a situation where women are completely disenfranchised, both in terms of civil and legal, political, economic and professional positions. Namely, women did not have the right to vote, political participation, inheritance of property, participation in professional life, or even the right to their own body. The gender difference that assigns women a lower place in terms of value continues to explain why women have no place in the public sphere: politics, legislation, educational, religious and cultural institutions. Such a position of women is justified by the historical foundation of the hierarchy of men, as the stronger sex, over women, as the weaker sex.

Precisely because of the entrenched idea of gender difference, Swiss women did not win the right to vote until 1971, women across Europe could not be witnesses when signing documents, French women did not have the right to care for their own children until 1907, French law mandated different education systems for boys and girls until 1925, until 1870 the English were responsible for crimes committed by their wives; and until the Second World War, many European women could not work, go to a medical examination, enroll in university, open a bank account, get a passport or a driver's license without their husband's permission.<sup>3</sup>

Although women understood their own unjust position in society, the history of feminism, until the French bourgeois revolution, was a history of ideas. With bourgeois revolutions, a new quality is born, feminist action. Women joined the revolutionary activity, carried away by the hope of a better, fairer and more humane society. With such hope, women joined the men's movement believing that they would contribute to the end of privilege, and therefore male privilege. They appeared with a request for the right to work, recognition of the right to personal autonomy and political rights. However, the bourgeois revolution itself, to which women so zealously joined, had no overtones of a feminist component.

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<sup>3</sup> Varcia, S. (2016): Philosophy, Freedom, Lester. page 30

There were occasional feminist voices in favor of women's rights. In this sense, it is justified to mention Condors, the French philosopher of the 18th century who lived through the revolution and who saw the progress of the human spirit in the affirmation of three principles: "the abolition of inequality between nations, the advancement of equality within each nation and the true perfection of humanity", as well as the establishment of " conditions in which everyone will have the necessary knowledge to act in the light of his own reason in everyday affairs, to free his mind from prejudices, to understand his rights and implement them in accordance with his conscience and faith; in which everyone will become capable, by the development of his abilities, of finding the means to satisfy his needs, and in which eventually misery and madness will be the exception, and no longer the common fate of a whole section of society. Finally, Condorcet asked himself: "Will all nations one day reach that state of civilization that the most enlightened, freest and least burdened by prejudices, such as the French and Anglo-Americans, have already reached?" In the article "On the Recognition of Civil Rights to Women" clarity and strength, points out the unreasonableness of arguments commonly used to exclude women from political and civil rights, such as physical weakness or tenderness. Applying the same criterion, Kondors believes, would necessarily deprive men who are less strong and who, for example, are ill, of their rights. However, the National Assembly of France at that time ignored all these demands, and half of the population remained deprived of political and civil rights.

A woman, writes de Gouge, is born equal to a man and possesses the same inalienable rights: freedom, property, resistance to tyranny. Therefore, it is necessary that they also participate in the creation of laws, either directly or by electing their representatives in the authorities. Olympe de Gouges, we note, used the concept of Rousseau's social contract and demanded the extension of democracy to women by concluding a "social contract" between the sexes. As the first feminist who explicitly demanded from a modern state for women the same political rights that were incorporated for men in the constitution of that state, she encountered a large number of opponents. Because of her advocacy for the political rights of women and the clearly expressed revolutionary rationalist and democratic ideas of that era, she was sentenced to death and guillotined in 1793. In the same year, the Convention rejected the proposal on the political equality of the sexes, and the following year, the existing women's clubs were abolished and their re-establishment was prohibited.<sup>4</sup>

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<sup>4</sup> Gavis, G. (2018): Political Philosophy, Hammer, Bradford. page 44

The period that followed brought with it markedly anti-feminist activities. The Code Civil itself will fully express the anti-feminist character of the French Revolution. Simone de Beauvoir commented that women always participate in wars and revolutions but are excluded from the reconstruction or creation of the new, which comes after. During the period of the French Revolution, ideas about equality and freedom, as well as women's rights, spread beyond the borders of the country. The influence of the idea of the necessity of a woman's departure from privacy, home and family was also felt in England.

Just as Olympe de Gouge insisted on the political rights of women in France, which would make them equal with men, Mary Wollstonecraft in England, in a rationalist-enlightenment spirit, advocated for the education of women, which would show that women are not behind men. Publishing one of the most significant works in the history of feminism, "The Defense of Women's Rights" in 1791, he explains that by denying education or by wrong education, the purpose of which is not to develop human qualities and potentials equal to men, but "feminine" qualities that require the suppression of all intellectual and physical development and the reduction interest in frivolous trifles and marital aspirations, makes a significant step in the awakening of women's consciousness. Loudly condemned by her contemporaries, Mary Wollstonecraft did not leave the permitted register of her time. Namely, seeking for women only what was possible at that time along with criticizing the arbitrary political will that belongs to the public sphere, she did not extend her criticism to the private sphere and thus kept the division into public and private.<sup>5</sup>

The development of society, marked by growing optimism and a significant rise in the world of science, favored the awakening of women's consciousness and their questioning of their own position in the community in which they exist. The period of the 19th century, otherwise marked by enlightenment, humanism and liberalism, as well as urbanization, industrialization and democratization of society, influenced women who mostly came from the elite and upper middle class of society to reconsider the relations of power and influence at that time. In their efforts, they were significantly helped by the doctrine of liberal feminism, that is, the understanding that achieving full civil equality will lead to overall gender equality.

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<sup>5</sup> Anderson, S. (2016): *Feminist*, Oxford, London. page 25



### **3. The second wave of feminism**

Post-war politics, a period popularly called the "conservative fifties" in feminist circles, in Western countries required women to return to the domain of the private sphere and consolidate the patriarchally stereotyped gender relations that had been shaken during the Second World War. The attitude towards women was based on two principles: in countries where they gained the right to vote, it was made clear to women that this right belonged to them because they were the mothers and/or wives of fallen heroes. In this way, the necessary number of voters was secured and the awareness of women was symbolically directed about their role in the damaged society, which should be massed with their help.

Western society, through various means and post-war propaganda, worked intensively to displace women from the sphere of public life, especially by placing the role of mother and wife on a higher level. In this sense, the "Family Medal" was established in France in 1920, awarded to mothers with many children, and in Germany, 1934 was declared the year of the housewife. The goal of such undertakings was the growth of nations and the revitalization of society. It was made clear to women that they were directly responsible for the state of the nation after the end of the war because no one else could bear the blame for the rising infant mortality rate, the declining birth rate, the breakdown of the family, the perversion of moral values and the poor upbringing of children. This primarily applied to married women.

The voice of feminists was hardly heard during this period. It seemed that, by establishing formal equality, they satisfied all the demands of women. Strictly speaking, such a situation is not surprising, considering that feminism did not have its own theory. It was reduced exclusively to practice, gravitating between individual formulations that agreed with existing theoretical and political positions. The theoretical justifications of feminism since the 19th century gravitate between liberal theory and sociological doctrines, not exhausting themselves in any of them. This was significantly contributed to by the disunity of women in terms of their identity because, apart from egalitarian aspirations, they did not have much that united them. Namely, women do not have their own past, history, religion, like proletarians, they do not have solidarity in work and interests. Among them there is not even that spatial mixing as in the case of American blacks who form one community. They live scattered among men, bound by house, children, family, more tightly bound to the men they live with, fathers or husbands, than to other women.

Bourgeois women are in solidarity with bourgeois, not with proletarian women; white women with white men, not black women. Such a situation prevailed and probably would have remained so had Simone de Beauvoir not published "The Other Sex" in 1949. By publishing this voluminous work, probably the most influential feminist text of the 20th century, the author existentially analyzed the position of women and thereby opened a new chapter in the struggle. Strictly speaking, "The Other Sex" does not form part of the new feminist movement. Its publication preceded the flaring up of political movements for the liberation of women by two decades.

It was not until 14 years later that the first subsequent book on the same topic, "The Feminine Mystique" by Betty Friedan, appeared. Nevertheless, "The Other Sex" played a very significant role and had an extremely large influence on the next generation of feminists. At the time of its publication in the late 1940s, European and American feminists had already made a lot of political progress and many of the legal restrictions of the past had been overcome. Women in many countries, for example, could vote and own property, had access to higher education and various occupations. After the two world wars, women also had much more social and sexual freedom. However, de Beauvoir argued that despite this progress, women were not liberated from men and remained in a subordinate position.

Throughout her work, de Beauvoir focuses on the position of women, with reference to history, anthropology, myth, ethnography, biology, literature and sociology, to investigate the cause of their inferiority and captivity. In a philosophical sense, using an existentialist perspective and morality, he discusses freedom as the most desirable human condition. By that he means freedom of choice in particular. Therefore, it is not about assessing the position of a woman in relation to the general interests of society or her individual happiness, but in relation to her placement as an autonomous being in front of her own freedom and possibilities. The basic point of de Beauvoir's existentialist perspective is the idea that a human being appropriates the meaning of his or her life in actions and projects. Each consciousness is defined as a subject by opposing other consciousnesses and defining them as objects. Every consciousness is a transcendence that achieves its freedom through continuous self-transcendence towards other freedoms. Anyone who does not practice this kind of freedom falls into a state of immanence and becomes unfree, trapped. Challenging the freedom of others, on the other hand, leads to oppression.<sup>6</sup>

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<sup>6</sup> Gavis, G. (2018): Political Philosophy, Hammer, Bradford. page 45

Modern society, like most historical societies, argues de Beauvoir, objectifies women as the Other and men as the Self. Humanity is defined as male, as well as the human condition in general, while woman is always defined in relation to a man. The source of female subordination, he claims, lies in female "otherness" in relation to men. Only a man has the freedom of choice to build himself as a Subject, while consequently a woman establishes herself as an Object. The man defines himself as the Subject in opposition to the woman as the supreme "Other". But not reciprocally, which would mean that he is also the object of the woman's subjectivity, but in an act of psychological oppression. A woman is thus an archetype of oppressed consciousness - the other sex. She is denied humanity because of her difference from men. What determines her position and reduces her autonomous freedom is that she has to live in a world that perceives her as "Other".

The author dealt with many topics through her analysis. She researched biological, psychoanalytic and Marxist explanations of women's destiny. She assessed the history of gender from primitive forms of society to modern times as well as women's sexuality and her relationship to herself as the other sex. She considered the myths related to women, representations of women from the point of view of male authors, especially the position of lesbians, independent women and career women. She broadly analyzed the role of prostitutes, considering them to be women who can, under certain conditions, use "otherness" to exploit men.

Analyzing why women are "Others", de Beauvoir rejected the explanation of female subordination offered by theories of biological determinism. Since women have a reproductive role and the role of raising and raising children, she accepted that it is difficult for women to be free. She believed that a woman should not be defined by her womb, but that it is possible for her to have a life outside of her reproductive function. Freud and psychoanalytic theory also, in the opinion of the author, did not provide satisfactory explanations of female subordination. Rejecting the theory of the lack of a male sexual organ in women as the cause of her inferiority, envy of men and castration complex, she considered that the subordination of women is directly conditioned by power relations and the "supreme authority of the father". Also, she was skeptical of the Marxist view that derives everything, including the repression of women, from economic relations and the hegemony of the ruling class in a capitalist society.<sup>7</sup>

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<sup>7</sup> Anderson, S. (2016): *Feminist*, Oxford, London. page 29

The Marxist claim that the emergence of socialism will change the position of women did not satisfy her. Although she was a socialist, she did not see the position of women as a consequence of private property and capitalism, but rather as a consequence of male domination over the female "Other".<sup>8</sup>

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<sup>8</sup> Zones, L. (2012): *Feminist, Charisma*, Coventry. page 50

## 4. The third wave of feminism

With the waning of the second wave of feminism, in the eighties of the last century, terms such as: pro-sex feminism, postfeminism and the third wave came into increasing use. All three terms are criticized, especially the term postfeminism. The term is thought to imply that feminism is over, unnecessary and out of date. Although none of the mentioned examples is universally accepted, the term third wave is gaining more and more importance. The expansion of this wave took place during the nineties, by shifting attention from the uniquely understood problem of women in the modern world to the plurality of women's worlds, embodied through intersections of gender groups with wider social communities such as races, ethnicities, classes, sexual minorities.

Thus, in addition to the status of women, the specific problems of certain groups of women, such as dark-skinned women, lesbians, oppressed women in the pro-triarchal cultures of the Third World, etc., are becoming more and more important. It is precisely within this wave that the connection between feminism and the ideas of postcolonialism is emphasized, through the general tendency of multiculturalism and multidisciplinary of the latest women's studies. Changes in Western society, both general and those related to gender power relations that arise under the influence of globalization, new technologies, ecological crisis, demographic, political and cognitive changes, put new issues on the agenda to which the third wave is currently trying to respond.<sup>9</sup>

Regardless of the significant progress in the emancipation of women that occurred in the second half of the 20th century, it can still be stated that there is still a lot of room where women have a long and tiring road ahead of them to fight for an equal status with men. They are still suppressed from the mainstream of society in many countries of the modern world. The cause of such a situation lies in the uneven distribution of power in society, and the source is largely in traditional culture, patriarchal consciousness and the economic underdevelopment of society. Oppression of women begins before they are born, while they are still in the mother's womb. Such suppression is primarily a "psychic" suppression in the desire to have a male child, to have a male firstborn. There are also examples of physical removal of the fetus when it is determined by ultrasound that the mother is carrying a female fetus.

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<sup>9</sup> Gavis, G. (2018): Political Philosophy, Hammer, Bradford. page 46

If a female child is born, her suppression continues in childhood by giving priority and privileged position in the family to the male child. Singling out and favoring the male child is present in patriarchal families and usually refers to fathers. However, there are also significant examples where a mother's affection and attachment to a male child is far stronger and more emotional than that of a father. In this way, from a young age, women are put in a situation where they value men more than women, that is, themselves. With such gender socialization, they accept the male gender as more influential not only in the family, but also in future relationships in society.

Furthermore, by identifying with the mother whose place is in the home, in the private sphere, by learning that a woman is expected to be modest, obedient, patient, self-sacrificing, and ultimately "less valuable" than a man, every other way is almost completely eliminated for girls. opinions except that "man is naturally superior to woman." This kind of behavior towards the female child later continues even after she gets married. Namely, marriage sometimes appears as a negation of a woman's freedom and autonomy. When many women get married, they become invisible to the rest of the world, absent from public life, trapped by giving birth, raising children and household chores, dedicated and subordinated to their husband's demands and habits. Marriage can also be an excuse for violence against wives, based on the ideology of religious fanaticism.

Furthermore, there are still countries in the world where polygamy is tolerated as a form of married life. This position of women is a frequent occurrence in modern societies, regardless of their economic and cultural development. The reason for this can be found both in the lack of ambition in women to get out of such a failed marriage, and in her voluntary consent to such a life. In most cases, a woman stays in such a marriage because of her subordination to her children, her unwillingness to separate from them, that is, to assume the role of a single mother. The latter is the most common case, given that women are suppressed in the economic sphere as well. Many modern women are either unemployed and absolutely dependent on their husband's income, or they are employed but paid less than men for the same work they do. Research shows that we live in a world where women are poorer than men, more than men are sexually and physically abused, more than men are focused on the family and raising children, which means that many of them sacrifice their professional careers.<sup>10</sup>

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<sup>10</sup> Brown, A. (2017): Political, Reflector, Daram. page 29

They are more exploited than men and more burdened by stereotypes about acceptable female behavior in society. In underdeveloped countries, women are subjected to multiple exploitation. Women are often the reserve workforce as they make up the majority of the unemployed. Humiliation in the workplace, pressure and abuse are becoming more and more common.

Today, the "use" of women by companies and agencies as a means of acquiring wealth and profit is increasingly common. Women become "hostages" of their own bodies by agreeing to the values imposed on them by men. In order to comply with these "trends", women approach renunciation of food and a lifestyle that leads to asceticism. Modeling as an increasingly widespread phenomenon leads young women to suffer from anorexia, a disease that leads to starvation and malnutrition, as well as to a number of other modern diseases that lead to eating disorders. This is just one example of how the external factors of suppression and discrimination against women lead, over time, to her self-suppression.

The suppression of women in modern society continues in political life. This is supported by the fact of uneven and disproportionate representation of women in party leadership, parliaments, executive and administrative power. The electoral system itself is gender disproportionate and unsuitable for the wider participation of women according to their number in the electorate. In this regard, there is great distrust in the ability and intention of women to perform tasks of common interest. Even the formally increased participation of women in electoral procedures remains unfavorable and easily marginalized, all because of the persistent distancing of women from the centers of political power.

Inequality in politics further leads to the inequality of women in science, culture as well as all other main social trends. Even in the modern age, when schools and colleges are a reality, there are principles in education that stop the rise and progress of women. In some countries, the very inaccessibility of educational institutions leaves women without a significant means of social and cultural promotion. An uneducated woman, unlike an uneducated man, rarely has a way to assert herself, gain power and influence. However, the highest degree of degradation of women in today's society is a phenomenon that has been specially developed and labeled as the "white slave" trade, where women are bought, sold and resold as a thing. The woman is again transformed into a slave, treated as a thing to be disposed of at the will and discretion of her current "owner".<sup>11</sup>

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<sup>11</sup> Anderson, S. (2016): *Feminist*, Oxford, London. page 20

Through this short retrospective of the position of women in the modern world, we notice that there are many temptations and obstacles to her freedom, emancipation and affirmation in society. Women today, as in the times that preceded them, find themselves in a contradictory and paradoxical situation, on the one hand, their role as a pillar of family and social life is constantly confirmed, while on the other hand, she is persistently pushed out of the mainstream of social life, contested its influence, role and importance in society. For all the above reasons, the awareness of the necessity for today's women to re-examine their own subjectivity and the subjectivity of their community in relation to the ideas of change, development and history is crystallized.

The third wave of feminism has been developing for the last two and a half decades and, in keeping with the postmodern age, it is characterized by complete diversity. The presence of numerous theories and different views of feminists leads to the conclusion that the differences between them are insurmountable. As in connection with active action, we can say for the theory of feminism that there are basic goals that bring them together under that one name. Approaches to the subject of "women and her liberation" are very different, and as it is a relatively new field and a discourse that concerns various sciences, there are still many aspects that can lead to an original view of women, their characteristics, their role in society and the changes that women bring. into society with his new role. Within feminist theory, it is possible to talk about the division into a number of directions: liberal, socialist, radical, anarcho-feminism, cultural feminism, eco-feminism, non-white feminism, religious feminism, psychoanalytic, postmodern feminism. When it comes to science, feminist discourse is developing within various sciences in the modern era, so we notice feminist themes within anthropology, sociology, philosophy, history, political theory, linguistics.

On the other hand, today's focus on interdisciplinary research conditions the connection of feminist theory with postcolonial theory, theories of sexuality, and theories of gender. The increasing number of women in the field of science proves that women are not an isolated group that lives independently, but a part of society. They certainly share the main common problems, but they cannot fully have common interests, so the ways in which they exercise their rights also differ. Related to the different conditions in which they live and different areas of activity, the diversity of their theories and the way in which women's issues are promoted and represented in different areas inevitably follows.<sup>12</sup>

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<sup>12</sup> Varcia, S. (2016): Philosophy, Freedom, Lester. page 35



## 5. Feminist theories, division and purpose

Feminist theory is part of a new form of women's studies that formally promotes a general, very broad system of ideas about the basic characteristics of social life and human experience viewed and understood from a female perspective. The basic subject and research of feminist theories are the situations and experiences of women in society, the discussion of women as the main subjects in the research process, and the criticism of society by women with the desire to create a better world. The beginning of the development of feminist theory is taken as the period after the Second World War, the time when Simone de Beauvoir published his famous work "The Other Sex". Writing about the experience of women in different societies and in different historical periods, as well as about the experiences of women themselves at different ages, Simone de Beauvoir systematically problematized the meaning of gender and gender difference and provided starting positions for the formulation of the concept of gender. At the same time, through a system of interconnected and coordinated claims, it was learned that the hierarchical power relationship based on gender differences is not naturally given, that women are not inherently less valuable than a series of patriarchal socially constituted characteristics attributed to women.

The basic theoretical questions of feminism are: Have women been studied in any situation? If not, why not? How do women perceive the situations they are in? How do they contribute to certain situations and what do they really mean to them? The fact is that women are present in most social situations, and where they are not, they are deliberately excluded. In the situations in which they act, their roles are different, less recognized and subordinated to the roles of men. Furthermore, feminist theory deals with both the description of the social world and its explanation.<sup>13</sup>

The relationship between feminism and other scientific theories is explained by multidisciplinary, interdisciplinarity and transdisciplinarity. Interdisciplinarity is the interaction of various disciplines, i.e. the permeation of knowledge from one science to another in order to solve certain problems and tasks. An interdisciplinary approach is necessary in looking at the problems faced by women.

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<sup>13</sup> Anderson, S. (2016): Feminist, Oxford, London. page 25

There are strong connections between feminism and biology, sociology, psychology, law, economics, and philosophy. Interdisciplinarity can be easily observed when studying the position of women in society when it is necessary to look at the sociological, biological, economic and every other aspect of her social role. Transdisciplinarity can be defined as a concept that simultaneously affects scientific disciplines, connects them and ultimately overcomes them, and enables interaction between science and society. The female experience must be viewed in such a way as to find the differences and similarities with the male and any other experience that is not female, while emphasizing the need for equality. Multidisciplinarity refers to the situation when a certain problem is dealt with by two or more different sciences, but each of them looks at it in different ways.<sup>14</sup>

Historically, feminist theory has always represented subversive knowledge that opposed ruling ideologies and ideas, questioning literary, philosophical and historical concepts, and reshaping "official knowledge". Feminist theory encourages conflict with meaning, concepts and thought tradition to the extent that it makes it regularly radical. It is an epistemological operation that works to deconstruct the theoretical paradigms of what is considered masculine, heteronormative, universal knowledge. The key turn in perspective always concerns the critical analysis and change of social, sexual, gendered power relations and the order that produces them. Feminist theory always starts from the principle of equality between men and women, creating an ideology of social change with the aim of destroying economic, social and political discrimination against women and other oppressed social groups. Feminist theoretical perspectives and understandings about the nature and reasons for the existence of discrimination against women, the type of political strategies for achieving social changes, as well as regarding the analysis of the nature and domain of the desired changes are different. That is why feminist theory is multifaceted and can be described by a general formulation of the advocacy of women's rights. Due to the diversity of its subject of study, today there are a large number of tendencies and directions in feminism that are mutually reinforcing rather than opposed. Common to all feminist theorists is that they see women's experience as central to any theoretical analysis and political strategy. As a philosophical analysis of the idea of gender and the meaning of gender differences, feminist theory critically evaluates and explains the reasons for the social reality of gender-based discrimination, exploitation, violence and repression.

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<sup>14</sup> Zones, L. (2012): *Feminist*, Charisma, Coventry. page 55

Feminist theory questions and analyzes the gender biases of traditional theory and demands that this critique be radically transformed into an epistemological framework.<sup>15</sup>

Feminist theory must be open to other scientific disciplines because this is a prerequisite for its further development. Openness towards other scientific disciplines, their knowledge and points of view, and joint cooperation represent an incentive for freedom of thought and research creativity, which is also a prerequisite for the development of science.

During the decades of its existence and development, three basic types of feminist theories were distinguished: the study of gender differences, gender inequality, and gender oppression.

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<sup>15</sup> Varcia, S. (2016): Philosophy, Freedom, Lester. page 38

## **6. Classical liberal feminism**

Classic liberal feminism is a theoretical and political commitment that, starting from the assumptions that women, like men, are rational and free beings, and that they are therefore equal, sets the demand that women get the same rights as men. Classical liberal feminism demands political rights for women: the right to education, the right to vote, the right to own property, thus rights related to participation in public life. This theoretical direction advocates the achievement of equality between women and men through reform processes within the existing political system as well as the economic organization of society, thus through legal means and gradual social reform, where it is necessary to emphasize the rights of individuals.

The assumptions of those existing political systems are built on the classic theories of liberalism by John Locke, John Stuart Mill and others, in which the importance of the individual is emphasized and the position that he should have the right to freedom of thought, expression and association.

Liberal feminism appeared for the first time at the end of the 18th century both as a theory and as a political demand, in the Declaration of the Rights of Women and Citizens by Olympe de Gouges and in the works of Mary Wollstonecraft. As a political demand of a social movement, classical liberal feminism developed in the 17th century through the organized struggle for the right to vote for women (the suffrage movement), primarily in the USA and Great Britain. The theories of classical feminist liberalism reached their peak, also in the seventeenth century, through the writings and political action of John Stuart Mill and Harriet Taylor Mill. However, both terms, liberalism and feminism, came into use only later in the 18th century, independently of each other, and the label liberal feminism, as well as the very classification of feminism into: liberal, Marxist and radical, along with their conceptual and terminological definitions, it was only formulated in the seventies by the feminist philosopher Alison Jagar. Even a hundred years before Olympe de Gouges and Mary Wollstonecraft published their texts, Mary Astell, an English writer, propagating the ideas of early liberal feminism, wrote about the poor position

of women in the family and society, comparing them to slaves in the perfect state of male slavery.<sup>16</sup>

Classical liberal feminism opposes any type of discrimination, even if it is positive, and advocates for enabling conditions for every woman to achieve personal improvement and success. Supporters of classical liberal feminism see the way to achieve such demands in eradicating gender stereotypes and changing the values of hierarchies that deny women abilities and opportunities in the field of work, earnings, access to positions of power, etc. The theory of liberal feminism played a key role in the argument that defended women's demand for the right to vote, as a basic demand of the first wave of the feminist, suffragette movement. This movement ended at the end, i.e. after the end of the First World War, and that with significant successes, i.e. fulfilling its basic demand by the fact that in a large number of countries women got the right to vote (Canada, Austria, Germany, Great Britain, Belgium, Holland, Sweden, Czech Republic, Slovakia, USA, former Yugoslavia, etc.). Both liberalism and liberal feminism have their representatives in modern theories, such as John Rawls, Betty Friedan and others, but they will be discussed later.<sup>17</sup>

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<sup>16</sup> Inorpe, Z. (2020): Political, Ash tree, Leeds. page 15

<sup>17</sup> Lintone, E. (2015): Feminist, Science, Plymouth. page 20

## 7. Theory and theoretical frameworks of classical liberal feminism

The theory of liberalism has had a significant influence on feminists, and the product of that influence is the development of the theory of classical liberal feminism. Liberalism is a political and economic doctrine that emphasizes the rights and freedoms of individuals and the need to limit the power of government. It was created as a defensive reaction to the horrors that pervaded the reverse European wars in the 16th century. His basic ideas were formally expressed in the works of Thomas Hobbes and John Locke, who believed that the sovereign power of the ruler is fully justified by the consent of the subjects, given in a hypothetical social contract rather than by divine right. On the economic front, the liberals of the 18th century demanded an end to state interference in the economic life of society. Following Adam Smith, they argued that economic systems based on free markets are more efficient and have greater prosperity than those partially controlled by the state. In response to the great economic disparities and other social problems caused by the industrial revolution in Europe and North America, liberals in the late 19th and early 20th centuries advocated limited state intervention in the market and supported state financing of social services such as free education and health.

Liberalism, as a bourgeois political and ideological direction that fought for political freedoms, freedom of thought and action in the age of feudalism, used the theoretical foundation of the emancipation of morals and rights precisely as an incentive for the development of free thinking. What influenced the women of that era were the words of the liberal Enlightenment about personality, autonomy, rights, dignity and self-respect. The most profound ideas of the liberal tradition that take center stage are ideas of radical force and great theoretical and practical value. At the core of this tradition is a two-layered intuition related to human beings: namely, that all, by virtue of being human beings, have equal dignity and value, regardless of what position they occupy in society, and that the basic source of this value is the power of moral the choice they have, the power that consists in the ability to plan their life according to their own assessment of goals.<sup>18</sup>

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<sup>18</sup> Lintone, E. (2015): *Feminist, Science*, Plymouth. page 25

Liberalism adds to these two types of intuition that the moral equality of people gives them the opportunity to rightly expect a certain type of treatment from society and politics. That treatment must respect and promote freedom of choice, and must respect and promote the idea that all those who make the choice are equally valuable. Liberalism is primarily opposed to any approach to politics that creates systemic sources of social hierarchy from morally irrelevant differences. It primarily focuses on the right to choose and the protection of the spheres in which the choice is made. In the period of the creation of modern liberal states, women, relying on the theory of liberalism, demanded the right to freedom, security, the right to resist oppression, in short all those political rights that men of that era received.

Mary Wollstonecraft, an English theorist, considering the subordinate position of women and the way in which this position can be changed, demanded that women first of all get the right to education. She believed that a woman is also a human being, and therefore, a woman is also a rational being, and challenging this position can only be a consequence of the systematic work of prejudice. She attributes the unenviable position of complete subordination in which women find themselves to precisely those prejudices, which exist in all social strata, and that of both sexes, and above all, they are reinforced by the education system. In terms of enlightenment, she also sees the way out in education. She even claimed, to the general dismay of certain contemporaries, that this education should take place in mixed schools. With regard to her basic position on the equality of men and women and their equal education, she strongly opposed both church and secular authorities, the most important of whom is Jean-Jacques Rousseau. Mary Wollstonecraft opposes his claim that men and women are not and should not be equal, that women are more dependent than men and that women should be subordinate to men. Also, he strongly condemns his idea that the education of women and men should be directed in different directions, men should be strong and women should be weak, they should decide and they should obey them. Wollstonecraft opposes these and similar understandings with arguments that appeal to the common good, the natural order of things and God's will, and very little to the needs of women themselves. In addition, requests to change the position of women are addressed more to men and less to women.<sup>19</sup>

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<sup>19</sup> Maylor, R. (2021): Philosophy, Ocean, Salford. page 25

Although Mary Wollstonecraft, otherwise much hated by her contemporaries, questions the arbitrary political will in the public sphere, she does not extend her criticism to the private sphere, thus maintaining the division between private and public. What she missed is that the concept of modern liberal political theories is structurally based on the subordinate position of women. Therefore, it retained traditional theoretical dichotomies based in patriarchy, such as private and public, reason and feelings. These dichotomies otherwise prevail throughout her entire work, probably due to her unbounded trust in reason. Her trust in reason is not so unlimited. She observes reason primarily in its strategic function and does not consider that it is exclusive to the passions. The ideal of independence that she advocated could not be propagated without relying on reason and controlling passions.

Classical liberal feminism matures in the works of John Stuart Mill and Harriet Taylor Mill who clearly, unequivocally and argumentatively demand the right to vote for women. Harriet Taylor Mill believes that the division of humanity into two castes, one of which is born to rule the other, is in any case disastrous and that women deny the right to any part of humanity to decide on behalf of another part, or an individual on behalf of another individual. Harriet Taylor Mill, based on clearly theoretically based demands, adequately argued, underlined not only the importance of the demand that women have the right to public action, but also the fact that this demand originates from women themselves. She systematically challenges the prejudices that women are not for politics, and claims that the discussion should rather turn in the opposite direction, that is, to discuss the suitability of politics for women.

John Stuart Mill also calls for a review of the existing political system, considering that people are born free to use their abilities without a predetermined place in life, and that the example of the restriction to which women are subjected just because they were born as such is the only example of such species in modern legislation. Revealing the mechanisms of maintaining that hierarchy, Harriet Taylor Mill claims that the goal of those who represent it is not to explain it, but only to maintain it. Setting arbitrary boundaries is an effective way to achieve this, i.e. to reproduce the hierarchy.<sup>20</sup>

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<sup>20</sup> Varcia, S. (2016): Philosophy, Freedom, Lester. page 35



Although they are undoubtedly related and have similar interests, John Stuart Mill and Harriet Taylor Mill differ in some ways. Harriet Taylor Mill believes that it is crucial for a woman to have economic independence and to be able to choose her occupation, while John Stuart Mill believes that a woman, according to some just order of things, should not contribute to the order of the family with her own work. However, both were proponents of the necessity of recognizing women's right to vote, both at the parliamentary and local levels. Mill, as a member of the British Parliament, also publicly advocated for this right through his active political activity. Along with the right to vote, Mill adds a demand for the right of women to dispose of their property.

However, both Harriet Taylor Mill and John Stuart Mill, in their efforts to defend women's rights to individual liberties, which ensure participation in public life, based their arguments on the rights of individuals, but they did so often on the examples of those individuals who are socially privileged. and on that basis claimed that they have abilities that equate them with men. Their demands are limited to civil rights and, similarly to other representatives of liberalism, they are not focused on the private sphere, with the exception of their consideration of marriage and divorce, where they advocate the right to divorce only on demand.

Classical liberal feminism had a significant impact on the theoretical foundation of basic political demands in women's struggle for their political rights, and especially for satisfying women's demand for the right to vote as a basic demand of the first wave of feminism. This theory had significant successes, but its only objection is that it looked only at the position of women in the public sphere, while the attitude towards women in the private sphere remained uncriticized.<sup>21</sup>

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<sup>21</sup> Kose, M. (2016): Philosophy, Mosaic book, Peterborough. page 2

## **8. Historical development of feminism in the Balkans**

As we have concluded in the text so far, the position of women in general, and women in the Middle Ages in particular, was not at all enviable, what's more. Women, both in Europe and in the Balkans, were subordinate in the Middle Ages, not only in the public, but also in the private sphere. All areas of life were dominated by men and the corresponding moral ideology of that era, which was publicly directed against women's freedom. The society that took shape from the primitive to the modern one conditioned the diversity in the development of women, which changed in accordance with the ethics and norms of a certain age. It was precisely the role of women that rested in the lap of ethics and legal acts. Therefore, by getting acquainted with the social foundations on which the development of a society rested, we also get to know the position and place of women on the social ladder of that time.

There is almost no historical data on Serbian society and its way of life from the 5th century until the 12th century. Contemporaries have at their disposal only fragments of historical and archaeological data concerning the life of the social elite, rulers and rulers. Therefore, they are certainly not sufficient to see the entire way of life of the Serbian society of that period, let alone the position of women, especially women who were not members of the noble and ruling lineage. The period of development of Serbian society can only be observed since Nemanjić came to power. We get information about medieval Serbia by reading the lives, charters and codes of that era. However, there is little historiographical data that exclusively concerns the position of women in our region.

For the most part, these data refer to the life situation of women who were lords, wives of rulers, or their daughters. In order to get a clear picture, it is necessary to separate the private from the public, that is, the position of an ordinary woman from the position of a landlady and noblewoman. Be that as it may, it is clear that the woman was a private and public factor, but a factor that in most circumstances was on the social ladder below the man, who largely held and determined her everyday life. The national tradition under the Turkish rule created a patriarchal society which, as such, was the bearer of one culture and one nation.<sup>22</sup>

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<sup>22</sup> Brown, A. (2017): Political, Reflector, Daram. page 25

Chronologically speaking, the Middle Ages lasts from the period of the fall of the Roman Empire, i.e. from the year 476, until the first geographical discoveries. Medieval Serbia was under the constant influence of the Byzantine Empire, which can be unequivocally concluded based on the fact that the Serbian people and Serbian society accepted the Orthodox religion, adopted many church canons, and certain civil and criminal norms. Serbian legislation was created by taking over the aforementioned norms and their shaping and immersion in already existing customs and norms. However, Serbia at that time was not influenced only from the east, but, via Kotor and Dubrovnik, and other coastal cities all the way to Ulcinj, which were under the rule of the Nemanjic state, the influence was exerted by the west and the Catholic Church. Furthermore, the influences of the East and the West on Serbia were exerted through the marriages of rulers, and in that way foreign customs were introduced into the Serbian legislation.

By observing the legislation created in this way, we can conclude what the position of women was in medieval Serbia. The social structure of Serbia at that time was feudal with a class division into feudal lords and serfs. However, such a division, the division into privileged and subordinate, was only external, society was further divided in its interior into genders and their rights. Medieval Serbian society was greatly influenced by Christianity, the norms of the holy fathers and their interpretation of the Bible. Women were viewed with suspicion and mistrust precisely because of the original human sin, that is, Eve's, for which man was expelled from paradise. According to the understanding of society at the time, women were in the hands of Satan and therefore the cause of most of the troubles and misfortunes. On the other hand, as physically weaker and more prone to fornication, women posed a danger to men because they had the possibility to weaken them both physically and spiritually with their fornication. As such, they represented a great danger, which can be concluded from one of the Hilandar collections, where the following is stated: "there is no head like the head of a snake, and there is no evil like the evil of a woman".<sup>23</sup>

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<sup>23</sup> Zones, L. (2012): *Feminist, Charisma*, Coventry. page 56

In Serbia, at the beginning of the Middle Ages, there were no writers who dealt with specific topics that concerned women, whether they benefited them or not. There were no philosophical works that dealt with the merit of women to be seen as people, or vice versa, as was the case with some European countries. There were canons, laws, lives, legal sources and charters from which we can conclude what was the society's attitude towards women. Women in Serbia at that time were viewed both through Eve's original sin and through the image of the Virgin Mary, the Mother of God, a woman who is sinless, who is the embodiment of purity and meekness.

Namely, through the glorification of the woman who gave birth to Jesus Christ, all women were given the opportunity to emulate her, to deserve respect and thus to atone for all their sins. The Mother of God was supposed to be a role model for all women to seek the redemption of their souls and bodies through her existence. A woman was seen and understood as a wife, a man's companion, who participated in everyday life, gave birth to children who inherited their fathers. A woman was first, before marriage, under the authority of her father or brother, and then under the authority of her husband. Women were represented by men, they did not participate independently in public life. The only case when women were independent is the case of female rulers. However, their position was by all accounts special and unusual, and could not even be compared with the position of any other woman in medieval Serbia. All other women were divided into those who were landlady and lived in cities, and those who were serfs and lived in villages.

Men built their position on the basis of professional duties, while women acquired their duties depending on their position, that is, family or marital status. Mistresses, as free women, had a special position. They participated in government, raised endowments with their husbands, had the right to sign important documents. As a rule, they were capable, literate and educated. This was also true for all other noblewomen, wealthy citizens and those who came from the merchant class. In medieval Serbia, famous feudal women and rulers were: Queen Jelena, wife of King Uroš, Empress Jelena, wife of Emperor Stefan Dušan, Goislav, wife of Vojislav Vojinović, Princess Milica, wife of Prince Lazar Hrebeljanović, Mara, wife of Vuk Branković and daughter of Prince Lazar and the princess Milice, Empress Mara, wife of Sultan Murat II and daughter of despot Đurađ Branković, nun Jefimija.<sup>24</sup>

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<sup>24</sup> Brown, A. (2017): Political, Reflector, Daram. page 25

Richer burghers and landowners were engaged in economic affairs, giving and taking land on lease, as well as green farming, which was widespread and present among them. It is also known that they were engaged in trade, as well as in rare cases in craftsmanship, primarily candle making, silk spinning, and opacraft. Dependent women lived in the countryside, took care of the house and children, cultivated their land and that of their lord. In the master's house, they performed work related to the processing of wool and linen, and they also participated in mixing and making bread.

In medieval Serbia, one became a slave either by birth or during life. Birth implies that the child was the result of an extramarital relationship, that is, the relationship between a slave and a free man, or if one of the spouses was a slave in the marriage. During their lives, freed maids who, due to existential circumstances, did not have the possibility of self-support, could become slaves, so they pledged not only themselves but also their children. Female servants or slaves led an extremely difficult life, so they often sought salvation in running away, in which way they tried to free themselves from a rough and difficult way of life.

Marriage in medieval Serbia until Nemanjić came to power, i.e. until the creation of the autocephaly of the church, had a different meaning than it does today. Mostly, these were unmarried marriages made by the newlyweds' families. Through St. Sava's commitment to the spiritualization of the people, the institution of marriage was introduced, which most closely resembles today's modern marriage. From that time, marriage passed into the jurisdiction of the church and became one of the church's sacraments. The Žica Charter of King Stefan Radoslav was the main legal act through which church marriage was defined. It was later followed by other laws, the most famous of which was Emperor Dušan's Law Code. According to Orthodox canon law, women were married at the earliest at the age of twelve, and men at the age of fourteen. One person could be married a maximum of three times. The act of marriage itself was performed by a priest, while the wedding implied some kind of ritual that represented customary law. When getting married, care was taken to ensure that the newlyweds always belonged to the same social class. The main meaning of marriage was the birth of children, and the role of a mother opened the door for a woman to obtain certain rights, considering that in the Middle Ages she was significantly disenfranchised in many respects.<sup>25</sup>

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<sup>25</sup> Inorpe, Z. (2020): Political, Ash tree, Leeds. page 15

A woman in Serbia, if we exclude landlady, was not free in her decisions. The poor social position of a woman, her attitude towards her family and children, as well as the attitude of the environment towards her is most vividly described in the song "Hasanaginica". "Hasanaginica" is a Serbian ballad composed between 1646 and 1649 in the Imotska Krajina and transmitted from generation to generation by word of mouth in Imotski and its surroundings. This ballad is one of the most beautiful folk songs and the first song that drew the attention of the European cultural public to Serbian poetry and folk literature in general. Since the Italian travel writer and ethnographer Alberto Fortis published this ballad in his work "The Journey to Dalmatia" in 1774, it has been translated into many European languages and has undergone a series of interpretations, which wanted to get into its essence and the problems it raises problems of an ethnic, ethical and psychological nature. This ballad tells about the tragic fate of a noble woman who is heartlessly chased away by her husband because she cannot visit him out of "shame" and see his wounds while he is sick "in the green mountain".

The ballad opens up many questions and requires a meticulous observation of every detail and an understanding of the circumstances and customs of the time, as well as the psychology of men and women in a patriarchal society. It describes the position of women and the existence of norms that imposed certain behavior on her. A woman was not allowed to show her feelings towards her husband, she was not even allowed to mention his name in front of others and thereby express closeness or intimate feelings. Apart from this intimate and psychological moment, one more fact should be taken into account, which is the different position of men and women. The woman was chained to the house and family by the patriarchal morality, she could not go out or travel anywhere, her horizons extend to the courtyard, she is not familiar with life and norms of behavior beyond that horizon. A woman remains a slave who knows only about her husband, children, house and the rules of patriarchal life. That's why she is consistent in following the rules and never for a moment does it occur to her that she can and is allowed to break what no one has broken before. On the other hand, a man can move freely, freed from patriarchal constraints and harsh norms that stifle feelings. The ballad describes the moment when a woman, who acts according to the moral rules of that time, refuses to fulfill her husband's wish, as a result of which she suffers the husband's anger caused by revived male vanity and the feeling of male supremacy and the right to manage a woman's life and master her destiny.

## **9. The contemporary feminist movement in Serbia and the activities of the movement after the breakup of the former Yugoslavia**

Feminism appeared in these areas at the end of the new century "as an echo of the general movement for the liberation of women", which at the end of the sixties of the XIX century was ideologically victorious in Europe, and was partially implemented in America. The prejudice that the former Yugoslav countries, with their wars and political discontinuities, were in a marginal position in terms of their cultural and intellectual position compared to the movements in Europe, is not justified. At least not in terms of feminism. It is a fact that in these countries and societies, movements that affected women in developed Europe and the world did not take place at the same time with the same quality and intensity, but these societies always had an extraordinary ear and showed a high ability and strong motivation to transfer such movements to their soil and give them the spirit of their own climate.

The causes of the impossibility of following events in the world and keeping pace with the changes in Europe are certainly to be found in the social, economic and cultural parameters of the position of the female population and the deep difference in their experiences. At the beginning of feminist activity in our country, women spread the idea of women's equality in all social areas and founded women's societies that deal with cultural, educational and humanitarian work. That's when the first ideas about gender equality appear. However, the fate of these regions is that these activities and experiences of women, due to historical discontinuities, remained forgotten or suppressed in every subsequent opening of interest in feminism or the problems of the position of women in the social community. Furthermore, the bearers of those innovative activities were individuals, both women and men, who rarely managed to create more stable and organized forms of association and action on this front. Also, social disasters in these areas had a negative effect on the efforts and effects of feminism activists and fighters for women's rights, leading to the dramatic end of their activities and interruption of the continuity of projects on that front. However, in addition to historical circumstances, such a situation was partly contributed by the women themselves, who were sometimes participants in the first feminist initiatives. For various personal reasons, they either completely abandoned their feminist ideas, or, due to changed ideological and political conditions or acquired new life experiences, completely renounced them.

The women's issue entered the ideological and political currents of Serbia in the seventies of the XIX century. Women who at that time had a clearly developed attitude regarding the necessity of fighting to redefine the position of women in society in the direction of their complete equality with men were called fighters for women's first. That term was in use at the end of the 19th and the beginning of the 20th century, primarily in Vojvodina. He is most associated with Savka Subotić, a woman who not only named some of the main directions of the struggle for women's rights in Vojvodina and Serbia, but also bore witness to it with her own life. Those who are responsible for introducing the feminist idea in our country are primarily Svetozar Marković and his followers. Svetozar Marković also raised the women's issue within his social program, and he took the idea of women's emancipation from the Russians, that is, from his teacher Chernyševski. Since 1870, Ljuben Karavelov and Svetozar Marković, writing in the magazine "Mlada Srbadija", want to raise the women's issue here as well. For Svetozar Marković, the authority in the field of feminism was John Stuart Mill, whom Marković considered the main ideologist of feminism. However, the position of Serbian women changed slowly. This is primarily due to the fact that the family in our country was mostly conservative, the cultural society was just being created, and the feminist movement did not even have a strong response.

The question of the position of women was first raised in Vojvodina in the sixties of the 19th century, at the time of the awakening of national consciousness and the emancipation of national and cultural values. A significant contribution to the fight for women's rights was the multi-ethnic experience, which Serbian women from Vojvodina and Austria-Hungary during the 18th and 19th centuries brought to the south of the Sava and Danube rivers. Until 1918, Vojvodina was part of Hungary, which was part of Austria-Hungary. In such circumstances, the area of Vojvodina was European in the true sense, especially because the girls, with knowledge of Hungarian and German, were educated at universities in Vienna, Pest, etc., which enabled them to expand and apply new knowledge and acquire new space for women. As in Europe, the first task of feminists was to conquer and spread knowledge. With great efforts, Serbian women north and south of the Sava and Danube succeeded in their efforts to open more girls' schools and to make it a social concern. In 1863, the first girls' high school was founded in Belgrade, followed by girls' high schools in Novi Sad and Pančevo in 1874, and in Sombor in 1875. Girls were allowed to enroll in teachers' schools, until then only for boys. In Belgrade, the first women's high school worked under the supervision of Katarina Milovuk from Novi Sad.



The involvement of women in the public sphere was made possible, in addition to education, by a network of newly formed women's associations that were initially of a humanitarian type. The first cooperative in Austria-Hungary was founded by Serbian women in 1873 in Velika Kikinda. After two years, the first association of Serbian women south of the Sava and Danube was founded in Belgrade. The only Serbian representative of humanitarian organizations in Hungary was the "Srpskinja Novosatkinja" cooperative. The mentioned "Charitable Association Srpskinja Novosatkinja" was founded in 1880 and was one of the most active and well-organized companies. For many years, she published the newspaper "Zenski svet", educated female children mainly for teaching professions and awarded numerous scholarships.

At the beginning of the 20th century, under the influence of the idea of forming a center that would bring together programmatically diverse Serbian women's associations and propagate common programmatic aspirations, the Serbian Women's Association was founded in Belgrade in 1904. This union, together with the Novi Sad women, functioned as part of the International Women's Union and had three sections since its foundation: humanitarian, cultural and feminist. Serbian women in Hungary received an offer to join the Union of Hungarian Women's Cooperatives in 1904, because at that time the expression of special national interests was not allowed. Despite the desire to connect, the Serbian women's associations in Vojvodina did not join forces with the Serbian associations within Austria-Hungary before the First World War, because the government did not "look kindly on the aspirations of the Serbs for organization", especially with those across the Sava and Danube rivers.

The unfavorable political situation of that era also influenced the establishment of the Serbian women's union from Vojvodina and Croatia. The first such association was founded in Sremska Mitrovica only in 1910, and in order to avoid obstructions by the authorities, it worked under the guise of "improving the household and economy of its members", with its seat in Zagreb.

Thus, due to political reasons, Novi Sad, which until then was the center of activity of women's Serbian organizations in Austria-Hungary, lost its leading position. The Serbian Bosnian Women's Union was founded in 1911 on the initiative of the Charitable Cooperative of Serbian Women from Sarajevo. The Bosnian government approved his work in 1912, and there were over twenty cooperatives in the union. The Association also published the newspaper "Srpska žena", which was closed after the third issue.<sup>26</sup>

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<sup>26</sup> Inorpe, Z. (2020): Political, Ash tree, Leeds. page 15

The first women's society in Belgrade was the Jewish Women's Society, which was founded in 1874. The Belgrade Women's Society was founded in 1875 thanks to Katarina Milovuk. The women's society was of a humanitarian type and by the end of the 19th century it was functioning with over twenty branches throughout Serbia. The great merit of the society is the establishment and support of important institutions founded in Belgrade: Women's School (1879), *Đačka trpeza* (1899) and Home for the Elderly (1900). Similar activity was developed by the women's organizations *Kneginja Ljubica*, founded in 1899, and the Circle of Serbian Sisters, founded in 1903. In the following years, these companies established their subsidiaries in Novi Sad as well.

However, despite the good will of the organizers and advocates of feminist ideas in these areas, the effects were absent. Societies were reduced to the mutual organization of women who exchanged their experiences through specific hobbies, without any effects on society and the state in terms of improving their position. If there was a will for adapted political action, it was calmed by the outbreak of the First World War, which lasted from 1914 to 1918. This situation certainly had a negative impact on the further spread of the feminist idea in these areas.

The mentioned occasional interruptions in development and expansion are not a characteristic of the development of feminism only in these areas, there are such examples throughout Europe. As we could already notice, feminism and feminist theory, both here and in the world, have been discovered again and again in society as a new social phenomenon. The frequent wars in these regions certainly contributed to this, which otherwise represented the dividing line of the phases of feminist activity. Nevertheless, even in those periods of wars and social crises in these areas, feminists were active. So that, although the spread of feminism and its scope, as well as the first mass women's organizations in these areas, were interrupted by the First and Second Balkan Wars, and then the First and Second World Wars, feminism and women's activities persist. During wars, women's societies usually stop their daily work, but they do not deactivate completely, but often just change their previous priorities and during the war organize themselves in the service of the military ministry. During the First World War, women volunteered in medical facilities and were active as nurses in the army.<sup>27</sup>

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<sup>27</sup> Kose, M. (2016): *Philosophy*, Mosaic book, Peterborough. page 25

## Conclusion

Taking into account the multiple importance of legal theory, it is recognized as a kind of legal superiority in relation to legal and "borderline" legal disciplines. The theoretical value it possesses imposes its incorporation in all other legal disciplines, while its disciplinary emancipation represents its link with different areas of law, legal disciplines, legal systems and institutions, as well as with sociology and philosophy of law. The theory of law, i.e. jurisprudence, is not based only on legal positivity, although it is consistently and necessarily based on a certain understanding of science: logic, hermeneutics, semiotics, linguistic theory, science of systems and institutions, theory of procedures in law and theory of legal norms. It does not reject legal ideality and the real-thinking connotation of law and legal philosophy. Legal theory, i.e. jurisprudence, is therefore developed through both legal and extra-legal arguments, not excluding the human in law and the legal in people.

Today's well-known, scientifically explained and methodologically fixed theory of law was created only a little more than two centuries ago. Since ancient times, legal science has developed as a discipline of systematized experience and knowledge, summarized in valid law and positive norms, as the results of specific cultural and legal-historical development. The initial reasons for its creation are the aspiration of legal theorists, primarily referring to the German legal theorists Gustav Hugo, J. Frieze, by Rudolf Stamler, to overcome some complex and ontological problems of law with the help of legal theory. The result is the emergence of a large number of different options and a multitude of approaches related to the issue of legal theory, meaning and meaning of this term. Among other things, the introduction of the concept of legal theory did more than an attempt to formalize or replace the naturalistically understood concept of law. Positive law is not justified only according to its material legitimacy, but according to its formal legitimacy.

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