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**CONTRACTUALISTIC MEASUREMENTS OF THE GENDER:
POSSIBILITIES AND BORDERS**

Purpose. The purpose of the study is critical reconstruction of gender issues within the framework of modern political philosophy and political anthropology, in-depth reflection of the phenomena of justice, identity, human dignity in the aspect of their gender measurements and the search for the answer to the fundamental question for leading gender discourses: is freedom and justice, in fact, possible only together with stresses, a feeling of one's sense-rooted belonging to one or another community? **Theoretical basis.** The supplement of the phenomenological and transcendental methodology by the method of contractualism directs the study of the topic specified in the article's title into a new direction, and reflects its essential measurements and aspects. Understanding gender as an important philosophical and anthropological problem and a complex "social construct" precisely within the framework of the latest critical and self-critical versions of the theory of social contract reveal fruitful perspectives for political philosophy and anthropology. **Originality.** The study of the phenomena of "recognition" (A. Honneth) of "gender justice" (N. Fraser), "moral sense" (E. Tugendhat) outlines the possibilities and sense of filling the principle of social contract with a specific theoretical and practical content, substantiates the need to expand the philosophical and anthropological interpretation space of gender issues. **Conclusions.** Significance of the gender community for the sociocultural and existential identity of the individual enables (through organic, life-world belonging to a certain tradition and culture) his/her security and the ability to adequately orient in difficult life situations. However, the main purpose of human life is the ability to self-identity, even after profound changes in the structure of personality that arise in difficult situations of contempt and injustice.

Keywords: gender; gender justice; social contract; identity; recognition; transcendental contractualism

Introduction

A number of fundamental concepts (gender equality, gender justice) and methodological principles of comprehension of the latest trends in gender discourse presented in the study of the "transcendental worlds of gender" (Korkh, & Khmil, 2014), acquired the meaning of the important philosophical and anthropological potential which requires both its further application and the subsequent filling with the theoretical and practical content. It is referred to the creation within the political anthropology of a "real gender-oriented utopia", capable of reconciling and intercomplementing the normative and descriptive interpretation of social and personal existence, fruitfully synthesizing the new social and existential experience. After all, the problem of formal sexual equality, which is still relevant today, requires an analysis of the ways to achieve real equality.

Purpose

The main purpose of the paper is to study gender issues in the framework of political philosophy and political anthropology, further understanding the phenomenon of justice in the context of its gender measurements and answer to the fundamental question for leading gender discourses: is freedom and justice, in fact, possible only together with stresses, a feeling of one's sense-rooted belonging to one or another community?

Statement of basic materials

The application of gender of the phenomenological and transcendental methodology in philosophy is rather fruitful and heuristically significant theoretical strategy. However, supplement of these methodological principles by the method of contractualism, which is the most important one for modern social and political philosophy, will make it possible to study the problem mentioned in the title of the article in its new measurements and aspects. Understanding gender as a "social construct" within the framework of the latest critical and self-critical versions of the theory of social contracts opens the prospect for research in several directions. Firstly, it is a matter of urgent necessity and fruitfulness of further expansion of the principle of social contract taking into account the new ones, in particular, gender issues and socio-cultural realities (Danylova, 2015). And secondly, on the way of understanding fruitfulness and the borders of modern contractualism as a way of legitimizing the democratic and legal social system, there is a real possibility of transforming the gender perspective into a topical philosophical problem that promotes clarification and development (through such concepts as "identity", "human dignity", "trust") of the conceptual field of political philosophy, philosophy of law and morality. Summarizing the latest philosophical studies on gender issues, one should also rely on such methodological approaches to understanding the transformation of gender experience in the age of globalization as individualistic and holistic one. It is fundamental global changes that make it possible to conclude that having a gender identity means to be determined as a distinct individual, a family member, a human being with his/her unique life experience and value. Recognition of the collective identity, belonging to a certain cultural world cannot fundamentally become a hindrance to individual identity, since the search for the latter is, first of all, a return to one's "world of life", resistance to its oblivion and "colonization", the fear of losing its causative meaning.

As for the focus of gender studies determined in modern political philosophy as an important "context of political existence" (Horn, 2003) it is the thesis that in fact, all citizens have equal rights and freedoms that cannot be restricted primarily on gender bases. An important feature of comprehension of gender issues was the appeal to the analysis of relationship between social recognition and the possibility of self-realization of individual, which was conditioned by the emergence of new social (gender, religious, etc.) movements. The main purpose of the latter, according to P. Koslowski:

Is not the achievement, first of all, of political and economic power, but the preservation of certain forms and ways of life, the protection of cultural identity and the preservation of free space for alternative way of life. Thus, it is the identity that acts within the designated movements as a central concept, extending from the preservation of "identity", the landscape to the introduction of personal, male or female identity.

(Koslowski, 1996, p. 288)

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Understanding the problem of identity in the context of analyzing the problems of recognition and justice, it is important to rely on one's own.

Philosophical comprehension of the way to the formation of individual and collective self-consciousness and self-esteem, full-fledged identity, which is largely determined by the institutionalization of mutual recognition, as well as on the idea of each person's inviolability based on justice, which he or she can neither lose nor abandon even for the sake of the whole society. (Sytnichenko, 2018, p. 11)

A thesis characteristic of contemporary political philosophy that freedom, justice, trust and solidarity are possible only with stresses, the recognition of one's own essential belonging to one or another community, is one of the leading theses of gender-oriented philosophical thought. This requires its further reflection through the appeal not only to the controversy of liberalism and communitarianism, but also to the works of such authors as A. Honneth, N. Fraser, C. Taylor, E. Tugendhat, and W. Kymlicka.

However, the indicated general theses need to be specified. Among the other problems and gender issues it is the change of the value accents and actualization that one often refers to in the introduction to the overall research-dispute by A. Honneth and N. Fraser (2003) called "Redistribution or recognition? Political-philosophical dispute", which is often cited in the context of comprehension of the methodology of gender worldview. An important feature of this work, as well as all the works of these philosophers in general, is the attempt to go beyond the limits of proceduralism and the formalism of the theory of social contract and to fill both Kantian-oriented normative methodological approaches and the concepts of "gender justice, equality" rooted in transcendental contractualism with the real meaning. Without understanding the limitation of the communicative-dialogic concept of contractualism (represented by the names of K.-O. Apel and J. Habermas), the concept of "gender equality" would be an "artificial social construct" (Korkh, & Khmil, 2014). That indicates the need to understand this concept and the concept of "gender justice" in the context of the latest philosophical discussions aimed at both analyzing the place of gender issues in political philosophy and anthropology in general, and at the study of such concepts as "identity", "justice", "human dignity", "trust". In other words, the appeal to the reconstruction of anthropologically directed understanding of justice and identity is caused by the following circumstances. First, it is worth accepting and developing the thesis of contemporary political anthropology that:

Only a just society gives its citizens the opportunity to form both their own individual and collective identity and to be fully implemented. So, it is precisely in the sense of the relationship of social and individual recognition that one refers to the latter as one of the main mechanisms of

social existence. Thus, it is precisely the recognition that is the broadest normative category that encompasses justice, and economic and cultural-symbolic (procedural and substantive) measurements of justice and identity problem must be interconnected. (Sytnichenko, 2018, p. 13)

In addition, it is the problems of non-recognition, injustice that have the gender aspect, according to W. Kymlicka, M. Nussbaum they are a nourishing source of feminism. Secondly, it is about the essential changes of the discursive-communicative contractualistic rooted models of human existence: starting from comprehension, involvement of the abstract Other, agreement with him/her, which is achieved in the process of communication and understanding, built on the model of rational scientific discourse, to the analysis of the recognition of this Other in his/her cultural-historical, gender features (A. Honneth, N. Fraser, E. Tugendhat, M. Nussbaum). This is reflected by the aspiration of specific individuals not to reach agreement with other people, as much as the aspiration about "more complex panorama of spiritual life" (Korkh, & Khmil, 2014), about still untapped possibilities of judicious gender and cultural self-realization. Based on the critical analysis of the liberal-contractualistic identity project important for Ukraine and philosophical anthropology inherent in it, one should not only substantiate the thesis on the dialogic and moral-ontological nature of identity, but also (following C. Taylor) to consider identity as a horizon in which a person constantly determines what is weal, good and evil, looks for an answer to the essential questions of his/her individual and social being. Since, according to A. Honneth and C. Taylor, the formation of personal identity, gender identity through communication and struggle with other people, the possibility of personal self-realization depends on the intersubjective space that protects our being from its fundamental vulnerability. Moreover, yet in the work "The other of Justice", in which the theses of the most famous A. Honneth's (1992) work "The Struggle for Recognition" only have been developed, the follower and student of J. Habermas argues that "the lack of recognition relates not to superficial, but to the fundamental conditions of the institutionalization of personal identity and individual human existence" (Honneth, 2000, p. 181).

The systematic neglect of human dignity generates protest moods and a sense of injustice. So how to restore social justice especially in its gender measurement? American researcher Nancy Fraser, who is also well-known in Europe, joins the search for answer to this question (namely, as "gender justice", as we will show below). Her works as well as the works of J. Habermas, W. Kymlicka, E. Tugendhat testify to the organic belonging of gender studies to the intellectual space of contemporary political philosophy and anthropology, as well as the need for in-depth interpretation of this belonging through understanding of the essence and limits of a liberally-contractualistic interpretation of the important social problems and phenomena.

The peculiarity of N. Fraser's views, which caused their difference from the political anthropology of A. Honneth, is the emphasis on person's acquiring (along with his/her self-realization) the opportunity of equal participation in public, social life. It is the recognition of cultural peculiarities that Fraser considers the main form of recognition. In other words, in her opinion, every citizen should be guaranteed the status of the rightful and full-fledged subject of social interaction. Depending on the circumstances that become an obstacle to the desired gender equality, Fraser (2003) distinguishes between universal recognition, recognition of human nature in general,

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and recognition of the special existence forms of the latter. However, the main, objective condition for equal participation in public life is the just distribution of economic, social benefits. On the contrary, only the requirements aimed at achieving economic and cultural equality are just ones.

The feature of N. Fraser's reflections, which makes them popular among the researchers in the field of gender issues, is her desire to fill the procedural-formal recognition with substantive content, postulating "the need for complementarity of redistribution and recognition as a way of fruitful solution to the problems of political philosophy and philosophy of morality" (Honneth, & Fraser, 2003, p. 9). Criticizing the Honneth's "constricted model of justice" in the first part of their common work, Fraser insists on the principle of complementarity of universal and special recognition, as well as on the dualism of just distribution and recognition. She calls her model of social justice "two-dimensional". The main idea of her section entitled "Exploited Classes, Despised Sexualities and Bivalent Collectivities" (Fraser, 2003) is the emphasis on the recognition (or non-recognition), which is caused by a just (or unjust) distribution. Since, it is the recognition of the right to a decent participation in public life of sexual communities, which are often neglected in it, that causes their miserable economic situation. That is, with respect to gender, both redistribution and recognition are important – this is the conclusion of her thorough theoretical anatomy of false opposition to redistribution and recognition and the essence of attempts to outline the concept of "gender justice". More precisely, to find the ways to overcome "gender injustice" as a complex synthesis of the cultural and economic injustice. Eradication of this type of injustice requires, in the opinion of the researcher, to go beyond the dense vicious circle of economic and cultural oppression, such socio-cultural transformations that would affect not only the surface of human relationships but their real deep gender measurement. Note that in fact, N. Fraser is a realist who insists only on attempts to mitigate the dilemma of redistribution and recognition, minimizing the conflict between them.

Understanding the fate of transcendental contractualism and its attempts to engage (first of all, in the person of K.-O. Apel) in analyzing the gender issues, induces not only to agree with the Apelian criticism of J. Habermas's position, which he clearly formulates in his "The Transformation of Philosophy" that is already classic today. It is also worth referring to the idea expressed by J. Habermas that:

Contractualism from the very beginning weakens the aspect of solidarity, since it directly links the question of the normative justification of justice system with the interests of certain individuals, while reorienting the moral from the duties to the right. (Habermas, 2006, p. 25)

It is this general methodological thesis that was aimed to the framework of gender issues in the thoughts of the famous German philosopher E. Tugendhat, who believes that the adopted norms or moral principles (to violation of which we respond with indignation or a sense of guilt) are most clearly manifested in the actions. E. Tugendhat (2006) emphasizes the fundamentally intersubjective nature of the moral sense: "Moral feelings, indignation, anger, and the sense of guilt, lose their meaning when there is no certainty that other people (members of the moral community) share them" (p. 16). He also focuses not on the contractual (though, he, of course, recognizes it), but on the existential measurement of justice, equality and respect. Tugendhat

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considers communitaristic criticism (which is often inherent also in the gender-oriented texts) of the liberal world outlook rather simplistic and carefully points out the weaknesses of this criticism, because liberalism, in his opinion, does not forget about the social nature of human. However, it has another disadvantage – the inability to take into account the interests of all members of society, especially those who are unfairly deprived, who are supposedly unlucky, as well as women, children, and elderly people. And most importantly (for understanding the Tugendhat's criticism, the principle of contractualism that is fundamental to liberalism:

The reason why the hypothetical natural state and the contract based on it cannot be a successful starting point is not at all the one that the conservative anti-individualism meant (according to which we are forever intertwined with the social relations that one way or another must accept).

The reason is that this starting point is such only for the members of the privileged class of liberalism, that is, for adults and healthy men who are capable of supporting themselves and are strong enough to get this contract by their own. (Tugendhat, 2008, p. 54)

Protecting the weaker and disadvantaged, diminished members of society, Tugendhat believes that the idea of modern philosophy about the need to respect every person is an extremely necessary regulatory idea for all human relationships that want to be called just. And for their realization, not only formal but also actual procedures are needed, and the legal public space must become an inhabited, humane space for all.

Originality

The critical reconstruction of the philosophical-anthropological principles of gender issues firstly enabled to conclude that it was necessary and fruitful to go beyond the scope of the contractual-procedural interpretation of social being only as a voluntary agreement of free individuals, embodied in the N. Fraser's desire to define the meaning of the concepts of "justice" and "gender justice". In this framework, it was proved the thesis about the possibility of just harmonization of diverse socio-cultural, national, gender and other life worlds, which is first of all inherent in post-industrial, information society.

Secondly, based on the analysis of the works of J. Habermas, A. Honneth, E. Tugendhat, N. Fraser, it is justified the idea of the meaningfully-sense significance of the further study of the "world of life" problem as a source of not simplified, but a sensible gender interpretation of human existence, the person's trust to him/herself and others, which appeared from the tolerant recognition of their right to a special, individual being. It was found out that the interpretation of social institutions as algorithms of interaction between not abstract individuals, but the specific persons can serve to overcome the dilemmas of the individualistic and holistic principles of explanation of both social problems in general and gender issues in particular.

Thirdly, the study of the "recognition" phenomena (A. Honneth) of "gender justice" (N. Fraser), "moral sense" (E. Tugendhat) testifies the contradictory, even theoretical and practical vulnerability of the research potential of the liberal-Kantian, transcendental-contractualistic methodology of modern political anthropology. It also outlines the ways of filling the principle of social contract with a specific sociocultural content, substantiates the need to expand the philosophical and anthropological space of the interpretation of justice subjects only as strong and prosperous persons (mostly male), who (consciously or unconsciously) ignore the aspiration to recognize the right to worthy existence of other (weaker and less successful) members of society.

Conclusions

Understanding the complex methodological and substantive aspects and prerequisites of gender issues not only indicates the organic belonging of domestic philosophy to the European philosophical space, but also enables the way out of its predominantly philological and cultural representation in Ukraine in the works of V. Aheiev, T. Hundarova, O. Zabuzhko, S. Pavlychko, N. Chukhym. The study of the phenomenon of "gender justice" leads to reflections on the contradictory and sometimes vulnerable research potential of liberal-Kantian, transcendental-contractualistic methods, the ways of understanding the deep needs of individual and social human existence. To understand the belonging of a person to a specific, special or general (national, cultural, gender, etc.) whole, as well as to a diverse socio-economic and spiritual life, it is necessary to find out the authenticity and meaning of one's own life and seek to its recognition by other people. Of course, the significance of the gender community for the individual's identity enables (through the involvement in a certain tradition and culture) his/her security and the ability to orient in difficult life situations. However, the main purpose of human life is the ability to remain identical to him/herself, even after profound changes in the structure of personality that arise in difficult situations of contempt and injustice.

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КОНТРАКТУАЛІСТИЧНІ ВИМІРИ ГЕНДЕРУ: МОЖЛИВОСТІ ТА МЕЖІ

Мета. Мета дослідження полягає у критичній реконструкції проблематики гендеру в річищі сучасної політичної філософії та політичної антропології, поглибленому осмисленні феноменів справедливості, ідентичності, людської гідності в аспекті їх гендерних вимірів та пошуку відповіді на засадниче для провідних

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гендерних дискурсів запитання: чи насправді свобода та справедливість можливі лише разом із переживанням, відчуттям своєї сенсово-вкоріненої приналежності до тієї чи іншої спільноти? **Теоретичний базис.** Доповнення феноменологічної і трансцендентальної методології методом контрактуалізму спрямовує дослідження означеної в назві статті проблематики в нове річище, оприявнює її істотні виміри та аспекти. Осмислення гендеру як важливої філософсько-антропологічної проблеми та складного "соціального конструкту" саме в межах новітніх критичних та самокритичних версій теорії суспільної угоди відкриває плідні перспективи і для політичної філософії та антропології. **Наукова новизна.** Дослідження феноменів "визнання" (А. Гонет) "гендерної справедливості" (Н. Фрейзер), "морального чуття" (Е. Тугендгат) окреслює можливості та сенс наповнення принципу суспільної угоди конкретним теоретичним і практичним змістом, обґрунтовує необхідність розширення філософсько-антропологічного простору тлумачення гендерної проблематики. **Висновки.** Значущість гендерної спільноти для соціокультурної та екзистенційної ідентичності особистості уможливорює (через органічну, життєсвітову приналежність до певної традиції та культури) її безпеку та можливість гідно орієнтуватися в складних життєвих ситуаціях. Проте головною метою життя людини постає здатність до самототожності навіть за глибинних змін структури особистості, які виникають за складних ситуацій зневаги та несправедливості.

Ключові слова: гендер; гендерна справедливість; суспільна угода; ідентичність; визнання; трансцендентальний контрактуалізм

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КОНТРАКТУАЛИСТИЧЕСКИЕ ИЗМЕРЕНИЯ ГЕНДЕРА: ВОЗМОЖНОСТИ И ГРАНИЦЫ

Цель. Цель исследования заключается в критической реконструкции проблематики гендера в русле современной политической философии и политической антропологии, углубленном осмыслении феноменов справедливости, идентичности, человеческого достоинства в аспекте их гендерных измерений и поиска ответа на принципиальный для ведущих гендерных дискурсов вопрос: действительно ли свобода и справедливость возможны только вместе с переживанием, ощущением своей смыслово-укорененной принадлежности к той или иной общности? **Теоретический базис.** Дополнение феноменологической и трансцендентальной методологии методом контрактуализма направляет исследование заявленной в названии статьи проблематики в новое русло, обозначая ее существенные измерения и аспекты. Осмысление гендера как важной философско-антропологической проблемы и сложного "социального конструкта" именно в пределах новейших критических и самокритичных версий теории общественного договора открывает плодотворные перспективы и для политической философии и антропологии. **Научная новизна.** Исследование феноменов "признание" (А. Гонет) "гендерной справедливости" (Н. Фрейзер), "морального чувства" (Э. Тугендгат) определяет возможности и смысл наполнения принципа общественного договора конкретным теоретическим и практическим содержанием, обосновывает необходимость расширения философско-антропологического пространства толкования гендерной проблематики. **Выводы.** Значимость гендерного сообщества для идентичности личности обеспечивает (из-за причастности к определенной традиции и культуре) ее безопасность и возможность ориентироваться в сложных жизненных ситуациях. Однако, главной целью жизни человека становится возможность оставаться тождественным самому себе даже при глубоких изменениях структуры личности, возникающих в сложных ситуациях пренебрежения и несправедливости.

Ключевые слова: гендерная справедливость; общественный договор; идентичность; признание; трансцендентальный контрактуализм

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