

To
Members of the Scientific Jury, established by Order No. RD-22-1349 of 11.06.2025 of the Rector of the Plovdiv University "Paisiy Hilendarski" concerning the competition for occupying an academic position "Associate Professor" of the Plovdiv University "Paisiy Hilendarski" in area of higher education 3. "Social, Economic and Legal Sciences", professional field 3.6. "Law", scientific speciality "History of State and Law"

R E V I E W

of Prof. DSc. Georgi Penchev – Faculty of Law at the Plovdiv University
"Paisiy Hilendarski"

concerning: the materials, presenting for attendance in competition for occupying an academic position "associate professor" of the Plovdiv University "Paisiy Hilendarski" in area of higher education 3. "Social, Economic and Legal Sciences", professional field 3.6. "Law", scientific specialty "History of State and Law"

Dear Members of the Scientific Jury,

By Order No. RD-22-1349 of 11.06.2025 of the Rector of the Plovdiv University "Paisiy Hilendarski" (PU) I have been appointed as a member of a scientific jury concerning a competition for occupying an academic position "Associate Professor" of the PU in area of higher education 3. "Social, Economic and Legal Sciences", professional field 3.6. "Law", scientific specialty "History of State and Law", announced for the needs of Department "Theory and History of Law" of the Faculty of Law (FL) at PU. I present to you my review, prepared on the ground of Art. 26, par. 3 of the Development of the Academic Staff of the Republic of Bulgaria Act (DASRBA – State Gazette (SG), No. 38 of 2010, as amended), Art. 57, par. 2 and 3 and Art. 57a, par. 1 of the Regulation for Implementation of the DARSBA, adopted by Decree of the Council of Ministers No. 202 of September 10, 2010 (RIDARSBA – SG, No. 75 of 2010, as amended) and Art. 68, par. 2 and 3 of the Regulation for Development of the Academic Staff of the Plovdiv University (RDASPU – In: Пловдивски университет „Паисий Хилендарски“ [online] [viewed 21.01.2025]. Available from: <http://procedures.uni-plovdiv.bg/docs/praspu2018.pdf>).

1. General presentation of the procedure, presented materials and candidate

1.1. General presentation of the procedure

The competition on the occupying an academic position "associate professor" of the PU in area of higher education 3. "Social, Economic and Legal

Sciences”, professional field 3.6. “Law”, scientific specialty “History of State and Law” for the needs of Department “Theory and History of Law” of the FL at the PU has been announced in SG, No. 31 of April 11, 2025 and in the Internet page of the PU. For attendance in the competition there are presented documents in time only one candidate - Main Assistant Professor (M. Ass. Prof.) PhD Desislava Vasileva Stoyankova from Department “Theory and History of Law” of FL at the PU.

1.2. General presentation of the received materials

First of all, it should be emphasized that the materials and documents presented by M. Ass. Prof. PhD D. Stoyankova in paper and in electronic form is in conformity with Art. 66, par. 2, 4, 5 and 6 of RDASPU, it has been also followed a procedure under Art. 67 of the same Regulation. He has submitted for the competition 5 scientific publications, from which 1 monograph entitled “State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)”. Plovdiv: University Publishing House "Paisiy Hilendarski", 2025, 424 p. , presented as a habilitation work, another monograph, entitled “Razlog’s legal monument from the 19th century”. Plovdiv: University Publishing House "Paisiy Hilendarski", 2024, 319 p. , based on a dissertation for obtaining an educational and scientific degree (ESD) „Doctor” (i.e. PhD), and 3 scientific articles: Socio-historical factors in the adoption of the Constitution of the Republic of Bulgaria. – Studia Iuris. [online]. Plovdiv, 2021, No. 2, pp. 90-97. [reviewed 30.05.2025]. Available from: <https://studiainuris.uni-plovdiv.bg/journal/studia-iuris-брой-2-за-2021-г/>; The National Assembly in the Bulgarian Constitutions. – In: 30 Years of the Faculty of Law at the UNWE – Successor to a Centuries-Old Tradition in the Development of Legal Science and Practice. Sofia: Publishing Complex - UNWE, 2022, pp. 108-125; Regarding the Obligations and Contracts Act of 1892 - In: 70 Years of the Obligations and Contracts Act. Plovdiv: University Publishing House "Paisiy Hilendarski"; Sibi, 2022, pp. 54-65; published after obtaining of ESD „Doctor” (i.e. PhD) in 2015. All presented scientific publications of M. Ass. Prof. PhD D. Stoyankova for attendance in the competition are in the field of the history of state and law.

1.3. Brief biographical data of the candidate

The M. Ass. Prof. PhD D. Stoyankova obtained a law degree in the FL at the PU in 2004. During the period 2013-2025, she successively acquired the academic positions of Assistant Professor (2013) and M. Ass. Prof. (2020) in the History of State and Law at the same faculty. In 2015 she successfully defended a thesis for obtaining an ESD “doctor” (i.e. PhD) in area of higher education 3. “Social, Economic and Legal Sciences”, professional field 3.6. “Law”, post graduate programme “Theory of State and Law” in thesis entitled “Razlog’s legal monument of XIX century”. In addition, D. Stoyankova has participated at

a number of national and international scientific conferences and scientific-research projects.

1.4. Personal impressions from the candidate

My personal impressions of the candidate in the competition are very good. M. Ass. Prof. PhD D. Stoyankova possesses the necessary business (professional and organizational) and moral qualities for exercising his teaching activity in the PU. To her colleagues, incl. of the other faculties of law, the Institute of State and Law-BAS and legal practice seeks to be polite, careful and correct.

1.5. Fulfillment of the requirements for holding of academic position

In connection with the fulfillment of the minimum national requirements under Art. 2b, par. 2 and 3 of the DASRBA and Art. 1a, par. 1 of RIDASRBA, from the submitted materials in the competition can be made the finding that M. Ass. Prof. PhD D. Stoyankova satisfies the minimum national requirements for his admission to the competition.

2. General characteristics of the activity of the candidate

2.1. Assessment of the educational-pedagogical activity

M. Ass. Prof. PhD D. Stoyankova participates actively in the educational and pedagogical activities of the FL at the PU. She is conducting lectures in courses "History of State and Law" and "Church Law" in the FL at the PU, lectures in course "Church Law" in the Faculty of Philosophy and History at the PU and lectures in the courses "Legal Cases", "Fundamentals of Law" and "Introduction to Administrative Law" at the Faculty of Philology at the PU. She performs her duties in good faith as a lecturer in the above-mentioned academic disciplines.

2.2. Assessment of the scientific and scientific-applied activity

In the light of the scientific activity of M. Ass. Prof. PhD D. Stoyankova it should be mentioned the fact that he presented the monograph "State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)" as a habilitation work. This monographic study of a candidate is a meaningful comprehensively scientific study in our country in this field. At the same time, in other presented publications, the author analyzed a variety of legal issues related to the history of state and law.

2.3. Assessment of scientific and practical results and contributions of the presented for participation in competition scientific production

The scientific results of M. Ass. Prof. PhD D. Stoyankova in the field of the history of state and law, I assess as an emphatically significant and significant.

2.3.1. Evaluation of the scientific and scientific applied contributions of the monograph "State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)", presented as a habilitation work

Among the scientific publications submitted by M. Ass. Prof. PhD D. Stoyankova for participation in the competition, in view of their contributions, the most important is to evaluate her habilitation work "State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)". In structural terms, it is subdivided into Preface (pp. 7-8), 5 chapters, namely Chapter One. Historical Introduction. History of the Adoption of State Acts (pp. 9-40), Chapter Two. National Assembly (pp. 41-124), Chapter Three. Council of Ministers (pp. 125-190), Chapter Four. Head of State (pp. 191-252), Chapter Five. Legal and Historical Analysis and Prerequisites for the Adoption of Constitutional Provisions Affecting the National Assembly, the Grand National Assembly, the Presidential Institution and the Council of Ministers (pp. 253-393), Conclusion (pp. 394-407), Literature used (pp. 408-419), which includes a total of titles, including 162 in Cyrillic and 17 in Latin, a list of normative acts (pp. 420) and a list of other sources (pp. 421-423). The scientific contributions in this monograph and in the other presented publications in the field of the history of state and law are expressed in the enrichment of existing knowledge through the proposed novelty in the research of a number of legal problems.

The specific scientific and practical results and contributions of the candidate in his habilitation work "State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)" can be outlined as follows:

1. author's critical opinion on the legitimacy of the elections for the Constituent Assembly to draft the Tarnovo Constitution in 1879 (pp. 11-12);

2. author's critical analysis of the adopted normative acts in the period 09.09.1944-04.12.1947 with a view to their compliance with the then formally valid Tarnovo Constitution of 1879 (pp. 17-23);

3. a successful author's opinion on the influence of the German and French constitutions of 1949 and 1958, respectively, in drafting certain provisions of the current Constitution of the Republic of Bulgaria of 1991 (pp. 39-40);

4. original author's comparative law analysis of the powers of the National Assembly under the 1879 Constitution of Tarnovo, the 1947 Constitution of the People's Republic of Bulgaria and the 1971 Constitution of the People's Republic of Bulgaria (pp. 99-101, 117-122), as well as the powers of the Grand National Assembly under the 1879 Constitution of Tarnovo and the 1991 Constitution of the Republic of Bulgaria (pp. 122-124);

5. original author's comparative law analysis of the powers of the Council of Ministers under the 1879 Tarnovo Constitution, the 1947 Constitution of the People's Republic of Bulgaria and the 1971 Constitution of the People's Republic of Bulgaria (pp. 155-158, 187-190);

6. a successful historical law and comparative law analysis of the legal status of the different models of the head of state under the Bulgarian constitutions of 1879, 1947, 1971 and 1991 (pp. 249-252);

7. in the conclusion are made a number of useful conclusions for legal science from a considered legal issues (pp. 394-407).

2.3.2. Evaluation of the scientific and scientific applied contributions of the monograph “Razlog’s legal monument from the 19th century”

This monograph is based on a dissertation for obtaining of ESD „Doctor” (i.e. PhD), therefore it is not subject to peer review. However, only for general information, it can be noted that the author's analysis of the sources of church law (pp. 20-40), the specificity of the legal monument "Nomocanon" (pp. 41-66) and the provisions of the Razlog’s Manuscript (pp. 104-157) is of scientific significance.

2.3.3. Evaluation of the scientific and scientific applied contributions of the articles, submitted for participation in the competition

In the article "Socio-historical Factors in the Adoption of the Constitution of the Republic of Bulgaria" as a scientific contribution can be noted the study of the so-called "National Round Table" as a socio-political factor for the adoption of the Constitution of the Republic of Bulgaria in 1991 (pp. 93-96).

In the article "The National Assembly in the Bulgarian Constitutions" the analysis of the legal status of the National Assembly in the Bulgarian Constitutions of 1879, 1947, 1971 and 1991 can be noted as a scientific contribution (pp. 109-124).

In the article "On the Obligations and Contracts Act of 1892", the historical law analysis of the adoption of the Obligations and Contracts Act in 1892 can be highlighted as a scientific contribution (pp. 54-65).

In summary, it can be pointed out that the scientific articles submitted by the candidate in the competition have a contributing scientific theoretical and practical significance for the analysis of individual legal problems related to the history of state and law.

2.4. Assessment of the personal contribution of the candidate

The above mentioned contributions in the scientific production and the results obtained are the personal merit of the candidate for attendance in the competition. They are conditioned by the many years of conscientious and systematic exercised teaching and scientific activity of M. Ass. Prof. PhD D. Stoyankova in the FL at the PU.

3. Critical remarks and recommendations

Some critical remarks and recommendations, mainly of editorial nature, can be made to the presented habilitation work as the monograph “State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)”.

3.1. Critical remarks

1. On p. 37, footnote 57 when quoting the publication of S. Nacheva, the words "Op. cit." should be used instead of "Ibid."

2. On p. 41, footnote 60, p. 61, footnote 107, p. 178, footnotes 282 and 283, p. 185, footnote 295, p. 186, footnote 297, p. 200, footnote 311 and p. 276,

footnote 429, it is appropriate to be shown the specific page in the cited literature source.

3. On p. 59, footnote 102, it is appropriate to be shown bibliographical details of the criminal law textbook which is cited.

3.2. Recommendations

1. The preface (pp. 5-7) could have outlined more clearly the object, subject and methods of the scientific research.

2. On p. 33 it could be indicated the number of State Gazette in which were promulgated the Assemblies, Meetings and Manifestations Act, namely SG, No. 10 of 1990, and the Political Parties Act, namely SG, No. 28 of 2005.

3. On pp. 394-395, it was not necessary to state what the purpose of the scientific research was, because the purpose of any scientific research should be stated in its introductory part.

3.3. Assessment of the impact of the critical remarks and recommendations on the scientific meaning of the habilitation work

The mentioned critical remarks and recommendations do not at all minimize the importance and usefulness of the habilitation work presented by the candidate. I can definitely say that the monograph of M. Ass. Prof. PhD D. Stoyankova "State Bodies in the Bulgarian Constitutions - National Assembly, Council of Ministers, Head of State 1879-1991 (Legal and Historical Analysis)" has all the qualifications for her habilitation as an associate professor of PU in area of higher education 3. "Social, Economic and Legal Sciences", professional field 3.6. "Law", scientific specialty "History of State and Law", and that in general it represents a significant scientific and applied contribution.

CONCLUSION

In conclusion, after acquaintance with the materials and scientific works presented in the competition, an analysis of their importance and the scientific and scientific-applied contributions contained therein:

1. I consider that M. Ass. Prof. PhD Desislava Vasileva Stoyankova fully meet the requirements of Art. 24, par. 1 of DASRBA, Art. 53, par. 1 of RIDASRBA and Art. 65, par. 1 and 2 of RDASPU for election to the academic position of "Associate Professor" in area of higher education 3. "Social, Economic and Legal Sciences", professional field 3.6. "Law", scientific speciality "History of State and Law".

2. I give, on the ground of Art. 26, par. 3 of DASRBA, Art. 57, par. 3 and Art. 57a, par. 1 of RIDASRBA, and Art. 68, par. 3 and Art. 69, par. 1 of RDASPU, positive opinion to the teachers and scientific research activity of M. Ass. Prof. PhD Desislava Vasileva Stoyankova, which motivates me definitely towards positive conclusion for her to be elected on academic position "Associate Professor".

3. I recommend to the Scientific Juri, on the ground of Art. 27a, par. 1 of DASRBA, Art. 58, par. 1 of RIDASRBA and Art. 70, par. 1 of RDASPU, to prepare a report with suggestion to the Council of Faculty of the Faculty of Law

at the Plovdiv University “Paisiy Hilendarski” to elect Main Assistant Professor PhD Desislava Vasileva Stoyankova on academic position “Associate Professor” of the Plovdiv University “Paisiy Hilendarski” in area of higher education 3. “Social, Economic and Legal Sciences”, professional field 3.6. “Law”, scientific specialty “History of State and Law”, for the needs of the Department “Theory and History of Law” of FL at the PU.

Sofia, 02.07.2025.

Review prepared by: (s)

(Prof. DSc. Georgi Penchev)