

## **OPINION**

**by Prof. DSc.Malina Nikolova Novkirishka-Stoyanova,  
Faculty of Law, Plovdiv University 'Paisii Hilendarski',  
member of a scientific jury (Order of the Rector of Paisii Hilendarski University of Plovdiv  
No RD-22-1349/11.06.2025)**

**CONCERNING: Competition for the academic position of Associate Professor by: Area of higher education 3. Social, economic and legal sciences; Professional direction 3.6 Law (History of the State and Law), promulgated in SG No 31 of 11 April 2025.**

The competition for the academic position of Associate Professor under MP 3.6 Law (History of the State and Law) is conducted in accordance with the requirements of the Promotion of Academic Staff in the Republic of Bulgaria, the Regulation for the Implementation of the Act and the Regulation for the Development of Academic Staff of the Plovdiv University "Paisii Hilendarski". The only participant in the competition is Chief Assistant Professor Dr. Desislava Vasileva Stoyankova, who has presented the necessary documents and publications in connection with the work of the scientific jury.

### **1. Applicant details**

Dr Desislava Stoyankova obtained a master's degree in law at Plovdiv University "Paisii Hilendarski" in 2004 and a bachelor's degree in Bulgarian language and history at Plovdiv University "Paisii Hilendarski" in 2002. She successively held the academic positions of Assistant Professor (2013) and Chief Assistant Professor (2020) in the discipline History of the Bulgarian State and Law at the Department of Theory and History of Law at the Faculty of Law at Plovdiv University "Paisii Hilendarski". In 2015, the candidate successfully defended a dissertation on 'Nineteenth-Century Razlog Legal Monument' (Stoyankova, D. *'Nineteenth-Century Razlog Legal Monument'*). Plovdiv, University Publishing House "Paisii Hilendarski", 2024, ISBN 978-619-202-933-3, p. 317) and acquires the educational and scientific degree of doctor of law in the area of

higher education 3. Social, economic and legal sciences, professional direction 3.6 Law, doctoral program 'History of State and Law'.

## **2. General characteristics of the applicant's activity**

### **2.1. Assessment of educational and pedagogical activity and preparation of the candidate**

The entire professional and creative career of Dr. Desislava Stoyankova is dedicated to the history of the state and the law in the field of which the competition for the academic position of associate professor was announced.

She has conducted seminars on the History of the Bulgarian State and Law between 2015 and 2017. She has prepared a separate course on 'Legal Rhetoric' (2017/2018 academic year), 'Legal Regime of Religious Denominations' (2020/2021 academic year) and 'Church Law' (2021/2022 academic year), read lectures on 'History of the Bulgarian State and Law' (2020/2021 academic year to date), together with the holder of the discipline Assoc. Prof. Petya Nedeleva. She has supported her work as a scientific supervisor of doctoral students in the discipline and with students interested in the history of the Bulgarian state and law. She has prepared the materials for all accreditation procedures in the discipline so far.

Dr. Desislava Stoyankova has always received high praise for her teaching skills and scientific training.

### **2.2. Assessment of the scientific and applied activities of the applicant**

As part of the competition procedure, chief assistant professor Dr Desislava Stoyankova submitted a monograph entitled 'State authorities in Bulgarian constitutions – National Assembly, Council of Ministers, Head of State – 1879-1991. Legal-historical analysis', published by Paisii Hilendarski University Publishing House, 2025, ISBN 978-619-281-046-7, p. 420, for evaluation by the members of the scientific jury.

In addition, three articles were submitted for the competition:

- 'The National Assembly in the Bulgarian Constitutions': Collection '30 Years of the University of National and World Economy – Successor of a Centuries-old Tradition in the Development of Legal Science and Practice', S., Publishing Complex – UNWE, 2022, ISBN 978-

619-232-651, pp. 108-125),

- 'Regarding the Obligations and Contracts Act 1892', in: Collection '70 Years of Obligations and Contracts Act', Plovdiv, Paisii Hilendarski University Publishing House, 2022, ISBN 978-619-226-224-2, pp. 54-66)

- 'Societal and political factors in the adoption of the Constitution of the Republic of Bulgaria', in: p. Studia Iuris, No 2, 2021, ISSN 2367-5314, pp. 90-98.

#### Evaluation of the submitted scientific papers

The monograph published 'State bodies in the Bulgarian constitutions – National Assembly, Council of Ministers, Head of State – 1879-1991. Legal and historical analysis' is presented as a 420-page habilitation paper. The monograph covers the period from 1879 to 1991, which represents a unique historical segment in the Bulgarian state tradition, characterized by radical political transformations and constitutional changes. This period included four different constitutional regimes, from the liberal Tarnovo Constitution of 1879, through the socialist constitutions of 1947 and 1971, to the democratic constitution of 1991. The author believes that the analysis of the historical development of state bodies provides valuable lessons for the present and the future, revealing both successful models of institutional functioning and problem areas that required adjustments and reforms. The monograph presents a comprehensive and systematic study of the development of the main state bodies in the Bulgarian constitutions for the period from 1879 to 1991. An interesting approach was used for chronological follow-up separately for each of the state authorities and for deriving the specific trends in their development.

The article 'The National Assembly in Bulgarian Constitutions' traces the evolution of the institution of the National Assembly in the basic constitutional acts of the Bulgarian state, from the Tarnovo Constitution of 1879 to the current Constitution of 1991. The study applies a historical-legal and comparative-legal approach, which allows to outline both the lines of continuity and the significant differences in the status, functions and political role of the parliament in different state-political systems.

The article 'On the Obligations and Contracts Act 1892' presents in general terms the Obligations and Contracts Act 1892 as the first comprehensive codification act in the field of contract law in post-Liberation Bulgaria. By applying a historical method and comparing it with the development of similar institutes in foreign legal systems, the systematic nature of the law is

highlighted, as well as the influence of legal models, in particular the Italian Civil Code of 1865. The study traces the place of the Act of 1892 in the construction of the Bulgarian private law tradition.

In the article ‘Societal and political factors in the adoption of the Constitution of the Republic of Bulgaria’, the study contributes to the expansion of the scientific understanding of the socio-political conditions that predetermined the creation of the Constitution of the Republic of Bulgaria in 1991. Particular attention is paid to the role of the Seventh Grand National Assembly as a constitutive body, whose activity is seen not only legally, but also as an expression of democratic political dialogue. The 1991 Constitution was interpreted as an expression of a social contract and an act of legitimation of the new democratic order, while stressing the mechanisms for the separation of powers and the guarantee of fundamental rights and freedoms.

**The scientific contributions** of the candidate in the competition for the academic position of Associate Professor in History of the State and Law, Dr. Desislava Stoyankova, may be presented in the following main groups:

- 1) Contributions related to the Bulgarian legal historiography by providing a comprehensive analysis of the development of the main state bodies for the period from 1879 to 1991;
- 2) Theoretical significance of developing an original methodological approach to the analysis of constitutional evolution that combines elements of legal history, comparative law and political science;
- 3) Systematization and analysis of rich archival material, which until now has not been the subject of comprehensive research; comparative analysis between the different constitutional periods and monitoring of the formal changes in the powers and functions of the state bodies and the trends in the development of the Bulgarian statehood.
- 4) Systematization and analysis of historical experience with conclusions in relation to the contemporary development of institutions.

### 3. Critical remarks and recommendations

The works presented for the competition present an in-depth young scientist devoted to the discipline studied and taught. However, there has not been much new research in recent years, and

there are undoubtedly topical themes to discover their historical archetypes. The reform of the curriculum and the expansion of the discipline beyond the history of the Bulgarian state and law gives undoubtedly new opportunities for the candidate to prove his/her scientific potential. In addition, more intensive work could be recommended for the creation of didactic materials in the discipline 'History of the State and the Law', for which there is still no new and relevant textbook in Bulgarian.

## CONCLUSION

The documents and materials submitted to the competition meet the conditions laid down in the Promotion of the Academic Staff Act, the Regulation on its implementation and the Rules for the Promotion of the Academic Staff of the University of Plovdiv "Paisii Hilendarski" for holding the academic position of Associate Professor.

The scientific works presented by Dr. Desislava Vasileva Stoyankova contain indisputable scientific contributions in the field of the history of the state and law. The scientific and teaching qualification of the candidate is also in accordance with the requirements and is a prerequisite for even more significant development in the future. The results achieved in the academic and research activities are in full compliance with the minimum national requirements under the Promotion of the Academic Staff Act and the secondary legislation.

I am confidently formulating a POSITIVE ASSESSMENT and I propose to the honorable members of the scientific jury to prepare a report - proposal to the Faculty Council of the Faculty of Law for election of Chief Assistant Professor Dr. Desislava Vasileva Stoyankova for the academic position of Associate Professor at University of Plovdiv "Paisii Hilendarski" in area of higher education 3.6. Social, economic and legal sciences, professional direction 3.6. Law (History of the State and Law).

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Drafted the opinion:

Prof. D.Sc. Malina Novkirishka-Stoyanova