

## STATEMENT

from Prof. Dobromir Dobrev, PhD, *Konstantin Preslavsky* University of Shumen, member of the scientific jury

for the dissertation of Boyan Vladimirov Bahanov, Faculty of Philosophy, Sofia University St. Kliment Ohridski

Professional field: 2.3. Philosophy (Philosophy of Culture, Politics, Law and Economics – Philosophy of Language)

- 1. Information about the PhD student.** Boyan Vladimirov Bahanov is a full-time PhD student with the right to defend a thesis. The topic of his dissertation is: “Legal Norms as Linguistic Conventions”. He holds a degree in Law from Sofia University St. Kliment Ohridski, as well as a master degree in Philosophy. It is worth noting that the doctoral student has a Certificate of acquisition of the right to practice law.

Boyan Bahanov was a participant in the Erasmus Program, and for the period from February 2020 to January 2021 he was at Palacky University, Czech Republic. He was in the European Parliament in the Directorate-General for Legislation in 2021 (March – November). He did an internship there as a lawyer-linguist. Undoubtedly, the abovementioned facts have had a beneficial effect on writing his dissertation. Boyan Bahanov showed a high level of motivation and constant development in the direction of accumulating theoretical knowledge and practical skills. This leads to good research results in a new area that requires an interdisciplinary approach. The publications of the doctoral student in the period 2019 – 2021, including those in a publication indexed in the Web of Science, entirely correspond to the required minimum. The abovementioned data serves as evidence of his active work throughout his doctoral studies.

- 2. Structure and content of the dissertation.** The dissertation examines current issues. The text of Boyan Bahanov's dissertation is 195 pages long. The bibliography is composed of titles of both scientific publications and normative documents listed separately.

Boyan Bahanov's dissertation is structured according to the requirements: an introduction, a main part - divided into three chapters, each of which consists of three paragraphs including three sections, a conclusion and a bibliography. There is an appendix, a list of contributions, a list of publications on the topic, a declaration from the doctoral student. All the required materials and documents have been submitted together with the dissertation: orders, a CV, copies of publications, a text of the abstract.

The first chapter presents the interconnection of law and social conventions in society. For this purpose, the text develops the thesis that interpersonal relations were established and regulated through social conventions in the pre-legal public organization. It is especially important to note that the doctoral student makes a relation between the emergence of law and the development of human consciousness. This gives him reason to conclude that law is determined by consciousness, because the more conscious a person is, the more developed their sense of order, justice and what is right and wrong are. Thus, the "deep conventions" of Andrei Marmor, one of the mainstays of the doctoral student, are approached.

In Chapter Two, legal provisions are seen as social linguistic conventions. According to the doctoral student, legal provisions are the linguistic manifestation of legal norms, because it is through the interpretation of the provisions that the legal norms themselves are formed as a product of legal thinking, which is linguistically reflected in legal provisions. Referring to authors such as Wittgenstein, the aforementioned Marmor, John Austin, Paul Grice and others, the doctoral student accepts Jana Sharankova's conclusion about the three meanings of the legal norm – the intention of the actual legislator, the specific meaning of law enforcement and the phenomenological significance of the legal norm itself. Although these three types of meaning can be distinguished in the language of law, this does not in the least hinder the overall linguistic clarity and unity of legal discourse. These three types of meaning differ, but they are in constant interaction and allow for continuous development and enrichment in the language of law. This ensures its development in relation to the dynamically changing relations in society, which requires the legal

vocabulary to be constantly enriched with new concepts and terms that meet the challenges of the modern world. ...

The third chapter and the discussed changes, caused by the integration processes in Europe, were of particular interest to me. In this regard, the doctoral student points out: "... in recent decades there has been a significant increase in both international and community legal sources, as well as a significant increase in their role in regulating public relations within individual domestic legal systems." . The question of the extent to which this foreign law can be considered a source of completely new language conventions in our national legal system is quite reasonable. The doctoral student reminds us of Habermas' optimism that Europeans increasingly share "the principles and values of largely overlapping political cultures." I cannot but congratulate Boyan Bahanov for the conclusion made at the end of this third part. "Thus, only when we replace linguistic relativism with world discovery, only when we learn to use linguistic and cultural differences as a source of potential opportunities for development and enrichment of our own culture (which, of course, does not erase its own specifics and differences) and share a common European discourse, only then can we talk about equality and sharing common conventions and unambiguous supranational law."

The text is written in a very good scientific language and style, while at the same time the ability to summarize and synthesize stands out. The doctoral student enters new research and interdisciplinary fields with confidence determined by his theoretical knowledge and practical experience. The contributions of the dissertation are derived properly and correctly by the author. In conclusion, I give a positive assessment of the doctoral dissertation, it meets all the requirements on structural, substantive, theoretical and methodological levels. The abstract consists of 39 pages and reflects the content and structure of the dissertation, it presents information about the dissertation.

- 3. Notes and recommendations.** The classic contract theorists – Thomas Hobbes, John Locke and others – are not mentioned in the first chapter. The reasons they point out for overcoming the pre-legal, pre-state situation would enrich the dissertation in question. I would recommend that the

doctoral student Boyan Bahanov continue using the interdisciplinary approach looking for connection between the legal norms and the philosophy of language.

- 4. Conclusion.** There are grounds to claim that the dissertation of Boyan Bahanov contributes to legal norms being presented as linguistic conventions in the Bulgarian scientific literature. As an important contributing aspect, the author of the dissertation points out that for the first time in Bulgarian literature both international public and private law and European Union law are considered as sources of new linguistic conventions in the domestic law of individual countries. I entirely agree with and support the thesis that only the shared legal discourse as a unified system of rules and interpretative means is the one through which unambiguity and conventional language use between different countries can be achieved.

In conclusion, I would like to suggest that the esteemed members of the scientific jury award the educational and scientific degree "Doctor" to Boyan Vladimirov Bahanov in professional field: 2.3. Philosophy (Philosophy of Culture, Politics, Law and Economics – Philosophy of Language). As a member of the jury, I declare that I will give my positive vote.

22<sup>nd</sup> March, 2022

Prof. Dobromir Dobrev, PhD