

## **Opinion**

on the dissertation of Boyan Bahanov

“Legal norms as language conventions”,

by Assoc. Prof. Dr. Petia Todorova

The presented dissertation of Boyan Bahanov is a product of profound theoretical works and shows author's competence in the field of researched issues.

He sets himself the difficult task of analyzing legal norms through the prism of language conventions. Based on his extensive knowledge of the legal framework and the legal system on one hand and those on the philosophy of language on the other hand, Boyan Bahanov logically argues the position that “...as everyday language expresses thinking, so the language of law expresses normative thinking in the relevant society”, explains how “the whole rule-making process is linked to a set of cognitive activities in the consciousness of normative authority” and how as a consequence of that “on the basis of general abstractions is formulated “a requirement for universal social behavior” and finally emphasizes the fact that “the rulemaking order reaches its addressees only through language.” (p. 6).

The task - formulated this way: to present and study “legal norms as language conventions” -is further complicated by the applied aspect, namely – to identify “factors influencing these conventions by distinguishing conventional from unconventional linguistic meaning in the language of law.” (p. 5) Therefore, not only to consider law and language as independent and autonomous realities, but through the relationship between them, in the dynamics of their interaction

and their mutual conditionality, which in itself is an additional intellectual challenge.

Such research, which includes the simultaneous consideration and development of problems from different scientific fields, requires a constant overstepping the narrow framework of one or another scientific field. Accordingly, there is a need in the study to use extensive knowledge not only in the philosophy of language, but also in the theory of law.

Developing such obviously complicated research undoubtedly requires investigation courage and confidence. But in addition to courage, Boyan Bahanov demonstrated in his dissertation enough skills to deal with most of the challenges arising in the process of accomplishing the tasks.

In addition, we must not forget that the scientific value of any doctoral dissertation (PhD) is not so much in completing a research, in solving a problem, but in opening research perspectives to the doctoral student – the dissertation is not the opus of life, the crown of research career, but marks only a solid beginning and should be assessed in view of the fruitfulness of the topic and the approach to it. And the latter definitely deserve high praise as contributors to the philosophy of language.

The dissertation is 208 pages long. The text is correctly structured – it contains an introduction, three chapters (each with the corresponding three subsections), conclusion, and bibliography. The abstract meets the established requirements and is well developed in terms of content – comprehensively presents the issues addressed in the paper and the author's theses. It can definitely be said that the candidate has met all the formal requirements that such a scientific work should meet.

The text shows that his work as a PhD student was productive and left lasting traces on his scientific formation and growth. It is obvious that Boyan

Bahanov is well acquainted with the philosophy of Ludwig Wittgenstein, which he uses to argue his main thesis – the linguistic expression of legal norms as a type of conventional use in legal vocabulary. But he also knows the philosophical concepts of David. Lewis on the conventional nature of normative rules, John Austin and Paul Grice on the meaning of language, demonstrating the ability to use and comment correctly on their ideas in the issues he studied. In addition, the text examines philosophical and legal scientific works of established Bulgarian authors, as well as research in the field of philosophy of the language of law by foreign authors.

The analytical survey that Boyan Bahanov has made in the field of his dissertation presents a researcher who has clear perspectives on the developed topic.

A definite advantage of the dissertation is its bibliography (127 titles in Bulgarian and English), which covers the various fields of research carried out in the main text. It should be noted the fact that the bibliography contains mostly used and commented works, and authoritative authors in the study. This testifies to the long, persistent and purposeful work on the dissertation, to the author's desire to cover the topic in the most correct possible explicitness in the detailed description of such a complex problem.

In general, the text of the dissertation demonstrates the necessary sufficient information and insight into the essence of the matter of different fields – philosophy, philosophy of law, philosophy of language, philosophy of the language of law, which the doctoral student has acquired in the process of his education.

An important sign for the level of received education is the style of scientific expression. The author develops his theses analytically, logically and convincingly, correctly presents and uses adequate literature, clearly formulates

his own positions and understandings. In general, the style of development fully meets the requirements of the modern style of research.

The applied critical approach is very good. With his ability to formulate scientific problems and seek their illumination through rich and fundamental literature, Boyan Bahanov convincingly proves his scientific maturity.

The text completely corresponds to the requirements and the standards for dissertation work in the Republic of Bulgaria. The abstract is made according to the requirements of this genre – it presents truthfully and correctly the content of the dissertation. Four articles have been published on the topic of the dissertation, and there is a fifth, which is in print. The self-assessment of contributions is correctly executed. These contributions contain the real scientific achievements of the dissertation.

The above gives me every reason to propose to Boyan Bahanov to be awarded the educational and scientific degree “Doctor of Philosophy”.

(Assoc. Prof. Dr. Petia Todorova)