

## **SCIENTIFIC OPINION**

by Dr. Hristo Yordanov Paunov -

Associate Professor at the Faculty of Law of

Plovdiv University "Paisii Hilendarski"

for the materials submitted for participation in the competition

for the academic position of professor

at the Faculty of Law of Sofia University "St. Kliment Ohridski"

3. Social, Economic and Legal Sciences,

professional field 3.6 Law

(Constitutional Law)

In the competition for "professor", for the needs of the Faculty of Law, announced in the State Gazette, issue 65 of 28.07.2023, as the only candidate participated Martin Kirilov Belov.

### **1. General description of the procedure**

I have been appointed by virtue of Order No RD-38-487/08.08.2023 of the Rector of the Sofia University "St. Kliment Ohridski" (SU) as a member of the scientific jury of the competition for the academic position of "Professor" at SU in the field of higher education 3. Social, Economic and Legal Sciences, professional field 3.6 Law (Constitutional Law), announced for the needs of the Faculty of Law. For participation in the announced competition submitted documents only one candidate. This is Assoc. Prof. Dr. Martin Kirillov Belov from Sofia University "St. Kliment Ohridski", Faculty of Law.

The set of materials submitted by Assoc. Prof. Dr. Martin Kirillov Belov is in accordance with the Regulations on the Conditions and Procedure for the Acquisition of Scientific Degrees and the Occupation of Academic Positions at the Sofia University "St. Kliment Ohridski".

At its first meeting, held on 10.10.2023, the Scientific Jury decided that Assoc. Prof. Dr. Martin Kirilov Belov meets the minimum required points in the groups of indicators regulated in the Regulation for the Application of the Development of Academic Staff in the Republic of Bulgaria Act and on this basis he is admitted to participate in the competition for the academic position of Professor in the professional field 3.6 Law (Constitutional Law).

## **2. Brief information about the candidate**

Martin Kirillov Belov was born on 07.09.1979 in the city of Sofia. He graduated from the Faculty of Law of the Sofia University "St. Kliment Ohridski" in 2004 getting his Master of Law degree with excellent grades.

Martin Belov was a PhD student in Constitutional Law at the Faculty of Law of the Sofia University "St. Kliment Ohridski". He obtained his PhD degree in 2009. The topic of his PhD is "Direct Democracy - National and Comparative Aspects". Currently he is an associate professor at the Faculty of Law of the Sofia University "St. Kliment Ohridski".

According to the presented biography, the teaching and scientific activities of Assoc. Prof. Dr. Martin Kirilov Belov are in the field of Constitutional Law and Comparative Constitutional Law. He has public activity related to his professional orientation and scientific and teaching activity. The candidate has extensive experience in teaching, which is a prerequisite and guarantee for the good quality of practical and theoretical classes with students.

The candidate has more than 10 specializations in prestigious foreign universities and institutes. He has been visiting professor and guest lecturer at universities in Israel, Czech Republic, Germany, Italy, Greece, France, Poland, Sweden, Spain, etc. Martin Belov is member of editorial boards of international and national scientific journals, as well as of a number of scientific organizations, councils and committees. He has participated in 16 international and 8 Bulgarian scientific projects, as well as in many scientific conferences in Bulgaria and abroad.

Assoc. Prof. Dr. Martin Belov is an established lecturer, distinguished by his high academic achievements, professionalism and erudition. During the years he has been working at the Faculty of Law of the Sofia University, he has prepared and educated generations of young lawyers, introducing them to the intricacies of legal matters, which constitutes a contribution to the legal sphere and especially in the field of legal education and the preservation of its good traditions.

### **3. General characteristics of the candidate's monographic work**

The scientific work, which Assoc. Prof. Dr. Martin Belov has submitted for participation in the competition, is entitled "Constitutional Semiotics. Conceptual foundations of a theory and metatheory", Sofia, University of St. Kliment Ohridski" Press, 2022, ISBN 978-954-07-5598-4. In terms of its volume, subject matter and in view of the presence of scientific reviewers (Prof. Dr. Daniel Valchev, Prof. Dr. Yanaki Stoilov and Prof. Dr. Jiří Příban from the University Cardiff), the work complies with the formal requirements for the scientific genre of "monograph", regulated in § 1, point 10 of the additional provisions of the ZPASRB.

The monograph was originally published in English in M. Belov, Constitutional semiotics. The Conceptual Foundations of a Constitutional Theory and Meta-Theory, Hart publishing, Oxford, 2022, ISBN 9781509931408.

The presented monograph is 400 pages long and consists of an introduction, five chapters and a list of references used. The book by Assoc. Prof. Martin Belov is a result of the need to create a theory of constitutional semiotics. The author points out that it contains theories and meta-theories which in their totality create the theoretical foundations of the semiotic approach to the constitution, constitutionalism and constitutional law.

The first chapter of the monograph is devoted to some fundamental and meta-theological issues. The author defines constitutional semiotics as an intellectual field of tension situated at the border between textuality, normativity, visuality and performativity.

According to him, it is seen as an intellectual paradigm with conceptual, methodological and pragmatic dimensions that links the ideal, normative, factual, emotional and imaginative aspects of the development of constitutionalism. Assoc. Prof. Belov considers constitutional semiotics as both a theory and meta-theory of constitutionalism and constitutional law. He shares the understanding that his entire book can be seen as an appeal for a transition in academic debate and a redirection of scholarly interest towards symbolic-imaginative, emotive, visual and performative constitutionalism in order to achieve a better understanding of the symbolic and transcendental features of constitutions and constitutional law. The book is therefore an invitation to rethink and reconceptualize constitutionalism as a phenomenon explored, examined and perceived through the lens of semiotics.

'Textual constitutionalism and its relevance for constitutional semiotics' is the title of chapter two of the monograph. It contains a redefinition of the concept of textual constitutionalism and explores constitutional text and constitutional textuality from a semiotic perspective. Constitution is examined as a textual discursive semiotic project. The author places special emphasis on the concept of authoritative constitutional text and on the role of open textuality for constitutional semiotics.

The third chapter of the monograph is devoted to so-called "symbolic-imaginary constitutionalism". It contains a theory and general typology of symbolic-imaginary constitutionalism and explores its most important forms. The author defines the concept of symbolic-imaginary constitutionalism and analyses it in detail. A general comparative typology of symbolic-imaginary constitutionalism is also proposed here, and it is systematized through the phenomenon of so-called "constitutional semiotic landscapes". The semiotic role of constitutional myths and mythologies is also analyzed.

"Visual Constitutionalism" is the title of the fourth chapter of the monograph. The author defines it as a postmodern semiotic concept. Special attention is paid to official visual semiotics. Visual constitutionalism is examined as a form of constitutionalism based on semiotic and socio-legal approaches. Emphasis is placed on digital constitutional semiotics as part of visual constitutionalism. In particular, 'iconification', 'emojification' and 'memefication' are explored as forms of constitutional signification of meaning. Separate parts of this book chapter are devoted to visual constitutionalism in pop culture, pop art and architecture.

The fifth chapter of the book offers a detailed presentation of the author's theory of constitutive geometry and contains the foundations of his theory of constitutional algebra. Assoc. Prof. Martin Belov argues that constitutional geometry constitutes a meta-theory of constitutionalism and constitutional law precisely in its capacity as a semiotic paradigm. From this perspective, constitutional geometry and constitutional algebra are presented as semiotic paradigms for ordering and explaining the constitution, constitutional law and constitutionalism. It should be emphasized that it is this chapter of the book that shows the possibilities of exploring, explaining and organizing constitutional law and constitutionalism with the help of mathematical metaphors.

I draw the conclusion that the presented monograph is consistent with its purpose of presenting a semiotic theory of constitutionalism and constitutional law - in this sense, the scientific work of Assoc. Prof. Dr. Martin Belov contains a number of scientific achievements. The elaborations of the individual sections are characterized by multidiscursiveness, thorough exposition and analysis, and scientific integrity.

The completeness and the broad framework in which the problems are studied represent a contribution to the theory of constitutional law and a favorable learning environment for students.

The conclusions drawn by the author in this work represent a contribution to science with a high degree of cognition. The monographic work is distinguished by a high style of legal language; it is written encyclopedically; the content of the individual chapters demonstrates the in-depth knowledge, the excellent scientific and legal thinking, the author's ability to analyze the subject of exploration study and to synthesize conclusions and recommendations with insight and analysis of scientific problems. The book by Assoc. Prof. Dr. Martin Belov is a scientific research of a relatively new issue for the theory of constitutional law; the research is broadly based, done with skill and erudition.

#### **4. Other publications of the candidate in connection with the competition**

Apart from the habilitation thesis "Constitutional Semiotics. Conceptual Foundations of a Theory and Metatheory", (University of St. Kliment Ohridski, S., 2022, ISBN 978-954-07-5598-4) Assoc. Prof. Dr. Martin Kirilov Belov participates in the competition with a significant number of publications - articles and studies. They have been published in foreign and Bulgarian periodical legal journals and edited volumes, namely:

**Three Models for Ordering Constitutional Orders**, in *Pravni Zapisi*, Year XIII, Nr. 2 (2022), ISSN 2406-1387, p. 361-387, (indexed in Scopus); **Rule of Law and Democracy in Times of Transitory Constitutionalism, Constitutional Polycrisis and Emergency Constitutionalism: Towards a Global Algorithmic Technocracy?** - in: Belov, M. (ed.) *Rule of Law in Crisis: Constitutionalism in a State of Flux*, Abingdon, Routledge, 2023, ISBN 9781032393858, p. 21-47; **Structural Adjustments of the Bulgarian to the EU Constitutional Order: Between the Conditionality of Democracy in Transition and the Challenges of the Multilevel Constitutionalism of the EU.** - in: Griller, S., L Papadopoulou and R. Puff (eds) *National Constitutions and the EU Integration*, Oxford, Hart, 2022, ISBN 9781509906741, p. 33-59; **Constitutional Nationalism and Constitutional Globalism on the edge of Westphalian and Post-Westphalian Constitutionalism: the Bulgarian Case**, in: M Kalyviotou (ed.), *Essays in Honour of Kostas G. Mavrias*. Athens, P.N. Sakkoulas, 2022, Vol. I, ISBN 978-618-203-100-1, p. 221 – 251; **Mastering emergency situations: The activist role of the Bulgarian Constitutional Court in redefining the constitutional design of war, state of siege and state of emergency** - in Belov, M. (ed.) *Courts and Judicial Activism under Crisis Conditions: Policy Making in a Time of Illiberalism and Emergency*

Constitutionalism, Abingdon, Routledge, 2021, ISBN 978-1032060828, c. 171-194. (indexed in Scopus); **Territory, Territoriality and Territorial Politics as Public Law Concepts** - in Belov, M. (ed.) Territorial Politics and Secession. Constitutional and International Law Dimensions, London, Palgrave, 2021, ISBN 978-3030644017, p. 15-45; **Post-human Constitutionalism? A Critical Defence of Anthropocentric and Humanist Traditions in Algorithmic Society** - in Belov, M. (ed.) The IT Revolution and its Impact on State, Constitutionalism and Public Law, Oxford, Hart, 2021, ISBN 9781509940875, p. 15-41; **The Role of Fear Politics in Global Constitutional 'Ernstfall': Images of Fear under COVID-19 Health Paternalism** - in Belov, M. (ed.) Populist Constitutionalism and Illiberal Democracies. Between Constitutional Imagination, Normative Entrenchment and Political Reality, Cambridge, Intersentia, 2021, ISBN 978-1839700606, p. 187-221; **Bulgaria: EMU Integration and the Bulgarian Constitution: 'Missing Constitution' or EU Friendliness and Open Statehood Masquerading Implicit Sovereignist Strategies in the Context of Multilevel Constitutional Games?** - in Griller, S., E. Lentsch (eds.) EMU Integration and Member States' Constitutions, Oxford, Hart, 2021, ISBN 9781509935789, p. 75-97; **Constitutional Court as Human Rights Court? The System for Access to the Constitutional Court of the Republic of Bulgaria with Regard to Human Rights Defense and Suggestions for Its Reform** in Valchev, D., M. Belov (eds) Rule of Law in Bulgaria. Contemporary Issues of Constitutional Justice and the Judiciary. Sofia, University of Sofia 'St. Kliment Ohridski' Press, 2021 (p. 56-99) (in Bulgarian); **The Debate on the Instruments for Human Rights Protection in front of the Constitutional Court in Bulgaria during the period 1989-2020 (co-authored with M. Dimitrova)** – in Valchev, D., M. Belov (eds) Rule of Law in Bulgaria. Contemporary Issues of Constitutional Justice and the Judiciary. Sofia, University of Sofia 'St. Kliment Ohridski' Press, 2021 (p 17-56) (in Bulgarian); **The Constitutional Court of the Republic of Bulgaria as Law Maker** - in Florczak-Wator, M. (ed.) Judicial Law-Making in European Constitutional Courts, Oxford, Routledge, 2020 (co-authored with Aleksandar Tsekov), ISBN 9781032187990, p. 91-111 (indexed in Scopus); **Judicial Dialogue - Westphalian or post-Westphalian Constitutional Phenomenon?** - in: Belov, M. (ed.) Judicial Dialogue, The Hague, Eleven, 2019, ISBN-10:9462369631, c. 25-5; **Global Rule of Law instead of Global Democracy? Legitimacy of Global Judicial Empire on the Edge between Westphalian and post-Westphalian Constitutionalism** - in: Belov, M. (ed.) The Role of Courts in Contemporary Legal Orders, The Hague, Eleven, 2019, ISBN 978-9462369207, p. 99-133; **Constitutional Courts as Ultimate Players in Multilevel Constituent Power Games: the Bulgarian Case** - in: Belov, M. (ed.) Courts, Politics and Constitutional Law. Judicialization of Politics and Politicization of the Judiciary. Abingdon, Routledge, 2019, ISBN 9781032087214, p. 152-173; **The Bulgarian Constitutional Order, Supranational Constitutionalism and European Governance** - in: Albi, A., S. Bardutzky (eds.) National Constitutions in European and Global Governance: Democracy, Rights, the Rule of Law National Reports, The Hague: TMC Asser Press, 2019 (co-authored

with Evgeni Tanchev) ISBN 978-94-6265-272-9, c. 1097-1139; **The Bulgarian Constitutional Order, Supranational Constitutionalism and European Governance** - in: Albi, A., S. Bardutzky (eds.) National Constitutions in European and Global Governance: Democracy, Rights, the Rule of Law National Reports, The Hague: TMC Asser Press, 2019 (co-authored with Evgeni Tanchev) ISBN 978-94-6265-272-9, c. 1097-1139; **Humanism and Rationalism as Fundamental Normative Ideologies of Constitutionalism.** In: Novkirishka, M., M. Belov, D. Nachev (eds.) Scientific Conference “Human Rights – 70 Years Since the Adoption of the Universal Declaration of Human Rights”, Sofia: University of Sofia ‘St. Kliment Ohridski’ Press, 2019, (69-90); **The Challenges to Westphalian Constitutional Geometry in the Age of Supranational Constitutionalism, Global Governance and Information Revolution** - in: Belov, M. (ed.) Global Constitutionalism and Its Challenges to Westphalian Constitutional Law. Oxford: Hart publ., 2018, ISBN 9781509914906, c. 13-55; **Constitutional Foundations of Peace and Discontent** -in: Belov, M. (ed.) Peace, Discontent and Constitutional Law. Challenges to Constitutional Order and Democracy, Abingdon, Routledge, 2021, ISBN 978-0367539702, c. 15-30. (indexed in Scopus); **Constitutional memories: how do constitutions cope with constitutional past** - in Belov, M., A. Abat Ninet (eds.) Revolution, Transition, Memory, and Oblivion. Reflections on Constitutional Change, Oxford, Edward Elgar, 2020, ISBN 978-1800370524, c.107-126 (indexed in Scopus); **Legislation in Bulgaria** - in: Xanthaki, H., U. Karpen (eds.) Legislation in Europe. A Country by Country Guide, Oxford, Hart, 2020, ISBN 978-1509924714, p. 69-86; **Constitutional Identity - Westphalian Reflection of the Constitutional Heritage of the Nation State or Post-Westphalian Alternative to Sovereignty in the Context of Supranational Constitutionalism?** - in: Mercescu, A. (ed) Constitutional Identities in Central and Eastern Europe. Frankfurt am Main, Peter Lang, 2022, ISBN 978-3-631-80796-5, c. 73-91 (indexed in Scopus); **Human Dignity in Bulgaria** - in: Becchi, P. H. Mathis (eds.) Handbook of Human Dignity in Europe. Vienna: Springer, 2019, ISBN 978-3-319-28083-7, c. 130-149.

The publications of Assoc. Prof. Martin Belov explore issues which are of central importance for the theory of constitutional law. Overall, Dr. Belov's publications submitted for the competition, develop problems that are particularly significant for the essential aspects of the state and law. They have been researched in depth, in a multifaceted manner, with knowledge of the traditions of the theory, as well as the practice of other countries, with the author's characteristic scientific precision and comprehensiveness. They demonstrate knowledge and culture.

The candidate contributed with publications, most of which were written in English, a fact which also highlights Dr. Belov's linguistic competence and skills.

An additional positive fact related to the publications of Assoc. Prof. Dr. Martin Belov should be mentioned here. These publications have been quoted many times by a number of authors in Bulgarian and foreign publications.

In terms of science metrics, Martin Belov participates in the competition with citations that are way above the required minimum. This fact once again shows the importance of the candidate's scientific production.

## **5. Notes and recommendations**

The monographic work uses a considerable amount of foreign terms related to the issues presented in some of the individual chapters, which could be slightly reduced in certain parts of the work, given that the research is aimed at creating a theory of constitutional semiotics that is comprehensible and, in its totality, provides the foundations for a semiotic approach to the constitution, constitutionalism and constitutional law.

Regarding the conclusions drawn in the monograph, it can be pointed out that some of them are well argued, but for others more legal reasoning could be added.

As a critical remark, it can be pointed out that although the author has listed a considerable amount of sources and literature used in the monograph at the end of his work, there is a relatively small number of footnotes in the main text of the monograph - this creates the impression of a kind of "imbalance" between the bibliographic sources used and the authors cited.

One technical note - some of the footnotes are not formatted according to bibliographic citation standards.

I recommend a stronger authorial presence, in the form of a conclusion written as a separate part of the monograph, in future publications of the book.

Finally, I would recommend the candidate to address more practical issues of the current Bulgarian constitutional law in the implementation of his scientific and creative research in the future.

The above-mentioned remarks and recommendations cannot change the conclusion that the candidate Assoc. Prof. Dr. Martin Kirilov Belov possesses sufficient scientific and teaching qualities to acquire the academic position of "Professor".



## 6. Conclusion

The documents and materials submitted by Assoc. Prof. Dr. Martin Kirilov Belov meet the requirements of the Development of Academic Staff in the Republic of Bulgaria Act (DASRBA), the Regulations for the Implementation of the DASRBA and the Regulation for the Conditions and Procedures for the Acquisition of Scientific Degrees and the Holding of Academic Positions at Sofia University "St. Kliment Ohridski. The candidate in the competition has submitted a sufficient number of scientific works published after the acquisition of the academic position of Associate Professor. The candidate's works contain scientific contributions which have received recognition, a representative part of which have been published in journals, edited volumes and independent publications. His theoretical elaborations are extensive, and some of them are oriented towards teaching work.

The scientific and teaching qualifications of Assoc. Prof. Dr. Martin Kirilov Belov are unquestionable.

After familiarizing myself with the materials and scientific works presented in the competition, analyzing their significance and scientific and applied contributions contained in them, I find it justified to give my positive assessment and to recommend the Scientific Jury to prepare a report-proposal to the Faculty Council of the University of Sofia 'St. Kliment Ohridski' for the election of Assoc. Prof. Martin Belov on the academic position 'Professor' at the University of Sofia 'St. Kliment Ohridski' in the professional field 3.6 Law (Constitutional Law).

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(Assoc. Prof. Dr. Hristo Paunov)

09.11.2023 г.

Plovdiv

