

## **OPINION**

By Prof. Blagoy Nikitov Vidin, Phd, NBU, 3.6. Law

on the scientific works, presented in the competitive procedure for the academic position Associate Professor in the professional field 3.6. Law (Constitutional law), announced by New Bulgarian University in State Gazette, No. 41/18.05.2021, with a candidate Chief Assistant Professor Deyana Dimitrova Marcheva, PhD.

### **I. Evaluation of the compliance with the minimum national requirements and with the requirements of New Bulgarian University**

In the competitive procedure documents for participation have been submitted by Chief Assistant Professor Deyana Dimitrova Marcheva, PhD. After examining them I find that the candidate fulfills the conditions and requirements for the academic position Associate Professor in the professional field 3.6. Law in accordance with the Act for Academic Staff in the Republic of Bulgaria and with the additional requirements of New Bulgarian University.

Dr. Deyana Marcheva has presented a diploma attesting that she has obtained the educational and scientific degree “PhD” in Law, as well as a monography with the title “The Constitutional Principle of the Rule of Law”, published in 2021. The individual table for evaluation of the candidate and the proofs hereto demonstrate that she has occupied the position of Chief Assistant Professor at New Bulgarian University for more than two years and also she meets the minimum national requirements under Article 2b of AASRB, as well as the additional conditions of NBU under Article 58, para 1 of the Regulation for the Development of the Academic Staff at NBU. There is no proved plagiarism in the candidate’s scientific works or any lodged complaints for such.

The application of Chief Assistant Professor Deyana Dimitrova Marcheva, PhD, is not only in line with all indicated requirements, but also significantly exceeds more than twice measured in score numbers.

## II. Research (creative) work and results

1. Evaluation of the monographic work, including evaluation of the scientific and applied research contributions of the author

The presented monographic work “The Constitutional Principle of the Rule of Law” meets the expectations for such kind of work. It is distinguished by its scientific good faith, pedantic work with the primary resources, correct use of a rich scientific apparatus.

I endorse the scientific contributions, listed in the reference for the scientific contributions in the monograph “The Constitutional Principle of the Rule of Law”, attached to the competitive procedure documentation.

I would also like to add the following. This is the second work – after that of Prof. Ekaterina Mihaylova “The Totalitarian State and Law in Bulgaria 1944-1989”, that analyzes the development of Bulgarian law in the socialist period. The work has a totally different subject of scientific study and as a whole constitutes a scientific novelty in the law literature. It tracks the development of “socialist legality”, its introduction and evolution, as well as its influence on the development of the Bulgarian legal science and practice. It correctly finds that the socialist legality emerges as an ideological category and till the end of its practical implementation exactly the ideological appropriateness is the rationale for its existence.

The author points out examples mostly in the field of Criminal law as they are the most convincing for the theses argued in the monograph. She also provides many examples from the fields of Civil law and Administrative law. The renowned Law for the Property of the Citizens, that practically restricts the right to inheritance is reasoned with the objective, set by Carl Marx, to remove inheritance in general. With the minimum number of laws, the Peoples Republic of Bulgaria was governed by sub-legislation, very often by joint ordinances of the Council of Ministers and the bodies of the Bulgaria Communist Party. As a result, the Constitutions of the Peoples Republic of Bulgaria not only appear as a foundation and realization of the socialist legality principle but they also need to be viewed as an instrument for propaganda and agitation. The same conclusion can be referred to the constitutions of the Soviet Socialist Republics Union as well.

2. Assessment of the contributions in other presented publications after the appointment on the academic position Chief Assistant Professor, including evaluation of the requirement for peer-reviewed publications.

Twenty-one articles that have not been used in previous procedures for academic positions and scientific degrees are attached to the materials in the competitive procedure. It is not easy to classify them in fields of scientific knowledge. Indisputable are the groups of constitutional law and administrative law, and there is also one conditional group to which can be referred researches in Human Rights and issues of EU law.

Each of the presented articles is up-to-date and with high scientific value and represents and original scientific work.

3. Citations by other authors.

I confirm the accuracy of the presented data for the number of citations.

### **III. Teaching and lecturing activities**

Deyana Marcheva is an assistant professor at NBU since 2014, and a chief assistant professor since 2016. She is teaching in the seminars – exercises in Constitutional law since the academic 2015/2016 year. She also has lecturing experience in the elective academic courses in the Law program at New Bulgarian University. For this competitive procedure it is crucial to point out the course Comparative constitutional law. She also has taught in the English for lawyers course that is compulsory for the law students at NBU. She has developed two new elective courses – “Administrative law of EU” and “Public Procurement, Concessions, PPPs”. She has prepared numerous teaching materials of her own in the academic courses she teaches in that have been uploaded in Moodle to be used by the students. In the competitive procedure documentations are presented printed teaching materials by Deyana Marcheva on topics of the course “LAWN 2017 Exercises in Constitutional Law” – questions, diagrams, block-schemes, tables.

Chief Assistant Professor Deyana Dimitrova Marcheva, Phd, has obtained the average grade Very good 4.44 (the maximum being 5.00) in the student survey questionnaires scores on the course “Exercises in Constitutional Law” for the last 10 semesters.

She has participated in the organization and collection of the collective volumes with the papers from two national scientific conferences – “25 Years the Department of Law at NBU” (2016) and “Scientific Readings in the Memory of Christian Takoff “Challenges to the Law” (2020). She is one of the initiators and organizer of the Human Rights seminar series at New Bulgarian Universities that take place from 2016 until now. She is also the founder of the students group “Law and Literature” at NBU.

Chief Assistant Professor Deyana Dimitrova Marcheva develops here competences by participating also in the trainings, organized by NBU for the academic staff, related to the library and informational services, the work with the NBU scientific electronic archive etc.

The items listed above support the opinion that the teaching work of Chief Assistant Professor Deyana Marcheva, Phd, fulfills the requirements of the law and the additional criteria of New Bulgarian University for the academic staff development, classified in groups Ж, 3 and II of the individual table for evaluation.

#### **IV. Administrative and social work**

The materials for the competitive procedure, submitted by Chief Assistant Professor Deyana Marcheva and my personal impressions confirm that she fulfills her academic obligations.

From 2015 till 2017 Dr. Deyana Marcheva has been working in the NBU administration as a program consultant (indicator II.48). From 2017 till now she is a member of the Law Program Council (indicator II.47).

Dr. Marcheva is a member of national and international scientific and social organizations. Proofs have been presented that she is a member of the Alliance of the Jurists in Bulgaria and the International Society of Public Law ICON-S (indicator Ж.23).

Deyana Marcheva also has for social activities as a translator of academic law literature from English – translations are presented as a proof for compliance with the requirements of indicator Ж.28 of the table for individual evaluation.

## **V. Personal impressions of the candidate (if applicable)**

I know Deyana Marcheva as a candidate for the academic position assistant professor. From that moment till now she has continuously demonstrated discipline, capacity to work, responsible attitude towards the students and high criteria in the scientific work.

## **VI. Conclsion**

For the above-stated reasons I conclude that Dr. Deyana Dimitrova Marcheva meets the requirements for occupying the academic position Associate Professor. I declare my high appreciation for her teaching, lecturing, administrative and social work, as well as for her scientific contributions in the presented monographic work and the other publications in her application documentation in this competitive procedure. I propose to the Scientific Jury to take a positive decision and to offer to the NBU Academic Council to elect Chief Assistant Professor Deyana Dimitrova Marcheva, PhD, for the academic position Associate Professor at New Bulgarian University in the professional field 3.6. Law (Constitutional law),

10 Sept. 2021

Sofia

Signature: .....