

ATTITUDE OF REVIEWER

from

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on

on the competition announced in the State Gazette, issue. 89 of 12.11.2019,

for the academic position of „**Professor**“

in scientific specialty 2. “Humanities”, professional field 2.3. “Philosophy”

for the needs of the Department of Social Theories, Strategies and Forecasts

in Institute of philosophy and sociology (IFC) at BAS

1. Information about the procedure

I hereby submit this opinion as an internal member of the Scientific Jury for the academic position of "Professor" on the basis of: the Act for the Development of the Academic Staff in the Republic of Bulgaria (ADASRB), the Regulations for the Application of ADASRB, §4.2 of the Procedural Rules for the Academic Council (AC) of IFS, the Rules and Regulations of IFS-BAS on the Procedures for Awarding Academic Degrees and Academic Promotion, Decision of the Scientific Council, objectified in Minutes No. 27/10.12.2019, Order of the Director of IFS-BAS: RD-09-773 / 18.12.2019 and Decisions from the first meeting of the academic jury, Minutes No. 1 of 27.01.2020.

One candidate participates in the competition for the academic position "Professor" in the professional field 2.3. Philosophy: Borislav Nikolov Gradinarov. The documents have been submitted on time and comply with the requirements of the ADASRB. At the first meeting of the Scientific Jury on 27.01.2020 it was decided to prepare an opinion for evaluation of the publications presented by Borislav Gradinarov.

This opinion is based on the materials provided by the author: publications including 2 monographs, 4 studies and 29 articles; scientific autobiography; a reference for the fulfillment of the minimum requirements of BAS for the scientific and teaching activity of the candidates for acquiring the academic position of "professor"; NACID references for doctor, associate professor and doctor of sciences; list of scientific papers; contribution statement; diplomas for PhD, associate professor and doctor of sciences; two official notices concerning holding of lectures and exercises at the University of National and World Economy (UNWE) and at the Burgas Free University of (BFU); two certificates for professional experience.

2. Short biography of the candidate

Borislav Nikolov Gradinarov was born in 1960. He graduated in two specialities at Sofia University "St. Kliment Ohridski: Philosophy (1985) and Law (1999). It is precisely the combination of these two profiles in his higher education that enables him to carry out in-depth interdisciplinary research and predetermines the areas in which Borislav Gradinarov's key interests lie: philosophy of politics, law and economics, general theory of state and law, political economy, European Union law, media and communication law. In 1989 he defended his doctoral dissertation at the Institute of Philosophy, Bulgarian Academy of Sciences, on the topic "Dialectical law – nature, specificity, functions". Since 2006 he is an associate professor at the same institute. In 2019 he defended his dissertation for a doctor of science in the Institute for the Study of Societies and Knowledge (universal successor of the Institute of Philosophy), Bulgarian Academy of Sciences, on the topic "Social systemic factor (Systemic genesis of uncertainty in society)".

Borislav Gradinarov has an extensive teaching experience. From 1996 until now he has been a lecturer at 4 universities: the Slavic University, the Veliko Turnovo University, the University of National and World Economy (UNWE) and the Burgas Free University (BSU). Borislav Gradinarov has repeatedly presented various training courses over the years: Introduction to Political Science, Methodology of Political Analysis, Local Government and Governance, Legal Ethics, Media Law, Philosophy and Sociology of the Information Society, Political Economy of the Information Society, Philosophy and Sociology of the Digital Society. Some of them - Legal Ethics and Media Law, have established themselves as key subjects in the education of students at UNWE and BSU.

Borislav Gradinarov's teaching activity is combined with practical experience in the fields in which his scientific interests lie. In 2001-2003 and 2007-2010 he was a legal advisor to the Electronic Media Council. He is a member of the Thracian Scientific Institute and the Balkan Institute for Strategic Forecasts and Management (BISFRIM). Exactly in the field of risk is the main monograph presented in this competition.

Borislav Gradinarov is the author of 8 monographs (one of which - Media Law, has two editions: from 2010 and from 2016), 100 articles and studies, he is an editor and compiler of 5 scientific collections. His academic development includes participation in 5 projects (in 3 of which he is a leader) and in 18 scientific forums. For this activity, Borislav Gradinarov has 51 noted citations, as well as 8 published reviews of his scientific works.

Borislav Gradinarov has managed 2 PhD students deducted with the right of defense their degree (2009 and 2015), and 4 successfully graduated students.

3. Compliance with the Minimal National Standards for the academic degree of Doctor of Sciences

It can be inferred from Borislav Gradinarov's table of minimum national requirements for a professor that he not only meets the minimum requirements but also exceeds them significantly. According to section D (indicators 4 to 11), Borislav Gradinarov collects 405 points with a minimum of 220 points required, which is a testimony for the efficiency and fruitfulness of his research activity.

4. Evaluation of the contents academic achievements of the candidate

Both monographs presented are individual publications of Borislav Gradinarov: 1) Gradinarov, B. (2020) Risk and anti-risk strategies. S., Balkan Institute for Strategic Forecasts and Risk Management, ISBN 978-619-90757-5-3, in a volume of 304 pages; 2) Gradinarov, B. (2016) Media Law. Second revised and supplemented edition. S., Faber, ISBN 978-619-00-0391-5, in a volume of 264 pages. The second monograph is structured in a way that allows it to be used as a textbook in the training course "Media Law" - a discipline taught by Borislav Gradinarov from 2009 to the present.

The first monograph, "Risk and Anti-Risk Strategies" focuses on one key component of contemporary society - risk, which also raises question how its "domestication" is possible (p. 9). To the question "Why do we continue to take risks?" Borislav Gradinarov replies in his clear and categorical style: "perhaps because the risk is packed in temptingly irresistible rewards and our instincts are not strong enough" (p. 10). As a phenomenon existing alongside the increasing complexity in the structure of modern social systems, risk is distinguished from the systemic factor (p. 39), to which another monograph by Borislav Gradinarov is devoted: The Power of the Systemic Factor, 2019. S., East-West. Many authors have been analyzed in risk interpretation, including: Frank Knight, Glyn Holton, Friedrich Hayek, Joseph Schumpeter, Harrison White (Economic Approach to Risk), Niklas Luhmann, Anthony Giddens (Sociological Approach to Risk), Ulrich Beck (risk in context of globalization). The concept of risk is also covered through its environmental (Jared Diamond) and technological dimensions (Kate Smith, Ortwin Rehn, Bernard Sinclair-Desagagne, etc.). It is noteworthy that a considerable number of the analyzed authors are relatively poorly known to the Bulgarian public and are rarely discussed in the Bulgarian scientific literature.

Borislav Gradinarov offers an original definition of risk in which the latter is historically and personally contextualized. Risk is related not only to specific historical conditions, but also to the value framework of an individual, within whose subjectivity the judgment of his existence is made. In this sense, risk does not have its own objectivity and entity-independent ontology, but on the contrary: it is the product of human evaluation activity. It is precisely the relation between risk and the value framework underlies the definition of risk proposed by Borislav Gradinarov, namely: “risk is a subjectively assessed possibility of occurrence of undesirable changes or consequences for the individual or for the group (community)”(p. 67). The author emphasizes not only the existence but also the bilateral nature of the relationship between risk and values (p. 74). The common basis on which the comparison is made is precisely that of human (p. 82). Consistent protection of the thesis of risk as a human-dependent phenomenon makes the latter a problem of ethics as well (it is enough to note the attitude of ethics to activities such as gambling). It is no coincidence a lot of Borislav Gradinarov's articles and studies fall in the field of ethics.

Particularly useful and original are the figures used in the monograph (p. 81, 91, 100, 127), which manage to summarize and systematize the results of the scientific analysis. Among them, the figure number 3 “Risk Allocation” (p. 100), offering a coordinate system in which different risks can be positioned and classified on the basis of the criteria of “transitivity of risk” (the possibility that the negative consequences of the adverse event to be borne by another) and “risk distributivity” (the possibility that the negative consequences of the adverse event to be shared among more than one entity). The table is extremely intuitive, offering a “visual” analysis of the entire field (divided into four quadrants) of possible varieties of risk. The subsequent analysis of the various risk strategies is carried out precisely within the framework of the risk classification so outlined, which helps in assessing the effectiveness of the strategies proposed. The successful implementation of one or the other strategy depends on where exactly in the ‘transitivity-distributive’ ratio the particular risk that should be managed falls.

The concepts of chance, moral risk, predictability have been further explored. Anti-risk strategies are presented, such as insurance and risk-sharing (insurance system, reinsurance), and they are joined by the strategy of “creating social capital”, defined as the “positive value of informally organized human relations, relationships and interactions” (p. 141). Social capital has been suggested (with reference to James Coleman) as a positive systemic factor that both individuals and society as a whole can rely on to manage the risks they face.

The second monograph “Media Law” is a manifestation of the interdisciplinary characteristic of the research activity of Borislav Gradinarov, linking to the so-called “fourth

power" (p. 9) - the media, with the tools of law. Here media, law and ethics meet each other. The ethical codes of the Bulgarian media are presented as a specific form of self-regulation and coregulation in media law (pp. 35, 43-47). The codes of ethics are the subject of further study (but already in the relations between lawyers) in the article "Law and Ethics in Bulgaria - an (Un) Easy Co-existence" (pp. 384-387). Media law is one of the most dynamic, complex and "difficult" fields in which legal regulations must not only protect the freedom of speech - a fundamental dimension of journalistic activity, but also must preserve belief in the existence of truth - a concept that in recent years has significantly reduced its density, becoming to a "point of view", "opinion" or "reportage".

The monograph faces the most important challenges for any textbook that has to present a relatively new legal branch, such as media law: defining its subject, system, method, subjects, principles and sources (summarized on pp. 23-30). The peculiarities of the regulation of the different media, depending on their type, are studied. Particular attention has been paid to the functions and responsibilities of public media, including, for example, their obligation to provide information that "covers a wide range of domestic and international events while guaranteeing independence with the highest degree of impartiality" (P. 61), and - on the other hand, with their activities "to strengthen and promote fundamental moral and political values " (p. 62). The outline of the mission of public media (p. 63) is decisive in process of tracing its actual implementation in an environment dominated by many competing commercial radio and television operators. Other requirements for media activity, such as pluralism and its borders, the reliability of information, the protection of children, are also considered.

I would like to take a very brief look at the 29 articles and 4 studies presented in this competition. In my opinion they can be divided into the following several groups:

- publications related to specific manifestations of the concept of "risk" which is central topic for the first monograph submitted. Examples include the "Network Advantages and Risks", "The Global Changes and Destiny of Bulgaria in the 21st Century", "The Challenges of Uncertainty", "The Problems and Ambitions of the Turkish Tiger", as well as the articles "Are the Balkans Destabilizing?", "Geopolitical Challenges to the European Union", "Risks to Bulgaria in the 21st Century". This group of publications looks at specific risk situations in their social and political dimensions, which can also be read as a follow-up to the applied scientific part of the monograph "Risk and Risk Strategies";

- publications on issues of social exclusion and social solidarity. Such publications are "Bulgarian Post-totalitarian Capitalism as a Cause of Bulgarian Poverty", "Poverty as a Motivating and Demotivating Factor", "Total Monetization as a Generator of Social Inequality",

"Commons and the Future of Capitalism", "The Hidden Traps of Inequality" as well as "Recipe or Utopia - Unconditional Basic Income Against Social Inequality" - an article on a tool from the future that holds many hopes for survival of human and human dignity in a robotic world ruled by various forms of artificial intelligence;

- publications related to the philosophy of law and its interactions with other social and political phenomena. This group may include the publications "Philosophy of Law between the Common and the Special", "Justice and its Importance and Place in the Law", "Professional Ineligibility as a Professional and Ethical Sanction in the Legal Professions", "Law and Ethics in Bulgaria - an (un) easy coexistence." They address both common philosophical concepts (such as justice, social institutionalization, the right-moral relation, etc.) used in the specific context of law, as well as some specific problems of the jurists (eg, the Bulgarian experience of ethics without law and law) without ethics, the need to protect the prestige of the legal profession).

The submitted papers outline clearly and consistently the main directions in which the research activity of Borislav Gradinarov develops. I accept the self-assessment of the scientific contributions made by the applicant, which corresponds to the scientific publications submitted for review.

5. Impact of the publications of the candidate

Borislav Gradinarov submitted 51 noted citations. Most of them are related to the analysis of the role of the middle class during the years of political transition in Bulgaria. Among the most cited works by Borislav Gradinarov are the monographs "The Sunset of the Middle Class". VT, Faber, 2004, ISBN 954-775-326-6, and "The Light Shadows of the Bulgarian Transition". VT, Faber, 2005, ISBN 954-775-450-5. Both monographs examine the specific social risks of the political transition Bulgarian, which fit into Borislav Gradinarov's systematic interest in risk issues - the "main character" in the first monograph with which he participates in this competition.

Another large number of citations are related to media law and the legal and ethical issues of digital media and technology. The reason for the multiplicity of these citations is obvious - Borislav Gradinarov is a leading lecturer in the field of media law and media regulation, who has not only a research interest in this field, but also substantial practical experience. It is not surprising, therefore, that the monograph Media Law (in both its editions) has 10 noted citations in a variety of scientific monographs, studies and articles.

6. Critical commentary on the submitted thesis

Of particular interest to me is the analysis of the sovereignty of the Member States participating in the European Union which is made in the monograph "Risk and Anti-Risk Strategies" (pp. 150-165). The classic works of Jean Bodin, Thomas Hobbes, Jean-Jacques Rousseau, as well as the contemporary works of Franco Fardella, Giuseppe Chiarelli, as well as the Bulgarian law authors Rosen Tashev (working in the field of general theory of law) and Evgeni Tanchev are presented and analyzed (working in the field of constitutional law). The issue of state sovereignty is one of the most sensitive topics in the Europe, which is an important part of Britain's considerations of leaving the Union in 2020. There are two key questions: what happens to state sovereignty after the accession of European countries to the EU and what is the valid basis on which their sovereignty can be modified as EU integration processes deepen.

Borislav Gradinarov cites the state's voluntary agreement as the sole legitimate basis for any sovereignty transfer to the EU. Only on this basis can be defended the idea of the so called "open statehood". Only in this way Member States are not deprived of their sovereignty, but on the contrary: they not only retain it, but even "strengthen it by the ability to influence the resolution of common issues" (p. 163). It is in the context of this crucial issue for the future of the EU that I would like to share with Borislav Gradinarov - in view of possible future publications, the opportunity to consider and analyze another instrument for protecting the national sovereignty of the Member States: the so-called "constitutional identity". This instrument has already been used by the Bulgarian Constitutional Court. His systematic research, including in view of the risks of populist use, will be important for the future of integration processes in Europe. In this field I would recommend the recently published monograph of Martin Belov (lawyer-constitutionalist) "Bulgarian Constitutional Identity" (2017).

7. Personal opinion about the candidate

Prior to my admission as a member of the Ethics Research Section of the IFS-BAS in 2014, I knew Borislav Gradinarov as author of one of the two main textbooks on Media Law in Bulgaria. For me, he was an established author in this extremely important and dynamic area of legal knowledge. After becoming a part of the academic members of IPS-BAS, I already had numerous reasons to interact directly with Assoc. Borislav Gradinarov, witnessing the dedication he displayed in the accomplishment of the tasks he set himself. Borislav Gradinarov holds an established position in the complex field of interdisciplinary communication between philosophers, economists and lawyers, managing to combine the different approaches characteristic of these professionals.

Together with Borislav Gradinarov we work in the project "Civilizational Challenges to Bulgaria and the European Union (Conflicts, Risks and Transformations)" for a period of 2019-2022. As a project manager he has repeatedly proved his scientific and organizational qualities. We have no common publications with Borislav Gradinarov. He has participated in scientific forums and initiatives organized by the Ethics Research Section at IFS-BAS, where we have always maintained good professional and friendly relations.

I believe that Borislav Gradinarov is a responsible and conscientious scholar who manages to initiate important and socially significant public and scientific discussions in which he defends convincingly and consistently his thesis. From his participation in various scientific forums, I know his concise and precise statement, which fully corresponds to his research style. Borislav Gradinarov is also a socially engaged scientist. Indicative in this respect is his adopted focus on some of the most current issues in contemporary Bulgarian politics, related to Bulgaria's membership in the European Union considering as an anti-risk strategy. The objective and consistent discussion of the existing risks in the political present of Bulgaria is part of the responsible position of Borislav Gradinarov, which he occupies as a researcher, conducting his scientific activity in the field of practically importance for Bulgaria.

8. Conclusion

From the submitted documents it can be concluded that Borislav Gradinarov exceeds the minimum national and institutional requirements for the respective academic position. His research, publishing and teaching activities have all the necessary qualities to be awarded the academic position of "Professor" in the professional field 2.3. Philosophy. I firmly vote in favor of Borislav Nikolov Gradinarov to be awarded the academic position of "Professor".

17.03.2020

Sofia

Signature:

Assoc. Prof. Stoyan Stavru