



EURASIAN
JOURNAL OF
COMPARATIVE
LAW
EAJCL



Volume I • Issue I • June 2025
<https://dergipark.org.tr/en/pub/eajcl>

Biography
Submission Date: May 30, 2025
Acceptance Date: June 11, 2025

A Biography: Professor Esin ÖRÜCÜ
(1940–2023)

Elif KARAMAN

Research Assistant – Afyon Kocatepe University
Faculty of Law, Department of Commercial Law,

Afyonkarahisar/Türkiye,

ekaraman@aku.edu.tr

<https://orcid.org/0000-0002-1175-9915>.

*“Comparative Law is an enigmatic, paradoxical and elusive subject in that, just as one thinks one has mastered it, another puzzle appears on the horizon. The puzzles start with the name of the subject, continue with its definition, aims, objectives, methodology and its use in practice, and culminate in its value and significance for legal science.”**

It is with deep sadness and profound respect that we commemorate the passing of Professor Esin Örüçü, an internationally renowned scholar of comparative law, on 31 December 2023. A pioneering academic, an incisive comparatist, and an inspiring mentor, Professor Örüçü leaves behind a legacy that will continue to shape comparative legal scholarship for generations to come.

Born in Istanbul in 1940, Esin Örüçü was raised in a household shaped by discipline, education, and intellectual freedom. Her mother, a geography teacher and school principal, was a remarkable woman whose principled character, rigorous logic, and dedication to girls’ education profoundly influenced Esin’s development. Örüçü often acknowledged her mother as her lifelong role model. She was educated at the English High School for Girls and the American College for Girls in Istanbul—institutions that cultivated her sense of self-discipline, intellectual curiosity, and cosmopolitan outlook.

Following her mother's advice to obtain a “golden bracelet” (a metaphor in Turkish culture referring to a woman’s profession or university degree, regarded as a lifelong safeguard of independence and dignity, regardless of marital or financial circumstances) she entered the Istanbul University Faculty of Law, graduating as first in her class in 1965. While her initial intention was to pursue a diplomatic career, she soon found her true calling in academia. After joining the Istanbul University Faculty of Law as a lecturer in administrative law, she began doctoral studies at Istanbul University, with a research stay at the London School of Economics. She obtained her PhD and earned the title of *doçent* (associate

* Esin Örüçü, *The Enigma of Comparative Law: Variations on a Theme for the Twenty-first Century* (Dordrecht: Springer, 2004).

professor) during her ten years at Istanbul University. Though admitted to the Istanbul Bar, she never practised but was honoured with a commemorative plaque after 25 years of membership.

In 1976, she moved to the United Kingdom and joined the University of Glasgow as a Lecturer in Jurisprudence and Comparative Law. She was promoted to Senior Lecturer and, in 1992, was appointed Professor of Comparative Law, becoming one of the first female law professors in the UK. She also served as Head of the Department of Jurisprudence following the merger of Legal History and Comparative Law departments. She retired formally in 2005 but continued to teach and supervise students until 2017, marking over 40 years of service to Glasgow.

Simultaneously, Professor Örüçü held a part-time position as Professor of Comparative Law at Erasmus University Rotterdam from 1981 to 2005. She was the first woman appointed as a law professor at Erasmus University and remained their only female professor of law for many years. Her dual academic roles enabled significant scholarly exchange between the Netherlands and the UK.

She was also a visiting professor at SOAS, Utrecht University, Free University of Amsterdam, the European Academy of Legal Theory in Brussels, and various Turkish institutions, including Yeditepe and Okan Universities, where many of her former students had become deans.

Her research spanned comparative legal methodology, mixed legal systems, Turkish law (especially constitutional and family law), and the intersections of law with language, religion, and culture. She authored and edited numerous influential works, including *The Enigma of Comparative Law*, and remained a strong advocate for legal pluralism and interdisciplinary approaches. As she once stated, "Spotting the difference is one thing; to appreciate and understand it is another."

In 2022, the International Academy of Comparative Law (IACL) formally honoured her as one of the "Five Great Comparatists"

alongside Ewoud Hondius, Vernon Palmer, Jorge Sánchez Cordero, and Elisabeth Zoller. This was only the second cohort to receive this rare distinction since the award's inception in 2017. A *laudatio* in her honour was delivered in Paris by her long-time colleague, Professor Sue Farran.

She was also a titular member of the IACL, Vice-Chair of the Scottish Association of Comparative Law, founding Convener of the SPTL Special Subject Section of Comparative Law, and a member of the advisory board of *Juris Diversitas*. In 2009, she received an honorary doctorate from Uppsala University, where she delivered a celebrated address—despite arriving with a broken arm.

Professor Öürücü remained intellectually active well into her later years. In the final months of her life, she was involved in a project for the establishment of the *Esin Foundation*, aimed at supporting women in higher education, arts, and culture. She was also a legacy donor to the Darüŝŝafaka Society in Turkey, demonstrating her lifelong commitment to educational opportunity and social responsibility.

Professor Öürücü played a meaningful role in the early development of our journal. More than offering moral support, she provided insightful guidance and encouragement that helped shape our vision and direction. Her engagement at this foundational stage was invaluable, and we are honoured to have benefited from her wisdom and generosity.

Professor Öürücü passed away peacefully at her home in Glasgow on 31 December 2023. A funeral was held at Maryhill Crematorium on 18 January 2024. Though she lived abroad for many decades, she remained deeply connected to her Turkish roots and visited often.

Her name “*Esin*” means “inspiration.” Few lives have embodied that word more fully.

We honour her memory with admiration, gratitude, and a commitment to carry forward the rich scholarly traditions she so vibrantly shaped.

Esin Öürücü's Bibliography

Attwooll, Elspeth, and Esin Öürücü. "Studies in Legal Systems: Mixed and Mixing." In *Studies in Legal Systems: Mixed and Mixing*, edited by Elspeth Attwooll and Esin Öürücü. Torrossa, 1996.

Attwooll, Elspeth, Noreen Burrows, and Esin Öürücü. "EU Laws as Cultivars in the UK before and after Brexit." *Journal of International & Comparative Law*, 2019.

Burrows, Noreen, and Esin Öürücü. "The International Approach to Discrimination." In *The Legal Relevance of Gender: Some Aspects of Comparative and International Law*, 1988.

De Roo, Annie J., Esin Öürücü, and Robert W. Jagtenberg. *Transfrontier Mobility of Law*. Deventer: Wolters Kluwer Law & Business, 1995.

Donlan, Sean Patrick, Sue Farran, and Esin Öürücü. *A Study of Mixed Legal Systems: Endangered, Entrenched or Blended*. Routledge, 2016.

Farran, Sue, Esin Öürücü, and Sean Patrick Donlan. "Saint Lucia." In *A Study of Mixed Legal Systems: Endangered, Entrenched or Blended*, edited by Sue Farran, Esin Öürücü, and Sean Patrick Donlan, 2016.

Farran, Sue, and Esin Öürücü. "The Continuing Relevance of Comparative Law and Comparative Legal Studies." *Journal of International & Comparative Law*, 2019.

Glenn, H. Patrick. *On Common Laws*. Reviewed by Esin Öürücü. *Edinburgh Law Review*, 2006.

Harding, Andrew and Esin Öürücü. *Comparative Law in the 21st Century*. Torrossa, 2002.

Nelken, David, and Esin Öürücü, eds. *Comparative Law: A Handbook*. Oxford: Hart Publishing, 2007.

Öürücü, Esin. *The Enigma of Comparative Law: Variations on a Theme for the Twenty-First Century*. Cheltenham: Edward Elgar, 2004.

———. "A Family Law for Europe: Necessary, Feasible, Desirable?" In *Perspectives for the Unification and Harmonisation of Family Law in Europe*, 2003.

———. "A General View of 'Legal Families' and of 'Mixing Systems.'" In *Comparative Law: A Handbook*, edited by Esin Örucü and David Nelken, 169–182. Oxford: Hart Publishing, 2007.

———. "A Legal System Based on Translation: The Turkish Experience." *Journal of Civil Law Studies* 6 (2013): 1–12.

———. "An Exercise on the Internal Logic of Legal Systems." *Legal Studies* (1987).

———. "Comparative Law and Legal Education." In *The Enigma of Comparative Law*, 2004.

———. "Comparative Motley: Offerings from a Comparative Lawyer." *Critical Analysis of Law* (2021).

———. "Conseil D'Etat: The French Layer of Turkish Administrative Law." *International & Comparative Law Quarterly* 49, no. 2 (2000): 401–423.

———. "Developing Comparative Law." *University of Glasgow Enlighten*, 2007.

———. "Disiplin Cezaları 657 Sayılı Devlet Memurları Kanunu Sistemi." *Journal of Istanbul University Law Faculty*, 1966.

———. "Diverse Cultures and Official Laws: Multiculturalism and Euroscepticism?" *Utrecht Law Review* 6, no. 2 (2010): 5–19.

———. "Family Law Enters the New Century." *International Survey of Family Law*, 2004.

———. "Improving the Lot of Women and Children." *International Survey of Family Law*, 1997.

———. "Infusion of the Diffused: The Example of the Turkish Legal System—Too Much Too Early, Too Little Too Late?" *De Lege* (2018).

— — —. "İngiliz Konut Siyasetinde Çelişkiler (Nevitt)." *Journal of Istanbul University Law Faculty*, 2011.

— — —. "John Locke ve Sosyal Mukavelesinin Özelliği." *Journal of Istanbul University Law Faculty*, 2011.

— — —. "Karşılaştırmalı Hukukta Eski ve Yeni." *İdare Hukuku ve İlimleri Dergisi*, 2017.

— — —. "Kültürel Çeşitlilik ve Resmi Hukuk: Çok Kültürlülük ve Euroseptizm?" with A. Murat. *Küresel Bakış Çeviri Hukuk Dergisi*, 2011.

— — —. "Law as Transposition." *International & Comparative Law Quarterly* 51, no. 2 (2002): 205–223.

— — —. "Methodological Aspects of Comparative Law." *European Journal of Law Reform*, 2006.

— — —. "Methodology of Comparative Law." In *Elgar Encyclopedia of Comparative Law*, 2nd ed., edited by Jan M. Smits. Cheltenham: Edward Elgar, 2012.

— — —. "Mixed and Mixing Systems: A Conceptual Search." In *Studies in Legal Systems: Mixed and Mixing*, 1996.

— — —. Örucü, Esin. *Mixed Legal Systems at New Frontiers*. JCL Studies in Comparative Law, vol. 2. London: Wildy, Simmonds & Hill Publishing, 2010.

— — —. "One into Three: Spreading the Word, Three into One: Creating a Civil Law System." *Journal of Civil Law Studies* 8 (2015).

— — —. "Rapports: Turkey: The Turkish Conseil d'Etat and Privatization, Public Service Concession Contracts and International Arbitration." *European Public Law* 6, no. 3 (2000).

— — —. "Seven Packages towards Harmonisation with the European Union." *European Public Law* 10, no. 1 (2004).

— — —. "Shakespeare'de Ne Seyrediyoruz: Oyun mu, Adaletin Tecellisi mi?" with İnci Enginün. *Zemin*, 2021.

- — —. “Siniflandırma ve Derecelendirmede İzlenen Esaslar.” *İstanbul Üniversitesi Mukayeseli Hukuk Araştırmaları Dergisi*, 2011.
- — —. “Sosyal Kamu Hizmeti.” *Journal of Istanbul University Law Faculty*, 1970.
- — —. “Sosyal Politikanın Maliyeti.” *İstanbul Üniversitesi Mukayeseli Hukuk Araştırmaları Dergisi*, 2011.
- — —. “Taşınmaz Mülkiyetine Bir Kamu Hukuku Yaklaşımı.” *Mülkiyet Hakkının Sınırlanması*, 1976.
- — —. “The Changing Concept of Family and Challenges for Family Law in Turkey.” In *European Family Law Volume II*, 2016.
- — —. “The Constitutional Court of Turkey: The Anayasa Mahkemesi as the Protector of the System.” *Journal of Comparative Law* 3 (2008).
- — —. “The Cost of Social Policy.” *İstanbul Üniversitesi Mukayeseli Hukuk Araştırmaları Dergisi*, 2011.
- — —. “The Judge and Jurist in Scotland: On the Verge of a Second Renaissance.” *Tulane Law Review*, 2003.
- — —. “The Limits and Challenges of Comparativism.” In *The Indian Yearbook of Comparative Law 2019*, 2021.
- — —. “The Reception of English Law Abroad.” *Edinburgh Law Review* 13 (2009): 374–378.
- — —. “The Role of Judicial Creativity and Equity in the Developments of Turkish Law and Its Covert Hybridity.” *Tulane European and Civil Law Forum* 29 (2014): 25–40.
- — —. “The Story of Adultery in Turkey.” *International Survey of Family Law*, 2006.
- — —. “The Theme Comparative Law: What Is It? What Is in a Name?” In *The Enigma of Comparative Law*, 2004.
- — —. “The Turkish Constitution Revamped?” *European Public Law* 8, no. 2 (2002).

———. “The Turkish Conseil d'Etat and International Arbitration.” *European Public Law*, 2000.

———. “Turkey: Change Under Pressure.” In *Studies in Legal Systems: Mixed and Mixing*, 1996.

———. “Turkey: Reconciling Traditional Society and Secular Demands.” *Journal of Family Law* 25 (1987).

———. “Turkey's Synthetic Civilian Tradition in a 'Covert' Mix with Islam as Tradition: A Novel Hybrid?” In *Mixed Legal Systems, East and West*, 2016.

———. “Turkish Family Law: A New Phase.” *Journal of Family Law* 29 (1991).

———. “Türkiye'nin Konut Sorununa Çözümler (İngiliz, Kanada ve İsrail Örnekleri ile).” *İstanbul Üniversitesi Mukayeseli Hukuk Araştırmaları Dergisi*, 2011.

———. “Viewing the Work in Progress of the Commission on European Family Law.” *International Family Law Review*, 2005.

———. “Whither the Presidency of the Republic of Turkey?” *European Public Law* 14, no. 3 (2008).

ELİF KARAMAN
A Biography: Professor Esin ÖRÜCÜ (1940–2023)