

## IN MEMORIAM

**Professor Dr. Dominik LASOK**  
**QC, OPA, LenDr, LL.M, Ph.D., Dr Juris LL.D, Dhc.**  
**(January 4, 1921 - April 11, 2000)**

*"Friends and colleagues will be greatly saddened by the news of Dominik Lasok's death last evening at the Royal Devon & Exeter Hospital, Wonford, Exeter, Dominik passed away peacefully in the presence of his wife Sheila and members of his family."*

The above quoted four line message was signed by Mrs. Audrey Thorp, secretary to Professor Lasok at the University of Exeter who faithfully continued to serve him with great respect and devotion for another fourteen years even after his retirement from Exeter.

The death of Professor Dominik Lasok is deeply mourned by his students, colleagues and friends in Turkey. European Community Institute of Marmara University has lost one of its founders and a great teacher; "one of the pioneers of the academic world of EU Law, and probably its greatest scholar" as the Independent (London) wrote on May 2, 2000.

When I attended the Summer Programme organized by Professor Dominik Lasok at the School of Law of University of Exeter back in 1986, I was particularly impressed by the way he conducted his seminars and lectures. Although there was still no news at the time concerning the draft law I prepared for the establishment of the EC Institute, I asked him whether he would consider teaching in Istanbul. His response was positive. The relevant law adopted by the legislator mid-June 1987. When we decided to ahead and start the postgraduate programmes in September, the first person I contacted was Professor Lasok.

A few days later, he was at Atatürk International Airport as promised. It was the beginning of a long friendship and full-time teaching assignment in Istanbul for the next nine years. In fact, the very first lecture at the EC Institute was delivered by Professor Dominik Lasok. Shortly thereafter, the Lasok family settled in the flat owned by the University on Küme Street in Göztepe and Dominik and Sheila became residents of Istanbul.

When you talked to them you would have the impression that they lived in Istanbul all their life. Every week they would discover new historic sites

or interesting spots where their son Marc Lasok would paint. After sometime, Marc Lasok had his first exhibiton at the Istanbul Chamber of Commerce on the shores of the Golden Horn. Marc, like other members of the Lasok family, not only adored Istanbul but also painted many pictures of this beautiful metropolis. He studied at Exeter College of Art, Birmingham Polytechnic and the Royal College of Art, London. Marc's beautiful watercolours of Istanbul which were exhibited together with his impressive drawings of great historic sites also appeared in a series of postcards. Samples of his work are in the Marmara Journal of European Studies, Vol.3 (1993-1994).

The city of Istanbul, being the cradle of many civilizations, provided the Lasoks an opportunity to visit different Catholic churches each Sunday. Eventually, they became a regular member of the Church on Cem Street in Kadıköy: "*Eglise de L'Assomption*". When it became apparent that the dome of the Church needed restorative work, Marc volunteered to do the job with a friend of his. Unfortunately, Marc fell down to his death while painting the dome of the Church.

Hundreds of Dominik's students gathered at the Church on Cem Street for the Mass. Church-goers said they never saw their Church filled with so many people. His parents were of the opinion that since Marc loved Istanbul so much it would be natural to bury him in the British Cemetery near Haydarpaşa, facing the old Istanbul skyline which he loved very much. However when his sisters, Carmen and Pia arrived, they said they wanted to take Marc back home. The early death of his son was a blow which left its mark on Dominik.

Nevertheless, the following semester Dominik was again in Istanbul to continue his teaching. In addition to his daily two hour lectures, Dominik supervised many student theses. Some of his students went to Exeter for further studies where Dominik was their mentor.

When I had an academic assignment in the Turkish Republic of Northern Cyprus, Professor Dominik Lasok was again the first lecturer of the European Studies Master's Programme which we established there. Although he was receiving many offers from prestigious universities, he assured me that he would be willing to stay in the Turkish Republic of Northern Cyprus to work with me if I so chose. He was not only a close colleague but also a very good friend.

Today the EU is pondering whether or not to begin "screening" or "analytical analysis" of Turkish legislation (even after declaring Turkey is a candidate for membership on the same line with the other candidates). Whereas, back in

1990 Professor Dominik Lasok launched a special research project examining Turkish legislation with a view of implementing the *acquis communautaire* in twenty-five chapters: Turkey and the European Community, Report on the Relations between the Republic of Turkey and the European Community Arising from the Ankara Agreement and the Application for Membership. In fact Vol.2 of Marmara Journal of European Studies (1992) was dedicated to this special study.

In this work, Professor Lasok commented on Turkey's accession as follows:

*The case for Turkey's membership of the EC appears clear and strong from a national and European point of view. It is dictated by the geo-political position of this major power spanning two continents and constituting a European presence in the Middle East. Turkey's coastline runs a considerable length of the Mediterranean which is regarded as the Mare Nostrum of the European Community whilst Turkish territory on the European side of the Bosphorus equals the territory of Belgium. Short of retreating to Asia Turkey cannot escape the consequences of the geographical reality.*

*Since the Second World War Turkey has played a significant part in West European affairs. She is a member of the Council of Europe and a signatory of the European Convention on Human Rights. As a member of the Western alliance she has contributed generously to the common defence in NATO. There is no doubt where her loyalty lies.*

According to Professor Lasok, "*whilst Turkey's commitment to Western Europe is not her only political option, it is by far the most vital one. It is a far-reaching and lasting commitment transcending the obligations of a temporary or opportunistic alliance. A country of Turkey's position and significance must, in its external relations, pursue several options simultaneously.*"

Years before the Luxembourg Summit of December 1997, Professor Lasok observed the following: "*The argument derived from cultural differences appears equally unconvincing though one has to bear in mind that, even in a secular society, Christian and Muslim values, respectively, cannot be ignored. However, common humanitarian consideration ought to provide a sufficient anchor for political co-operation. Since Western Europe does not reflect any single cultural identity but merely a broad Judeo-Christian heritage and liberal way of life, the inclusion of Westernised democratic Turkey should not be an impediment to European integration. A negative attitude is unhelpful as it reminds one of the patronising stance exposed at the time of the British application and voiced particularly by De Gaulle in his contention that the "British were not really European".*

According to Dominik Lasok *"membership of the EC is not an accolade of an exclusive self-seeking club since it is open as of right to European countries and has as its object the unification of Europe. Moreover it is not a unilateral benefit since it entails reciprocal obligations and a two-way commitment."* Furthermore, he observed that *"it was an express intention of the contracting parties to use the Association Agreement as a stepping stone to accession"* (p.23).

Professor Lasok was fully aware of the potential problems Cyprus would create. *"Cyprus is more complex"* he wrote back in 1991 recalling that the constitution of the island was guaranteed by both Greece and Turkey as well as the United Kingdom. However, according to Professor Lasok, Cyprus, *"through internal strife, has disintegrated and has de facto, if not de jure split into two separate republics."* He observed that the problem is *"both internal to Cyprus and international for it impinges not only on the island but also the whole area and thus has become a United Nations problem. However the world organization has, so far, proved ineffective in finding a solution for the troubled island."* The following comments by him demonstrates the visionary Lasok as he urged the EC *"statemanship in the handling of the problem and evenhandedness towards Greece and Turkey as well as towards the two coymunities of Cyprus."* Marmara Journal of European Studies, Vol.2 p.38 (1992).

In his inaugural lecture at the Lefke European University of Turkish Republic of Northern Cyprus on 5 June 1996, Professor Dominik Lasok warned that Turkish Cypriot interests could not be protected in a federal Cyprus and rejected the argument put forward by Mr. Giles Anouil, the then European Commission Representative accredited to the Greek Cypriot Administration in the south, that the European Court of Justice would constitute a strong safeguard for the Turkish Cypriot. In his lecture at Lefkoşa Saray Hotel, Lasok stated that *"the regime in the south cannot represent the Republic of Cyprus"*. After noting that the Greek Cypriot Republic in the south could not enforce European law in the north, Professor Dominik Lasok warned the EU that it was *"introducing a serious problem which would be destructive for the Union"* (See KIBRIS, Lefkoşa Daily, 7 June 1996, p 2 : Prof. Lasok said that *"it would be impossible to protect the rights and defend the interests of the Turkish Cypriots in a Cyprus, with a government based on a federal state structure, that would be a full member in the EU."* Prof. Lasok added that the Court of Justice of the Community would not provide a guarantee for the Turkish Cypriots.)

After the Luxembourg Summit of December 1997, the Christmas card I received from Dominik included the following comments : *"I was very sad to hear the news from Luxembourg. It makes me wonder what sort of game they*

*are playing especially that Britain too is being isolated. Ostracism of Turkey cannot be good for Turkey or for Europe.”*

Lasok was born in 1921 in Turza, Poland. Towards the end of his school education, his life dramatically changed with the onset of war in 1939. He was first captured by the Russians when he was sent east for training. After his escape from the Russians, he fell into the hands of the Germans. How could he convince the Germans to let him go free? Relying on a copy of Schiller he was carrying with him, Lasok convinced the authorities that his aim was to study German literature, and not to fight. Thus, he was allowed to cross the border into Slovakia, but the Slovaks sent him back to Poland. He escaped once more by jumping a train and fled to Hungary. From Hungary he eventually reached France where he joined the Polish Forces being formed abroad. On the fall of France in 1940, Lasok's unit left for Switzerland where he studied law at the University of Fribourg. On demobilisation, Lasok went to Newcastle to continue his legal studies, earning his Master's from Durham University. After some professional experience Lasok returned to academic life to obtain a doctorate from the London School of Economics in 1954. He was also called to the Bar by the Middle Temple.

He joined the School of Law at the University of Exeter in 1958 where he worked for nearly thirty years until his retirement.

He published extensively on Polish Law but his main interest focused on EC law. At the time, in Britain, Lasok was a real pioneer of European Law. Indeed, many did not view the EC as an important legal entity worthy of study, nor could they understand that, even without UK entry, the necessity to trade with the EC meant its law had to be studied. Lasok would have none of this. So it was that, a year before the accession of the UK, EC law was already established at Exeter, and the Centre for European Legal Studies was set up the same year, with Lasok as its first director.

According to The Independent of London “Exeter, under his leadership, was to become the most important centre for EC Law in Britain. Lasok, the academic, prolific researcher and visionary, formed a powerful team with Exeter's Head of Law, Clifford Parker, a dynamic administrator. Innovations were legion, with the introduction of LLB degrees in French and German Law (still today alone in being studied in the foreign language and taught by French and German lawyers), the early introduction of the compulsory study of EC Law on the English Law degree course, the introduction of practitioners' courses, the Summer School with William and Mary College at Williamsburg in the United States, and various other initiatives.”

Although Lasok was Dean of Law four times, he did not enjoy administrative work. Writing and research were his primary concern. He published over 170 articles and many books which influenced the academic community extensively. He was also widely recognized abroad as the leading authority on European Law. He taught as Visiting Professor at Marshall-Wythe School of Law in Williamsburg, Virginia (1966-67 and 1977), McGill University, Montreal, Canada (1976-1980), University of Rennes (1980-81 and 1986), European University Institute, Firenze, Italy (1983), College of Europe, Bruges, Belgium (1984-1986), University of Fribourg, Switzerland where he received his *Licencié en Droit* between 1941-44 (1985), University of Aix-Marseille, Chukyo University, Japan (1990). However, his longest academic assignment after Exeter was at Marmara University of Istanbul which covered a period from 1987 to 1996. He also lectured at among others, Columbia, Michigan, Vanderbilt, Louisiana, Carleton, Ontario, Nice, Leiden universities. He served as "external examiner" in the following Universities: Cork, Dublin, Galway, Durham, London, Sussex, Reading, Cardiff, Surrey, Hong Kong, Leeds.

Dominik's classic *Introduction to the Law and Institutions of the European Communities*, written jointly with J.W. Bridge, Professor of Public Law (452 pages, third edition, in 1982, and fourth edition in 1987, 513 pages) first appeared in 1972. Their second book, *The Law of the Economy in the European Communities* (454 pages) appeared in 1980. The two volumes were later merged into one big volume in 1994. This time his son Paul Lasok (M.A., LL.M., Ph.D), who worked with the Hon. Sir Gordon Slynn at the European Court of Justice as a Legal Secretary and had published his book *The European Court of Justice - Practice and Procedure* which made its second edition in 1994, was the co-author. (Dr. Paul Lasok also lectured and contributed to the work of the EC Institute of Marmara University on many occasions. The new edition *Lasok & Lasok* is expected to appear later in this year. Dr. Paul Lasok who is today one of the leading practitioners of EU law, appearing in many landmark cases like *Trading on Sunday*, is also editor of many prestigious law journals in Britain and elsewhere, thus continues to promote Lasok's excellent academic tradition.)

When teaching in Montreal, Professor Lasok, along with Panayotis Soldatos, edited and co-authored another landmark book *Les Communautés Européennes en Fonctionnement - The European Communities in Action* which was published by Bruylant of Brussels in 1981 (604 pages).

In addition to main treaties, Dominik published on specific areas of European Law. His books *The Customs Law of the European Economic Community*, first edition appearing in 1983 and second edition 1989 by Kluwer (387 pages); *The Professions and Services in the European Economic*

Community published by Kluwer in 1986 (376 pages) and *Conflict of Laws, in the European Community* with P.A. Stone published by Professional Books Limited in 1987 (460 pages) are the pioneering works on those specific topics.

It was only natural that both Lasoks were among the top contributors to Lord Hailsham of St. Marylebone's (Lord High Chancellor of Great Britain) two volume *Law of the European Communities*, London, 1986, in Halsbury's *Laws of England*, 4th edition, Vol. 41)

While teaching in İstanbul, Dominik visited Japan for a series of lectures. This prolific researcher and visionary did it again. This time he signed another book for me (a part of it in Japanese). Our mutual friend Professor Hirokatsu Kato and other Japanese scholars put their lectures together in a book entitled, "EC and City Problems - The Society and Culture of England," the Institute of Social Science Research of Chukyo University, Nagoya, 1991. Dominik wrote eight chapters of this book.

He was appointed an honorary Queen's Counsel in 1982, a title which was granted only to eight academics in the country. In 1983 he was decorated as *Officier dans l'Ordre des Palmes Académiques* in France. In 1987, University of Aix-Marseille bestowed upon him Doctor of Laws honoris causa.

Nine years later, the Senate of Marmara University unanimously resolved to bestow an Honorary Doctorate upon Dominik Lasok. In a ceremony held on 4 June 1996, which was attended by dignitaries, ambassadors, fellow academics and hundreds of his students, Dominik<sup>o</sup> stated that he considered Turkey his second home. However, while his native home country Poland was getting ready for accession, it was clear that Dominik's heart was there. He started to teach at Adam Mickiewicza University of Poznan. The following semester he was also teaching at the Jagiellonian University in Krakow and Nicolaus Copernicus University in Torun.

At the end of 1997 his message to me was as follows : *"I have just returned from Poland. Actually, I completed my assignment there last summer but returned to Poznan in connection with my second book in Polish. As I was there I was asked to lecture (a willing horse or rather a donkey !)* The book should be out in January." Indeed, his two volume book on EU Law in Polish was the leading reference book preparing Polish lawyers for accession. On June 23, 1997, Adam Mickiewicz University bestowed an honorary doctorate upon Dominik Lasok.

Poland could not pay its debt to one of its sons who not only served his country in the Polish Forces formed in Western Europe during the second World War, but also after four decades of successful academic career in Britain returned to his homeland as one of the leading authorities of EU Law to prepare the younger generation in their efforts for accession. Thus, Dominik Lasok became one of the few people in the country to receive the highest honour the Polish government can bestow on a civilian: the Officers Cross of the Order of Merit. The local Exeter paper noted that Polish diplomats made an exceptional trip to Exeter to present a "rare and prestigious award."

The report continued: "The 78 year old Professor received the decoration for sharing his expertise in European Community law with students and scholars in the UK, Poland and other European countries. The honour was all the more poignant because the Polish consul and vice-consul travelled to present the decoration in Mr. Lasok's own home. Such ceremonies are usually held at the Polish Embassy in London which is officially Polish soil." Vice Consul Andrzej Krezel said : "We have been waiting three years to confer this honour on Professor Lasok. But he has had so many commitments and was then taken ill. So we decided if he cannot come to the embassy, the embassy will come to Exeter."

Today the Library of the Law Faculty at the University of Exeter is named "Professor Dominik Law Library". Since his retirement, Exeter University holds "Annual Professor Dominik Lasok Lectures." The EC Institute of Marmara University named its library as "Professor Dominik Lasok library".

Dominik will be missed in İstanbul as elsewhere. One thing is certain : His colleagues, friends and students in İstanbul will never forget Professor Dominik Lasok.

As we say in Turkish: "Nur içinde yatsın" (May his soul rest in the spiritual light of luminescence).

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