

FAMILY LAW REFORM IN TURKEY: ANALYSIS OF THE ROLE OF MUSTAFA KEMAL ATATÜRK THROUGH PIERRE BOURDIEU'S HABITUS THEORY FRAMEWORK

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Abstract

This study aims to analyse the role of Mustafa Kemal Atatürk in the radical reform of family law in Turkey, which shifted from an Islamic legal system to a secular one. Using a normative-qualitative approach with a legislative and conceptual approach, data was collected from primary legal documents, historical archives, and relevant academic literature. Research findings indicate that Atatürk's success in enacting the Turkish Civil Code of 1926, which replaced the Ottoman Law of Family Rights (1917) and adopted the Swiss Civil Code, cannot be understood merely as an individual political decision. Using Pierre Bourdieu's theory of practice, formulated as $(Habitus \times Capital) + Arena = Practice$, this study argues that Atatürk's reforms were a social practice shaped by the interaction between his personal disposition (habitus), accumulated capital (military, cultural, and symbolic), and the unique historical-political arena following the collapse of the Ottoman Empire. Substantive elements of reform included a total ban on polygamy, the institutionalisation of divorce through the courts, and the enforcement of equal inheritance rights between men and women. The study concluded that the secularisation of Turkish family law was a planned social engineering project, made possible by the convergence of Atatürk's modernist agency and a transformative historical arena.

Keywords: Mustafa Kemal Ataturk; Family Law Reform; Secularization; Pierre Bourdieu

Abstrak

Penelitian ini bertujuan untuk menganalisis peran Mustafa Kemal Atatürk dalam reformasi radikal hukum keluarga di Turki, yang beralih dari sistem hukum Islam ke sistem sekuler. Dengan menggunakan pendekatan normatif-kualitatif dengan pendekatan perundang-undangan dan konseptual, data dikumpulkan dari dokumen hukum primer, arsip sejarah, dan literatur akademik yang relevan. Temuan penelitian menunjukkan bahwa keberhasilan Atatürk dalam memberlakukan Turkish Civil Code tahun 1926 yang menggantikan The Ottoman Law of Family Rights (1917) dan mengadopsi Swiss Civil Code tidak dapat dipahami bukan hanya sekadar sebagai keputusan politik individual. Dengan menggunakan teori praktik Pierre Bourdieu yang dirumuskan sebagai $(Habitus \times Kapital) + Arena = Praktik$, penelitian ini berargumen bahwa reformasi yang dilakukan Atatürk merupakan sebuah praktik sosial yang dibentuk oleh interaksi antara disposisi pribadinya (habitus), akumulasi modal (militer, kultural, dan simbolik), serta arena historis-politik yang unik pasca-runtuhnya Kesultanan Utsmaniyah. Unsur-unsur reformasi substantif mencakup pelarangan total poligami, pelembagaan perceraian melalui pengadilan, dan penegakan kesetaraan hak waris antara laki-laki dan perempuan. Studi ini menyimpulkan bahwa sekularisasi hukum keluarga Turki merupakan proyek rekayasa sosial yang terencana, dimungkinkan oleh pertemuan antara keagenan modernis Atatürk dan sebuah arena sejarah yang transformatif.

Kata kunci: Mustafa Kemal Ataturk; Reformasi Hukum Keluarga; Sekularisasi; Pierre Bourdieu

INTRODUCTION

Mustafa Kemal Atatürk was a key figure in reforming Islamic family law in Turkey (Hannanong et al., 2024; Versan, 2019). According to him, the only thing that will enable Turkey to progress is the adoption of Western secular laws, particularly in the area of family law (Mohd Nor & Ibrahim, 2023). This reform is not intended to abolish Islamic teachings altogether, but rather to separate religious authority from the state (secularisation) in order to prevent the politicisation of religion and create a rational and uniform legal system (Mohd Nor & Ibrahim, 2023). By replacing family law during the Ottoman Empire with Western secular law.

Legal reform in the field of Islamic family law can be divided into three models. First, the traditional model, which predominantly upholds Islamic family law, as in Saudi Arabia, Yemen, Kuwait, and Afghanistan. Second, the secular model, which completely separates family law from Sharia law, with Turkey under Mustafa Kemal Atatürk as the most radical example, along with Albania and Tanzania. Third, the substantive reformist model, which reforms Islamic family law from within through reinterpretation and regulation, as implemented in various contemporary Muslim countries (Mahmood, 1972).

Turkey was the first Muslim country to codify modern family law through the establishment of the Ottoman Law of Family Rights (1917) during the final years of the Ottoman Empire (Hakim, 2022). However, a decisive turning point occurred after the establishment of the Republic of Turkey in 1923 under the leadership of Mustafa Kemal Atatürk. With a strong vision of secular nationalism and modernisation, Atatürk placed the law as the main instrument for reconstructing a more egalitarian Turkish society. One tangible manifestation of this agenda was the enactment of the Turkish Civil Code in 1926, which fully adopted the Swiss Civil Code as a replacement for Islamic family law. This step marked a radical secularisation in the field of family law, which had previously been based on Islamic sharia (Siska Kinasih, 2023).

In various literature reviews, research discussing the role of Mustafa Kemal Atatürk in reforming Islamic family law in Turkey has been extensively discussed by previous researchers with various methodological focuses and approaches, including those researched by Ahmad Dhiyaul Haq, Alfiansyah Anwar, and Umar Sulaiman in their study entitled *Secular Islam in Turkey and the Thoughts of Kemal Atatürk* (Mahsyar et al., 2024), then researched by Desi Yuniarti, Syamzan Syukur, Susmihara with the title of research *The Birth of the Secular Islamic State of Turkey and Mustafa Kemal's Ideas of Reform* (Yuniarti et al., 2023), Next, Astaman et al. researched the history of the birth of the secular Islamic state of Turkey and Mustafa Kemal's ideas for reform (Samsuriadi

et al., 2023). The three articles used as comparisons in this study all examine Mustafa Kemal Atatürk in a descriptive-historical context, namely the birth of the secular Turkish state, the process of modernization, and the general reforms carried out after the collapse of the Ottoman Empire. The articles by Astaman et al. and Desi Yuniarti et al. focus on the political transformation of Turkey, secularization, and the modernization of society's thinking. Meanwhile, the article by Ahmad Dhiyaul Haq et al. focuses on the application of secularism in the fields of politics, education, and religion, as well as its social consequences. None of these three studies paid particular attention to the reform of Islamic family law, nor did they utilize a critical analytical theoretical approach to Mustafa Kemal's actions.

Unlike previous descriptive-historical studies, this research specifically analyses the role of Mustafa Kemal Atatürk in reforming Islamic family law in Turkey using Pierre Bourdieu's theory of habitus as an analytical tool, with a more in-depth explanation of Islamic family law reform in Turkey as a case study to analyse the central role of Mustafa Kemal Atatürk by offering theoretical contributions through the application of Pierre Bourdieu's sociological theory framework, namely the formula $(\text{habitus} \times \text{capital}) + \text{arena} = \text{social practice}$. Through this lens, Atatürk's reformist actions are analysed not merely as voluntaristic policies, but as social practices resulting from the dialectic between his internal dispositions (habitus formed from family experience, military education, and modernist vision), the various forms of capital he commanded (cultural, social, and symbolic capital), and the configuration of the political-legal arena after the collapse of the Ottoman Empire. With this approach, this study not only maps legal changes normatively, but also provides a causal sociological explanation of why and how these radical reforms could be realised at a particular historical moment.

The purpose of this study is to analyse the role of Mustafa Kemal Atatürk in reforming Islamic family law in Turkey using Pierre Bourdieu's theory of habitus. This study is important because it will answer how Mustafa Kemal Atatürk carried out radical reforms in Turkey and how the theory $(\text{habitus} \times \text{capital}) + \text{arena}$ gave rise to social practices that influenced Mustafa Kemal Atatürk in reforming Islamic family law in Turkey.

RESEARCH METHOD

This study employs a normative-qualitative research design with a legislative and conceptual approach. The data sources were collected from primary and secondary literature reviews, including historical documents such as The Ottoman Law of Family Rights (1917) and The Turkish Civil Code (1926), speeches and writings by Mustafa Kemal Atatürk, as well as secondary sources such as books, academic journals, and

related scientific studies. The legislative and conceptual approaches were applied to analyse shifts in values and legal rules in Islamic family law before and after the reform, assessing the extent to which these changes represent a transformation from the Sharia paradigm to a secular civil law paradigm. Then, using Pierre Bourdieu's sociological theory of habitus, capital, and arena to analyse the situation, we can see that this resulted in social, political, and personal practices that led Atatürk to carry out radical reforms. Thus, this method not only aims to describe legal changes normatively, but also to explain the dynamics of power, social capital, and historical context that shaped the 'social practices' of family law reform in Turkey.

RESULTS AND DISCUSSION

The Historical Transformation of Turkey and the Figure of Mustafa Kemal Atatürk

Mustafa Kemal Atatürk can be understood not merely as a historical figure, but as a product of the socio-political habitus formed through modern military education, colonial experience, and direct involvement in the crisis of the collapse of the Ottoman Empire. His Western-oriented military education and his experience of the Ottoman defeat in World War I shaped his view that old institutions, including Sharia-based law, were no longer capable of supporting a modern, egalitarian and sovereign nation-state project. Thus, Atatürk's attitude towards Islamic law was not merely ideological, but a reflection of a structurally internalised modernist habitus.

In the historical arena after 1923, when the Republic of Turkey was newly established and needed symbolic legitimacy and legal uniformity, Atatürk's habitus met the objective needs of the state (field) to carry out a comprehensive reconstruction of the legal system. The reform of Islamic family law through the enactment of the Turkish Civil Code in 1926, which adopted the Swiss Civil Code, can be understood as a social practice born out of the relationship between Atatürk's modernist habitus and the structure of the secular political arena that was being built.

Mustafa Kemal Atatürk, whose real name was Mustafa bin Ali Rıza Effendi, was born on May 19, 1881, in Salonika, now known as Thessaloniki, a city in Greece. At that time, Salonika was still under the rule of the Ottoman Empire. He was later awarded the title "Kemal," meaning perfect, due to his reputation as a very intelligent student. In addition, his followers bestowed upon him the honorary title "Atatürk" (Father of Turkey), signifying the proclamation of the Republic of Turkey. He was also given the title "Ghazi," meaning "savior." (Ismael & Ismael, 2023).

In terms of education, Mustafa Kemal's mother wanted him to become a religious teacher and memorize the Qur'an, so she enrolled him at the Fatima Mollah Kadın madrasah in his hometown. On the other hand, Mustafa Kemal refused and later transferred to a public school (Alfian, 2015). However, Mustafa Kemal was unhappy and

decided to drop out of school before transferring to a public school in Salonika. He enrolled in the Salonika Military High School after graduating from public school. After that, he continued his education at the Military Training School in Montasir. He continued his education in 1898 at the Istanbul Military High School, where he attained the rank of captain in 1905 (Yuniarti et al., 2023).

When the Ottoman Empire was defeated in World War I and Turkey was occupied by foreign forces, Mustafa Kemal emerged as the main military and political leader of the Turkish National Movement. In his capacity as a high-ranking officer and strategic commander, he mobilized the Turkish people and army to resist the occupiers. This movement, which later became known as the Turkish War of Independence (1919–1923), initially focused on the struggle against foreign powers, but gradually developed into resistance against the institutions of the Ottoman Sultanate, which were considered collaborative and incapable of maintaining the country's sovereignty (Nasution, 1982).

After the end of the Turkish War of Independence in 1923, Mustafa Kemal Atatürk played a central role in redefining the country's political and social structure. On October 29, 1923, he was officially inaugurated as the first President of the Republic of Turkey, marking the end of the Ottoman Sultanate era and the abolition of the monarchy system that had ruled the country for centuries. With this position, Atatürk became the highest political leader and symbol of national modernization, who not only had the formal authority to lead the country, but also the symbolic legitimacy as the architect of transformation implementing a secular system (Asra & Yusuf, 2018).

History records that Mustafa Kemal died at the age of 57 at Dolmabahçe Palace in Istanbul on November 10, 1938, after a long illness. From 1927, 1931, and 1935, Mustafa Kemal Atatürk led the Republic of Turkey. In 1953, Mustafa Kemal Atatürk's body was moved to a mausoleum on a hill outside the city after being transferred to Ankara for temporary burial at the Ethnography Museum (Iqbal & Nasution, 2017).

The history of Turkey began with the Byzantine Empire (330–1453 AD) with Constantinople as its centre of power, then continued during the Ottoman Empire, which was established in 1299 AD and reached its peak with the conquest of Constantinople in 1453. (Kasaba, 2008). Memasuki abad ke-20, Kesultanan Utsmaniyah mengalami kemunduran dan kekalahan dalam Perang Dunia I yang berujung pada pendudukan asing. Kondisi ini mendorong Mustafa Kemal Atatürk memimpin Gerakan Nasional (1919–1923) yang berakhir dengan pembubaran kesultanan dan proklamasi Republik Turki pada 1923, menjadikan Turki bertransformasi dari monarki-religius menjadi negara-bangsa sekuler dan modern dengan Ankara sebagai ibu kota (Kasaba, 2000).

From the above description, it was this radical political transition that became the main factor and arena for the reform of Islamic family law. After the establishment of the

republic, Atatürk and his modernist elite saw the Ottoman inheritance law system based on Islamic sharia as an obstacle to modernisation and inconsistent with the principles of an egalitarian nation state (Akipek Öcal & Arslan, 2024). Therefore, in 1926, the government officially ratified the Turkish Civil Code, which adopted the Swiss Civil Code, replacing the Ottoman Law of Family Rights (1917). This policy was driven by the belief that European secular law better guaranteed gender equality, legal rationality, and national uniformity. The substance of Islamic family law, such as polygamy, the husband's right to unilateral divorce, and different inheritance rights for men and women, was considered contrary to the ideals of the newly built modern society (Altınbaş, 2014). Thus, the birth of the Republic of Turkey was not only a change in the political system, but also opened the way for comprehensive legal transformation, in which the reform of Islamic family law became one of the central pillars of the country's secularisation and modernisation project. Thus, Atatürk's habitus as a secular modernist, shaped by his military education and revolutionary experience, combined with the historical arena after the collapse of the Ottoman Empire, created conditions that enabled and necessitated a total legal reconstruction. The 1926 family law reform was a logical consequence and central instrument of the nation-building project that aimed to transform Turkey from a traditional Islamic entity into a modern secular nation-state.

The Substance and Dimensions of Family Law Reform in the Turkish Civil Code of 1926

Mustafa Kemal Atatürk played a significant role in reforming Islamic family law, as he was the main actor behind the reform of family law by replacing it with secular law through the Turkish Civil Code Act of 1926. The elements of Islamic family law reform in Turkey thanks to the role of Mustafa Kemal Atatürk through the Turkish Civil Code Act are as follows.

1) Marriage Age

During the Ottoman Empire before 1917, the age of marriage was not regulated in writing and still followed the Hanafi school of thought, which only required *akil baligh* (maturity) without having to be *mumayyiz* (discerning). For boys, puberty was marked by wet dreams, while for girls, it was marked by menstruation. If these requirements were in place, then someone could marry at the age of 10 because girls can start menstruating between the ages of 9 and 13, and boys of that age have already experienced wet dreams (DÖGÜŞ, 2022). However, a teenager who has reached puberty is not necessarily mature (Hafis, 2024; Johari & Hafis, 2024; Nasution, 2012a). Meanwhile, the rules regarding the age of marriage in the Ottoman law of family rights, which was in force from 1917 to 1926, remained the same as during the Ottoman Empire and still followed the Hanafi

school of thought. The difference was that during this period, the rules were established in writing.

In the Turkish Civil Code of 1926, the minimum age for marriage was 18 years for men and 17 years for women. However, judges could permit a 15-year-old boy to marry a 14-year-old girl if the parents agreed, in order to prevent early marriages that could lead to divorce (Joshua Suherman & Muhammad Hafis, 2023; Ulfazah et al., 2025). The 1926 Turkish Civil Code reform reflected the transformation of secular modernist habitus and the redistribution of socio-biological capital in the nation-state arena, where the law regulates the age of marriage to protect children and enforce gender equality, while reproducing modern values and modifying old social structures.

2) People Who Are Forbidden to Marry

Before 1917, marriage rules in the Ottoman Empire followed Islamic law, particularly Surah An-Nisa verse 23, which prohibits marriage due to blood relations, breastfeeding, or previous marriages (Nelli, 2023; Novi Mayangsari & Muhammad Hafis, 2022). In practice, the family law system in the Ottoman Empire initially followed the Hanafi school of thought and classical fiqh without written rules. Between 1917 and 1926, the Ottoman Law of Family Rights was created, which was a written family law, but its principles were still based on Islamic law and the Hanafi school of thought (van den Boogert, 2021).

Reforms took place after 1926 through the Turkish Civil Code, with these secular rules replacing the previous Islamic family law. The most significant changes were in terms of marriage prohibitions, which were limited to those based on lineage, those based on marriage, and the addition of a prohibition on marriage between adoptive parents and adopted children (Nasution, 2012b). The prohibition on marriage due to previous breastfeeding relationships, which was previously stipulated in Islamic law, was abolished. Similarly, the prohibition on interfaith marriage was also abolished, allowing interfaith marriages. The 1926 Turkish Civil Code reform reflected a secular modernist habitus, reallocating socio-biological capital and utilising the legal-political arena to modify traditional marriage norms, enforce gender equality, and build the legitimacy of the secular nation-state.

3) Polygamy

Before 1917, polygamy was permitted in the Ottoman Empire, in accordance with the views of Ibn Rushd and Surah An-Nisa verse 3 (FUAD, 2020). Subsequently, from 1917 to 1926, polygamy was still permitted under the Ottoman Law of Family Rights, but it was more strictly regulated. Husbands had to obtain permission from their first wives, and wives could add provisions to the *ta'lik talak* that gave them the right to file for divorce if their husbands practised polygamy (Quthny, 2016).

The most significant change was made in the Turkish Civil Code of 1926. This law completely prohibits polygamy and only recognises monogamous marriages. Therefore, Turkey is the first Muslim country to completely ban polygamy (Nasution, 2009). The permissibility of polygamy has been changed by several Turkish intellectuals who argue that the reason for the revelation of the verse on polygamy, which allows a maximum of four wives, is a command to reduce the number of wives and that it is a process towards the principle of monogamy (Hafiz et al., 2023; Nasution, 2012b). The prohibition of polygamy in the Turkish Civil Code of 1926 reflects a secular modernist habitus, redistributing the husband's social-symbolic capital and utilising the legal-political arena to enforce monogamy and egalitarian gender relations.

4) An Invalid Marriage

Before 1917, marriages in the Ottoman Empire were considered invalid if they did not meet the requirements of the Hanafi school of thought. Between 1917 and 1926, the Ottoman Law of Family Rights changed this to written law and began requiring the registration of marriages (Engelcke et al., 2025).

A major change in the Turkish Civil Code of 1926 was that marriages had to be officially registered. Marriages were considered invalid if one of the parties was still married, underage, or married under duress (Baysal & Arslan, 2023). This regulation changed the concept of marriage from being based on Sharia law to a modern one, emphasising official registration, individual protection, and equality in marriage. The official registration of marriage in the Turkish Civil Code of 1926 reflected a secular modernist habitus, redistributed social-symbolic capital, and utilised the legal-political arena to enforce legality, gender equality, and individual protection.

5) Divorce

During the Ottoman Empire before 1917, husbands had almost complete rights of divorce, and wives had very limited rights. Between 1917 and 1926, the Ottoman Law of Family Rights began to establish divorce in written law (Düzbakar, 2016; Hafis et al., 2023; Joshua Suherman & Muhammad Hafis, 2023). Under this system, divorce must go through the courts, and wives now have the legal right to file for divorce, demonstrating progress in the protection of women's rights.

The most fundamental change came in the Turkish Civil Code of 1926. Divorce was only valid through the courts, and men and women had equal rights, marking a modern divorce system that emphasised gender equality and state law over religious law. The divorce reforms of the 1926 Turkish Civil Code reflected a secular modernist habitus, redistributed social-symbolic capital, and utilised the legal-political arena to enforce gender equality, individual protection, and the legitimacy of the secular state.

6) Inheritance Law

During the Ottoman Empire before 1917, inheritance law in the Ottoman Empire followed the Hanafi school of thought, based on Surah An-Nisa verse 11, in which men receive twice as much as women (Nasution, 2012b). Meanwhile, during the period of Ottoman Law of Family Rights from 1917 to 1926, family law began to be codified, but inheritance law remained based on the Hanafi school of thought and its distribution still followed Hanafi practice.

A major reform took place in the Turkish Civil Code of 1926, when Islamic inheritance law was abolished and replaced with a secular system, in which men and women receive equal inheritance shares regardless of gender (Rizki, Muh, 2021; Sugitanata et al., 2022). In addition, the husband or wife receives a fixed share of the deceased spouse's estate (Muhammad Hafis et al., 2024). If there are no direct heirs, the inheritance is given to the closest relatives or even to the state. This change not only marks the secularisation of family law, but also reflects modern Turkey's commitment to gender equality and a more universal civil law system. The inheritance law reforms of the 1926 Turkish Civil Code reflect a secular modernist habitus, redistribute symbolic-economic capital, and utilise the legal-political arena to enforce gender equality and the legitimacy of the secular state.

Public Acceptance of Islamic Family Law Reform in Turkey: The Perspective of Bourdieu's Habitus Theory

As explained above, changes in family law in Turkey underwent three main phases that illustrate the shift from a religion-based system to legal secularism. In the first phase (before 1917), family law was based on Islamic law and the Hanafi school of thought in regulating marriage, divorce, and inheritance. The second phase (1917-1926) was marked by The Ottoman Law of Family Rights, the first written codification in the Islamic world that remained rooted in Sharia but brought a more structured regulatory framework. The third phase began in 1926 with the enactment of the Turkish Civil Code, which adopted the Swiss Civil Code and marked a total transition to a secular legal system, with fundamental changes such as the prohibition of polygamy, the institutionalization of divorce through the courts, and equal inheritance rights and legal status between men and women.

In an effort to realize his secular principles, Mustafa Kemal sought to distance society from Islam and direct it toward secular laws. A number of Islamic organizations were abolished as part of this effort. The Latin alphabet replaced Arabic in 1928 after a number of Sufi orders were banned and destroyed in 1925 (Thohir, n.d.). The Turkish people's acceptance of this reform was met with strong resistance from the Muslim majority in Turkey, especially since the Turkish people had long lived according to

Islamic law and long-standing traditions, while the secular principles brought by Mustafa Kemal Atatürk were in direct conflict with Islamic teachings. In response to this strong rejection from the community, the government has become increasingly forceful in enforcing secular principles and threatening any community movements that attempt to violate its secular ideology (Rofii, 2019). Therefore, family law reform was gradually accepted as a new norm in Turkish society.

To assess the role of Mustafa Kemal Atatürk in reforming Islamic family law in Turkey, the author uses Pierre Bourdieu's Habitus Theory, which consists of Habitus times Capital and Arena, resulting in Social Practice. The dynamics of acceptance and rejection can be explained through Pierre Bourdieu's sociological theoretical framework ($\text{Habitus} \times \text{Capital}$) + Arena = Social Practice, which also explains why Atatürk was able to carry out reforms amid resistance. Atatürk's habitus was formed during his childhood in a family that experienced economic decline and was exposed to modern values, and was reinforced through military education that shaped his rational, technocratic, and Western modernization-oriented mindset. His capital included cultural capital (military and Western knowledge), social capital (military and political networks), and symbolic capital (military achievements, legitimacy as a national hero, and authority as president). These forms of capital gave him the capacity and legitimacy to act. Meanwhile, the post-Ottoman collapse arena was a political space undergoing crisis and transformation, where the old power had collapsed and the vision of a new nation-state was being contested. It was in this arena that Atatürk, with his modernist habitus and diverse capital, practiced legal reform as part of the secular state-building project.

The theory of habitus, capital, and arena is a theory proposed by Pierre Bourdieu, a French sociologist. According to Bourdieu, the theory of habitus explains that a person's life experiences or historical background automatically shape the way they think, feel, and act (Sharlamanov et al., 2024). Habitus theory describes how a person's attitudes, beliefs, and behaviors are shaped by socialization and interaction with their social environment, which also influences the decisions and actions they make in their daily lives (Prayitno, 2019).

Within the framework of Pierre Bourdieu's theory of habitus, the family is seen as the earliest and most important social space in shaping a person's mindset. Habitus does not arise suddenly, but is formed through continuous life experiences from childhood onwards. Therefore, understanding Mustafa Kemal Atatürk's role in reforming family law in Turkey cannot be separated from the social background of the family in which he was raised. Atatürk's family was the first source that instilled values, mindsets, habits, and ways of viewing the world that would later influence his orientation of thought and actions as a reformist figure. Then, within the framework of Pierre Bourdieu's theory of

capital, a person's education and social status are important resources that shape an individual's capacity and influence in society. Mustafa Kemal's educational history not only equipped Atatürk with military knowledge and skills, but also shaped his rational, technocratic, and modernist disposition, which later became the basis for his reformist ideas. In addition, his academic achievements and military rank provided him with symbolic capital in the form of legitimacy, reputation, and moral authority recognized by society and his military colleagues. Meanwhile, the network he built through his education and military experience became social capital, which enabled him to access political support, build strategic alliances, and mobilize the public in his reform project.

Bourdieu's theory of the field helps explain how Mustafa Kemal's position in society as a high-ranking officer, military leader, and later president of the republic gave him significant influence over the surrounding socio political environment.(Bourdieu, 2002). These positions placed Atatürk in the military, political, and social arenas, where rules, norms, and power were determined by interactions between agents with different types of capital. As the dominant leader in this arena, Mustafa Kemal was able to use his cultural, social, and symbolic capital to shape opinion, influence political decisions, and change old institutions. In other words, his positions and work not only gave him formal authority, but also influenced his mindset and strategy in facing socio-political challenges, enabling him to effectively enforce family law reforms and modernize the country.

By combining Bourdieu's three concepts of habitus, capital, and arena, it can be understood that Mustafa Kemal Atatürk's actions were not spontaneous. His habitus was formed from childhood through his family and early education; the capital he acquired from his education, achievements, and social network gave him the ability to act, while the arena in which he occupied military and political positions determined the space for him to actualize his influence. All of this explains how Mustafa Kemal was able to reform Islamic family law in Turkey and build a modern secular republic.

Thus, Bourdieu's theory helps explain not only how reforms were carried out (as a result of the interaction between habitus, capital, and Atatürk's arena), but also the context of social tension that accompanied them. The successful implementation of the Turkish Civil Code amid resistance from some segments of society reflects the dominance of capital and Atatürk's strategic position in the post-revolutionary power arena, which enabled him to push for structural change from the top down while managing resistance through a combination of persuasion and coercion.

CONCLUSION

Based on the discussion, it can be concluded that Mustafa Kemal Atatürk played a catalytic role and was the main architect in the transformation of Turkish family law from a system based on Islamic law (Hanafi school of thought) to civil-secular law. Although initial codification had been pioneered through The Ottoman Law of Family Rights (1917), Atatürk made a radical leap by enacting The Turkish Civil Code (1926), which adopted the Swiss Civil Code. These reforms substantively abolished key institutions in Islamic law such as polygamy, transferred the authority of divorce to judicial divorce, and applied the principle of gender equality in inheritance law. All of these policies aimed to create an egalitarian legal foundation for modern Turkish society.

Theoretically, this study demonstrates that Atatürk's success cannot be adequately explained without taking into account the interaction between personal and structural factors. Through Pierre Bourdieu's theoretical framework, Atatürk's reform practices are understood as the result of: (1) His habitus, which was shaped by family dynamics, rejection of traditional religious education, and socialisation of modern-rational values through military education; (2) His abundant capital, in the form of military expertise (cultural), a network of nationalist elites (social), and his legitimacy as a Ghazi and President (symbolic); and (3) The post-Ottoman defeat political arena, which presented a crisis of authority as well as an opportunity to redefine the foundations of the state. The convergence of these three elements enabled the emergence of social practices in the form of the secularisation of family law through a top-down approach.

Thus, the 1926 family law reform was more than just a change in regulations; it was a central instrument and symbol of Atatürk's nation-building project to establish a secular and modern Turkish Republic. Despite resistance from traditional Muslim communities, this reform ultimately succeeded in establishing secular legal norms as a new legal framework in Turkey. This study confirms that legal transformation, particularly in value-laden personal spheres such as family law, is always closely linked to the configuration of power, agency capital, and specific historical moments. This has practical and academic implications by providing guidance for policymakers and legal researchers on how to effectively implement family law changes by utilising customs, social networks, and historical moments. This study can also serve as a reference for other countries seeking to reform family law, particularly those still influenced by religious law.

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