

**ELVAN SÜTKEN****Anadolu University, Faculty of Law, Türkiye****DOS : A MATERNAL INFLUENCE IN FAMILY FINANCE IN ROMAN LAW****Abstract:**

In Roman Law, a contribution or a gift under the name of “dos” was given by the wife’s family to the husband in order to cover the expenses of the woman’s future family’s household. For this reason, dos could be defined as a maternal influence in family finance in Roman Law when it is evaluated in economic sense. Dos was also called as “dowry”. At the beginning, giving dos was customarily, but later on it turned into be legal necessity. Every single thing that is included in a property could be given as dowry. Usually slaves, farms, certain amount of money were subject to dowry. But sometimes, ornaments were also given as dowry. Income-yielding property was the most welcomed dowry for the permanent household expenses. A chose in action could be also subject to dowry. Marriage without a dos was not welcomed.

Women’s paterfamilias gave some property to the husband as dos which was also called marriage portion. By passing of the dos to the husband, the husband undertook a duty of assisting his wife in all respects which means both spiritually and materially. In this way, woman’s situation in the marriage was thought to be refined and thus she had a bastion in her husbands level of living. Coming to talk about the functions of dos; we shall classify its functions in two: Some legists say that “dos” was given by the wife’s family to the husband in order to cover the expenses of the woman’s future family’s household. Another group of legists say that dos is important for that in case of divorce, woman has got the right of taking dos with her so it would guarantee her sustentation after marriage. Therefore dos is mainly regarded as a contribution for the expenses of household during marriage but dos is also regarded as a subsistence benefit for woman in case of the breaking up of the marriage. If we consider dos as a contribution for the expenses of household, we shall say that husband has the rights of using it so it belongs to husband. But if we consider dos as a subsistence benefit for woman in case of the breaking up of the marriage, then we shall say that husbands has less rights on it and dos belongs to woman in fact.

**Keywords:**

Roman law, dos, marriage gift, Roman marriage, expenses of household, maternal contribution

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