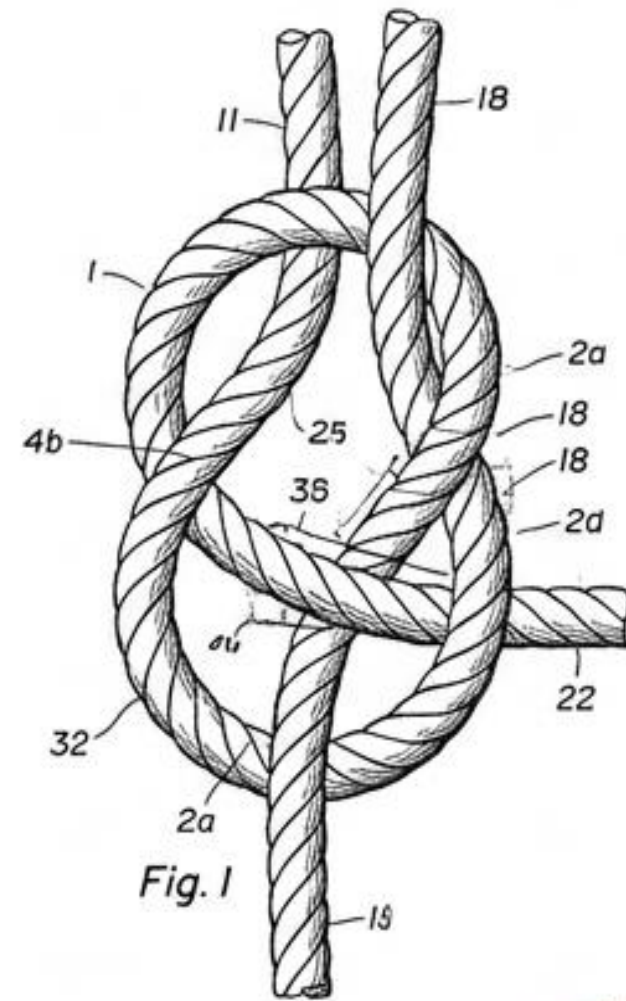


SPECIMEN

The Socio-Economic Contract of Human Marriage.

An archival examination of early anthropological data reveals a stark reality: human marital customs are rarely driven by romance. They are **highly rational**, adaptive technologies forged to solve specific ecological, defensive, and financial constraints.



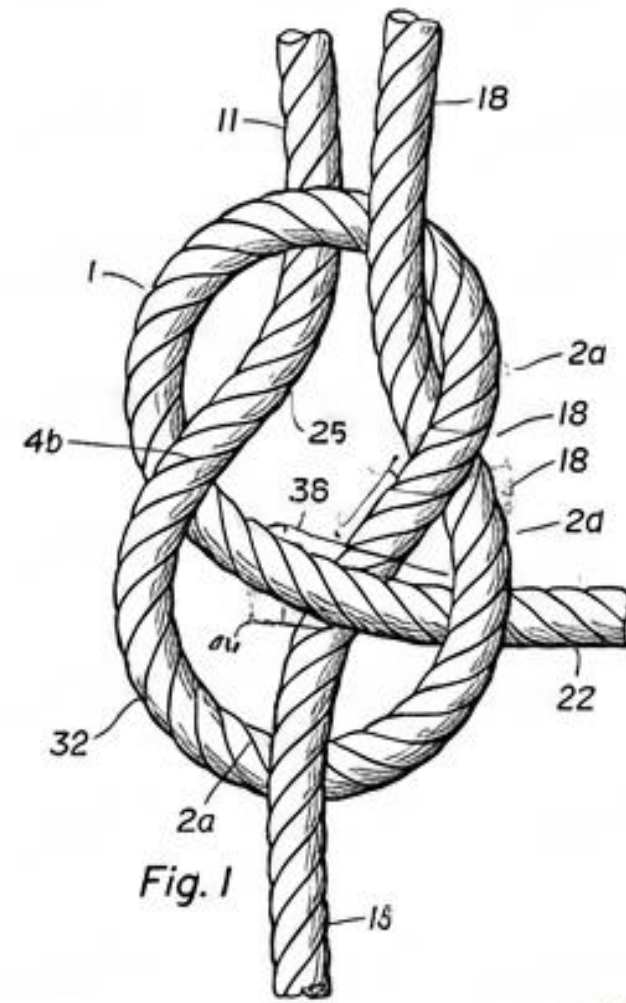
REFERENCE
C-6: KINSHIP &
PROPERTY

SPECIMEN

CRIMINOLOGICAL INSIGHTS

BY DR. MRIDUL SRIVASTAVA

An archival examination of early anthropological data reveals a stark reality: human marital customs are rarely driven by romance. They are **highly rational**, adaptive technologies forged to solve specific ecological, defensive, and financial constraints.



REFERENCE
C-6: KINSHIP &
PROPERTY

Diverse Traditions: A Global Survey of Historical Marriage Forms



This overview explores the evolution and variety of marital customs, ranging from kin-based alliances like cousin marriage to structural systems like polygamy and polyandry, highlighting how these traditions served economic, social, or protective functions.

TRADITIONAL METHODS OF ALLIANCE

Marriage by Capture (Rakshasa Mode)
Historically practiced through the seizure of a bride by force or symbolic sham fighting.



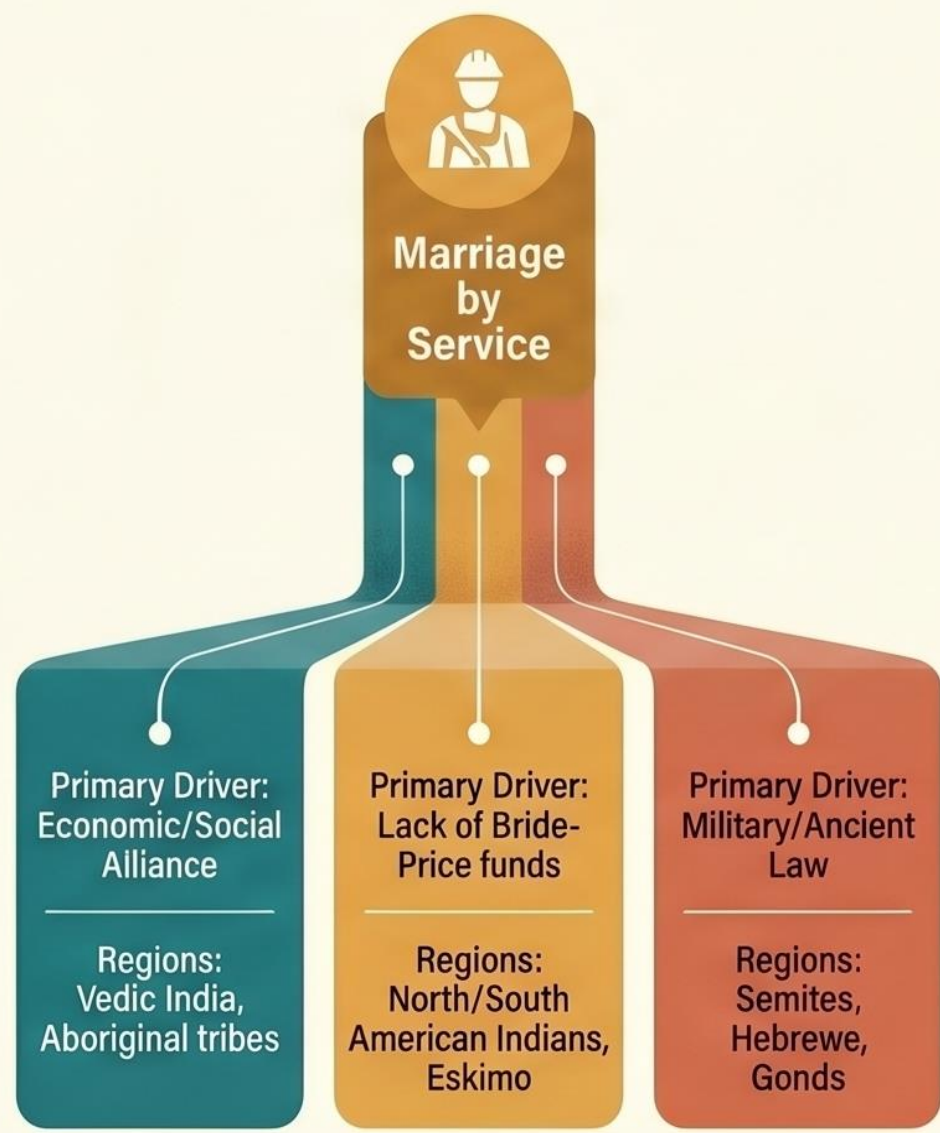
Marriage by Purchase (Arsha Form)
A tradition involving a 'bride-price' or gift given to the bride's family.



Cross-Cousin Marriage
A common union between a man and his maternal uncle's daughter in South India.



Primary Drivers Behind Traditional Marriage Formats



PLURAL AND SYMBOLIC SYSTEMS



Prevalence of Polygyny
Often a privilege of rulers and wealthy classes for economic and management purposes.



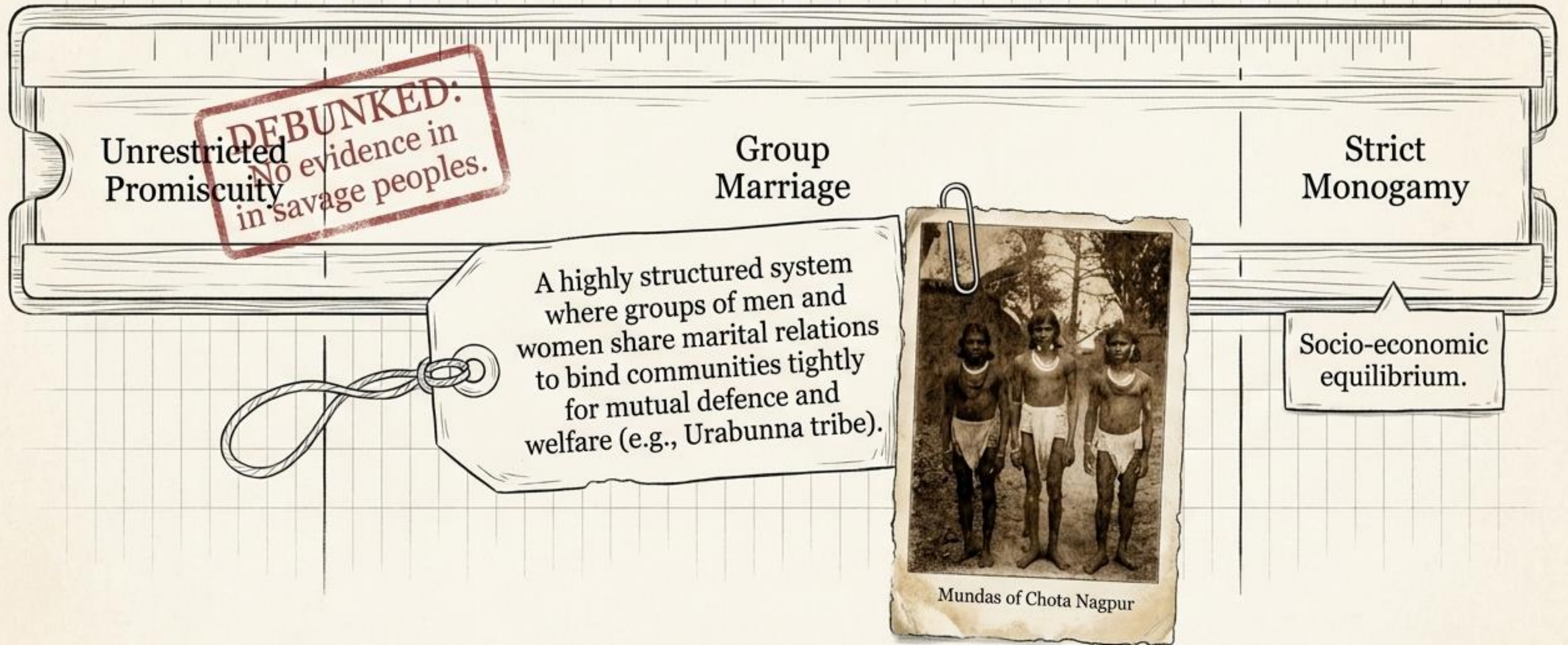
Fraternal Polyandry
A system where brothers share a wife to prevent family property division.



The Tali (Marriage Badge)
An essential South Indian gold ornament symbolising a permanent marital union.

The Myth of Unrestricted Promiscuity.

Spectrum of Marital Organisation

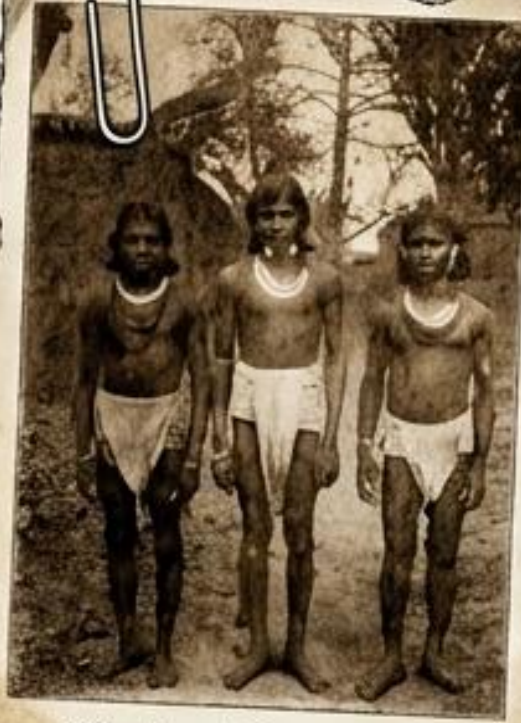


Unrestricted Promiscuity

DEBUNKED:
No evidence in in savage peoples.

Group Marriage

A highly structured system where groups of men and women share marital relations to bind communities tightly for mutual defence and welfare (e.g., Urabunna tribe).







Mundas of Chota Nagpur

Strict Monogamy

Socio-economic equilibrium.

Four Modes of Acquisition.

<p>Capture (Rakshasa)</p>		<p>Sham fights and elopements. Ancient violence reduced to theatrical survivals.</p>
<p>Purchase (Asura / Arsha)</p>		<p>Bride-price to compensate for lost agrarian labour. The Arsha form specifically dictates the gift of a cow or bull.</p>
<p>Exchange</p>		<p>Two families swapping daughters. Sister-swapping acts as an economic mechanism to avoid ruinous bride-prices.</p>
<p>Service</p>		<p>The suitor works 10-15 years for the bride's family if too poor to pay an upfront bride-price.</p>

The Flow of Marital Wealth

Bride-Price

Groom's Family



Bride's Father

Compensation for lost labour. Often buys the bride's dress or ornaments, or directly compensates the father for the loss of a worker.

Dowry / Stridhanam

Bride's Parents



Bride / New Household

Provision for the bride's future. Acts as a settlement and protection against widowhood or divorce, remaining entirely her property.

Cousin Alliance: Containing the Estate.

The Murapennu Right

Compromise of inheritance laws.



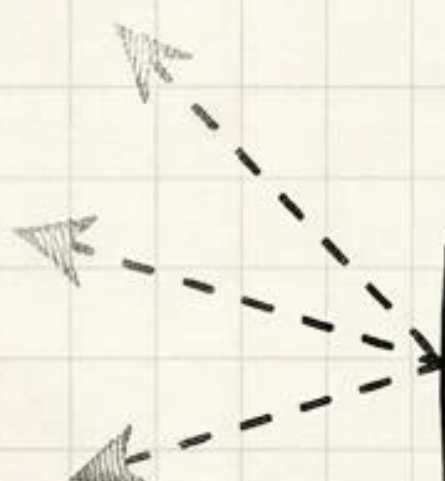
Family Estate

Property disperses across multiple lineages.

Property and wealth remain intact. Curtails heavy bridegroom expenses by keeping capital within the family structure.

Marries an Outsider

Marries Maternal Uncle's Daughter



The Plurality Matrix: Geography and Scarcity

Polygyny (One Man, Multiple Women)

DRIVERS:
Abundance
& Labour

- The privilege of kings, chiefs, and wealthy pastoralists.
- Wives represent manual labour and rapid wealth accumulation.



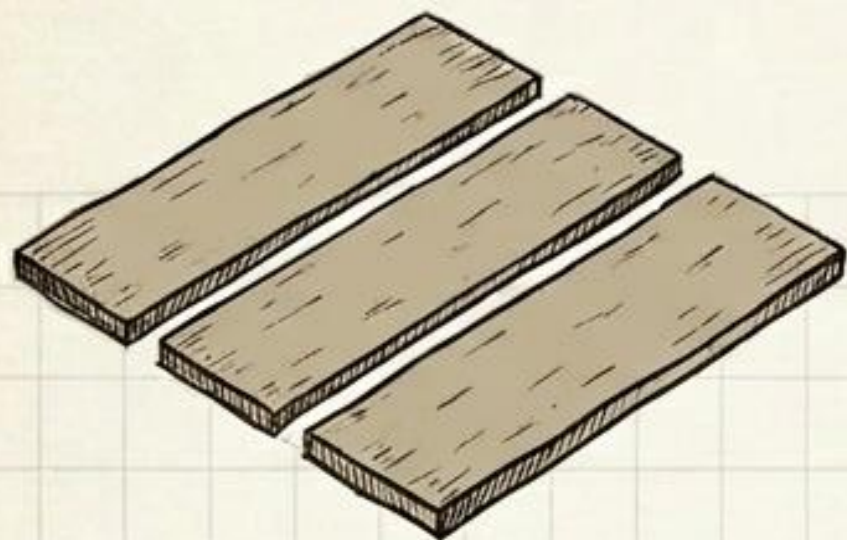
Polyandry (One Woman, Multiple Men)

DRIVERS:
Poverty &
Scarcity

- Driven by barren, unforgiving environments.
- Requires absolute preservation of scarce cultivable soil.
- Prevents generational division of limited property.

The Economics of Fraternal Polyandry.

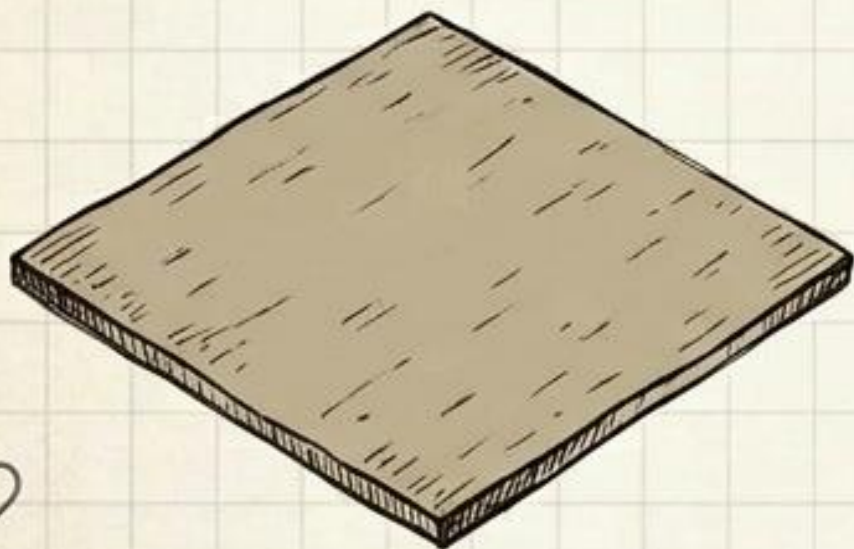
Scenario A: Division and Ruin



ECONOMIC
COLLAPSE

Three brothers take separate wives. The estate is divided into unworkable fragments, resulting in poverty.

Scenario B: The Undivided Estate



SUSTAINABLE

Three brothers share one wife. The land remains whole and economically viable. Custom thrives among Tibetans and Todas purely to avoid property division.

Ritual Survivals: The Phantom Capture.

"An instance of sham fighting... as the bridegroom and bride step out, they are met by the uncle's son, who prevents the groom from taking possession."



The Groom



The Machún
(Uncle's son)



The Bride

ECONOMIC CONVERSION: The Machún is eventually paid off with "two fanoms or nine Annas". This ritual theater converts the ancient Rakshasa (brutal capture by force) into a nominal financial transaction.

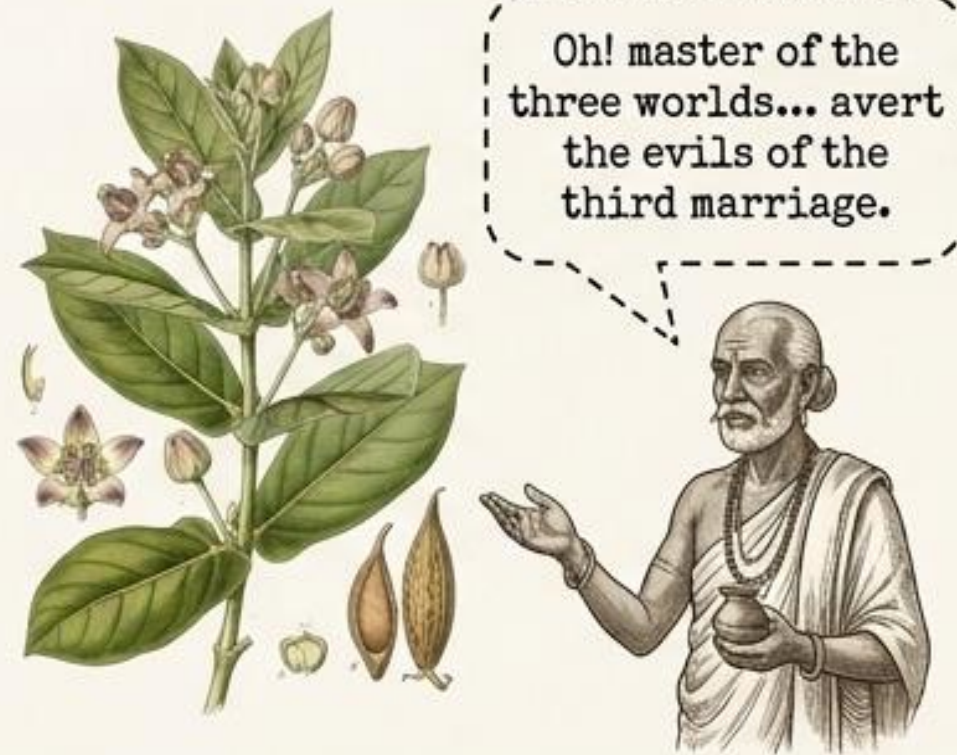
The Supernatural Loophole: Tree Marriage

Step 1: The Curse



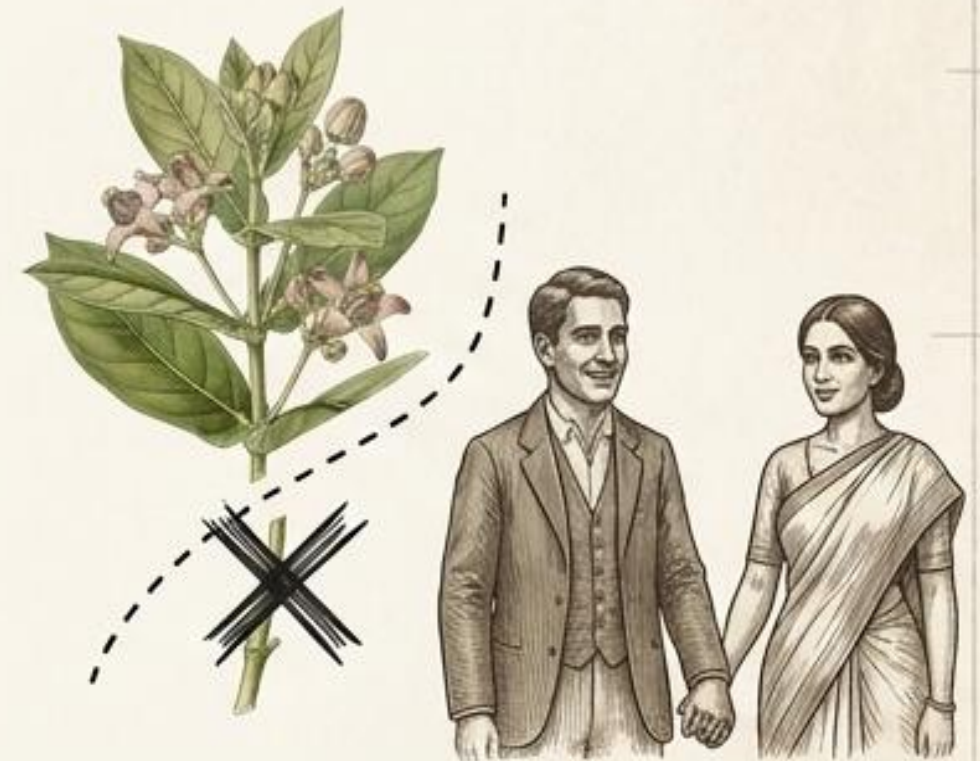
A third marriage invariably threatens death to the new bride.

Step 2: The Botanical Proxy



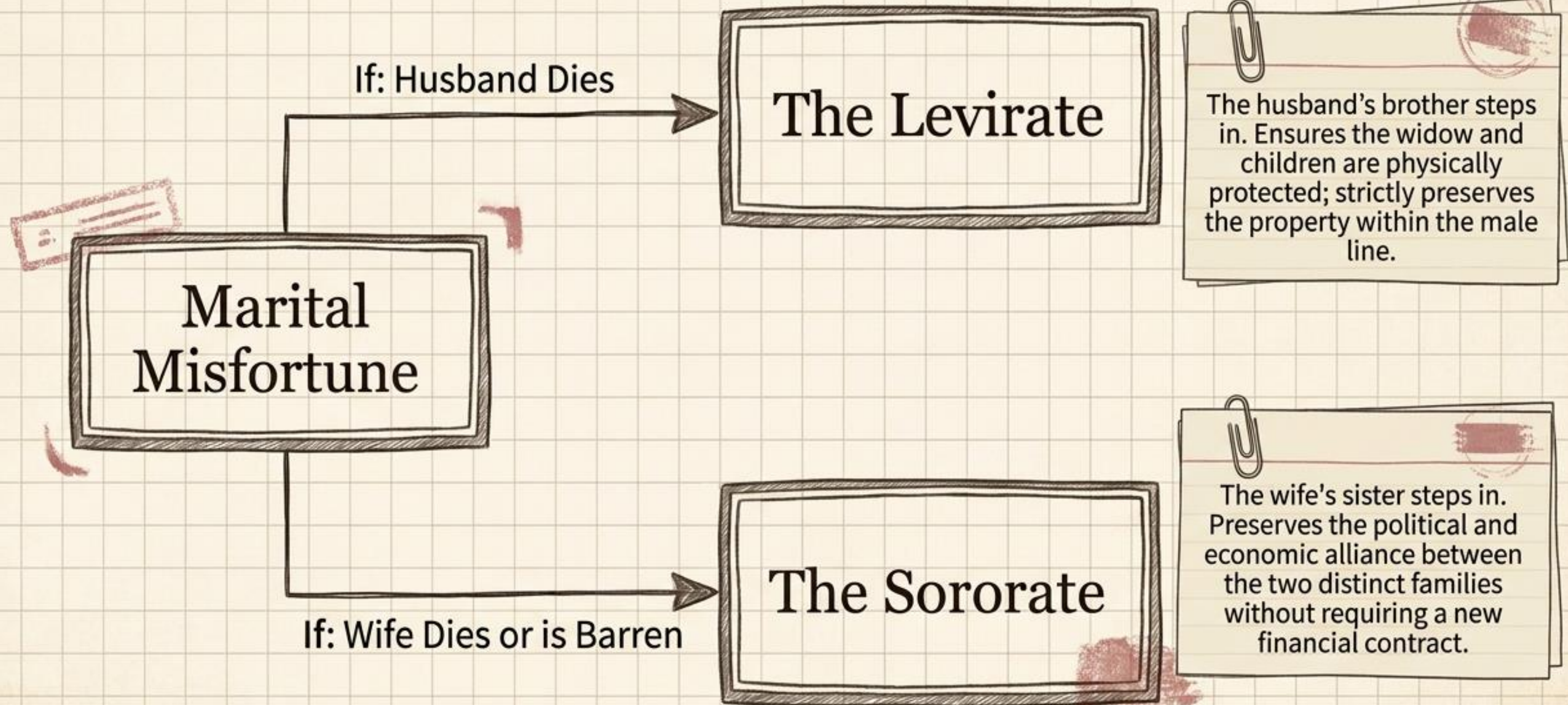
The man is formally married to the Arka plant. It becomes his legal third wife.

Step 3: The Safe Union



The plant is destroyed (symbolically widowed). The man is free to marry his actual human bride, rendering her the safe fourth wife.

Archaic Social Security Nets



Dissolution and the Double Standard.

Key Insight: In archaic legislation, the wife was viewed legally as the property of the husband; adultery was therefore prosecuted primarily as a form of theft.

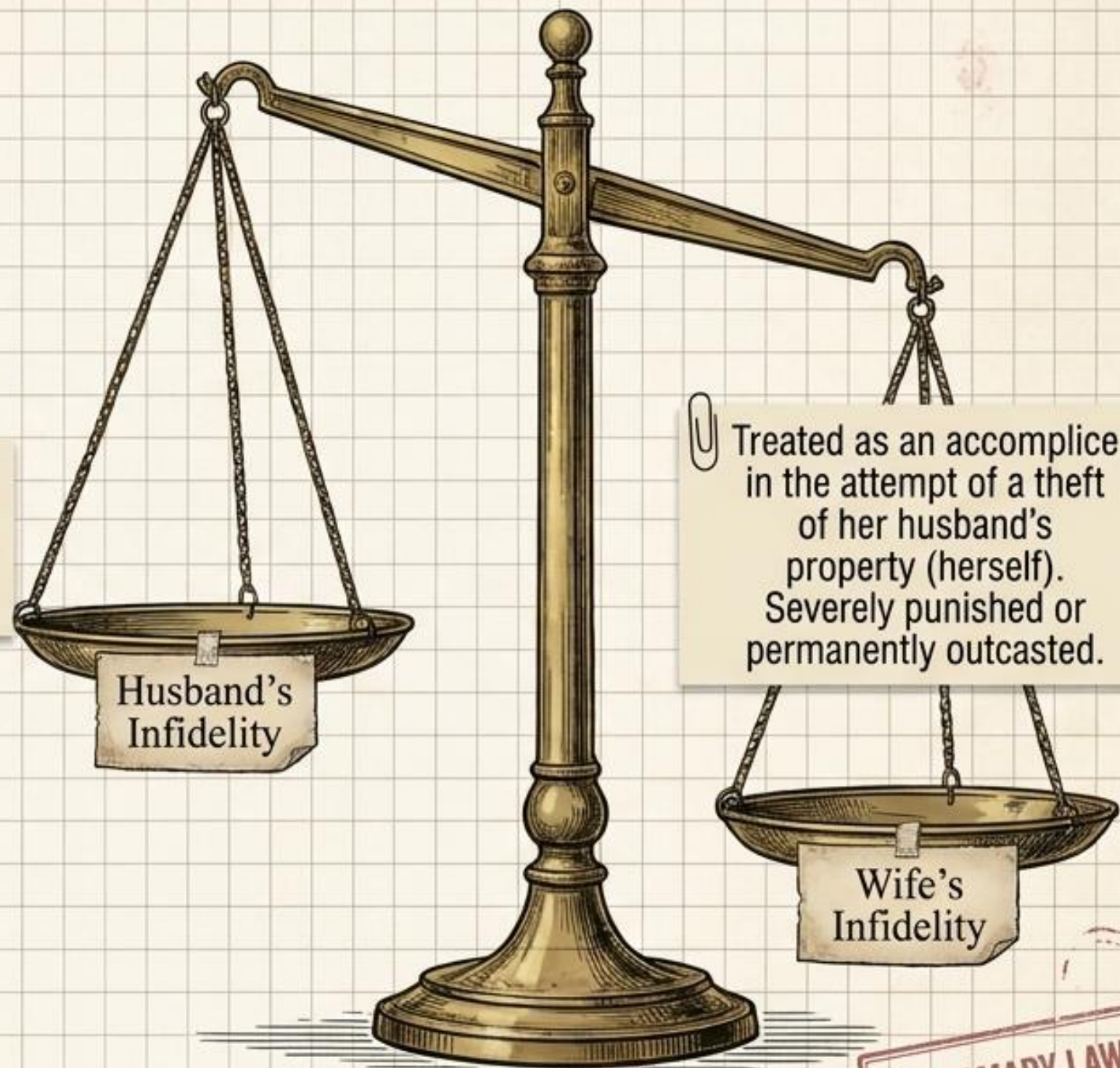
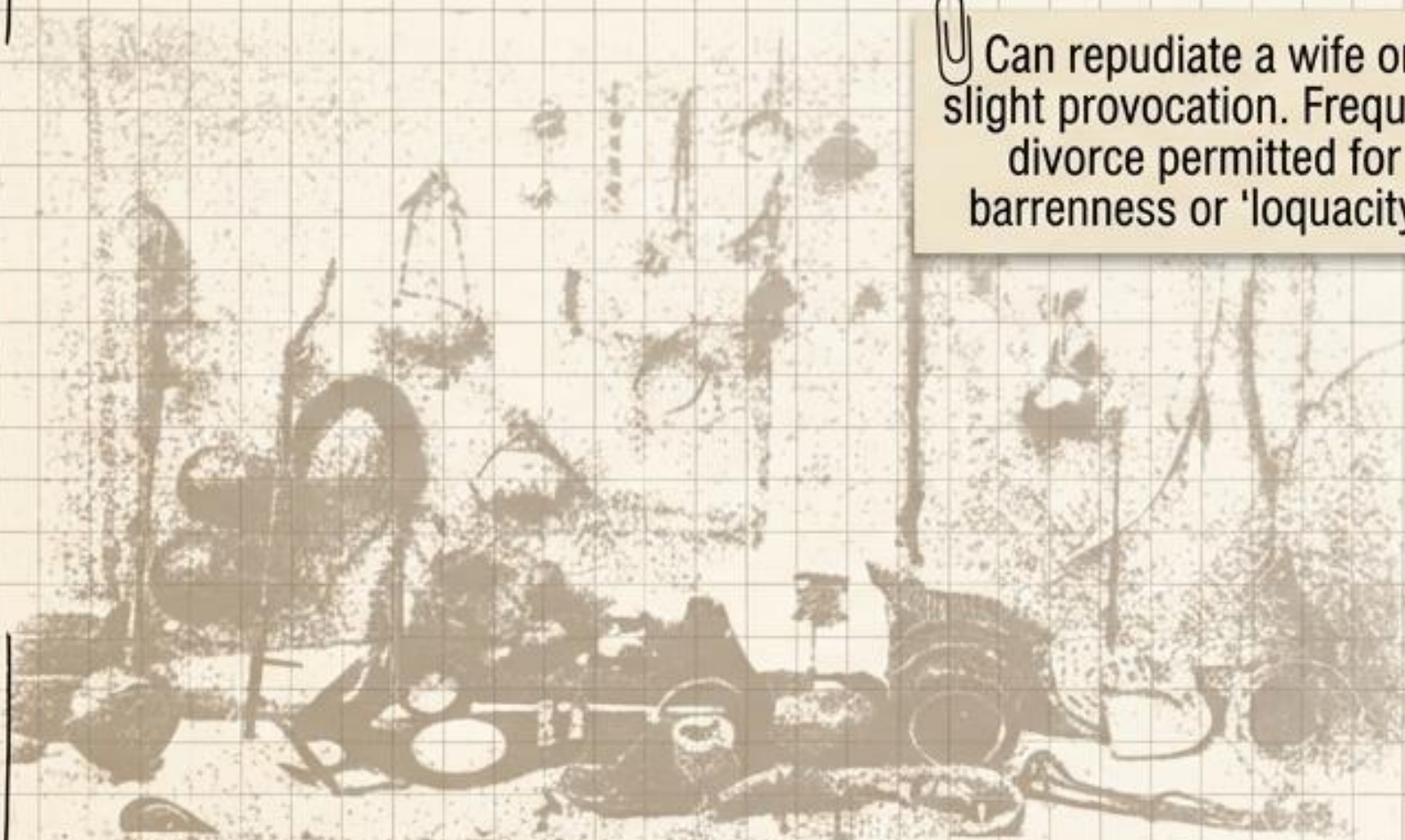
Can repudiate a wife on slight provocation. Frequent divorce permitted for barrenness or 'loquacity'.

Husband's Infidelity

Treated as an accomplice in the attempt of a theft of her husband's property (herself). Severely punished or permanently outcasted.

Wife's Infidelity

CUSTOMARY LAW



The Indispensable Tali.

Property
Preservation

Labour
Allocation

Kinship
Defence

Ecological
Adaptation

Whether by capture, purchase, polyandry, or cousin-alliance, marriage remains humanity's most adaptable socio-economic technology—a binding contract shaped by the exact dictates of survival.

END OF ARCHIVE EXCERPT