

Literariness Journal

A Peer-Reviewed Quarterly
Journal of Literature and Cultural
Studies

P-ISSN: 3108-1614
E-ISSN: 3108-172X

LiterarinessJournal.org

Vol. 1, Issue. 2
March 2026

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Citation: Fatima, Udha. "From Statute to Household: Legal Consciousness and Domestic Authority in *Mother Mary Comes to Me*." *Literariness Journal*, vol. 1, no. 2, Mar. 2026, pp. 1615–1621.



A Literariness.org Project

From Statute to Household: Legal Consciousness and Domestic Authority in *Mother Mary Comes to Me*

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Abstract: Law is sometimes recognized through judgments and institutional procedures, yet its effects are most deeply experienced in everyday life through authority, discipline, and access to rights. Literary narratives play an important role in illustrating these lived dimensions of law by connecting legal structures to ordinary experience and cultural memory. This paper examines *Mother Mary Comes to Me* as a literary text that represents gendered encounters with law and authority beyond formal legal institutions. Although the memoir is a personal account of Arundhati Roy's relationship with her mother, Mary Roy, it also revisits the life of a woman whose resistance to gender-biased inheritance laws marked a significant moment in Indian legal history. Rather than approaching the text as a legal record or feminist manifesto, this paper reads it as a literary space through which law is experienced and negotiated.

The paper argues that the memoir represents the Travancore Christian Succession Act not only as a courtroom issue but as a lived structure of authority operating through family relations, property, discipline, and social custom. Mary Roy emerges as a figure through whom the effects of law become visible in everyday acts of resistance within domestic and social institutions. Using qualitative textual analysis and narrative approaches to law, the paper shows how literary memoir humanizes legal experience and expands the understanding of justice beyond formal institutions.

Keywords: *Travancore Christian Succession Act, Mary Roy, Legal Consciousness, Memoir, Gender and Law*

INTRODUCTION

Law operates as a powerful mechanism that shapes the everyday lives of countless individuals, often so quietly that its presence appears natural and inevitable. In daily life, people follow traffic regulations, property rules, transportation guidelines, and social norms without consciously recognizing them as legal structures. These practices become habitual through repetition and familiarity. As a result, individuals remain largely unaware of the hidden mechanisms through which law guides their behaviour.

Law becomes most powerful not when it is visibly enforced but when it disappears into the routines of everyday existence. In contrast, courtroom trials and legal proceedings appear to people as the primary sites of law because they are highly visible and exceptional events. Consequently, legality is often associated only with formal institutions, while the subtle operations of law beyond the courtroom remain unnoticed. Because the origins of many legal structures are historically distant and socially embedded, systems such as contracts, infrastructure regulations, and property relations appear as natural features of modern life rather than as legal constructions.

As Susan S. Silbey observes in “The Every Day Work of Studying the Law in Everyday Life,”

More often than not, as we go about our daily lives, we rarely sense the presence of the law. Most of the time, law channels our behaviors without fanfare, without contest, without notice (3).

Silbey further explains that legal structures become sedimented within everyday routines, shaping behaviour without requiring explicit invocation of formal authority. Homes are built according to regulated electrical systems, and food packaging displays legally required information; yet these signs appear practical rather than legal because their origins lie deep within bureaucratic processes.

Similarly, Simon Halliday and Bronwen Morgan argue in “I Fought the Law and the Law Won? Legal Consciousness and the Critical Imagination” that legal consciousness refers to the ways law operates quietly in the background of everyday life through beliefs, assumptions, and habitual expectations rather than through visible enforcement. As they note, “the study of legal consciousness ... represents a shift even further into the ordinary, quotidian and almost invisible life of law in society” (2).

This perspective helps explain how law becomes embedded in everyday thinking and behaviour. Social norms often appear so natural that their legal foundations remain unnoticed. Only when these norms are violated does the presence of law become visible, transforming ordinary experience into legal conflict.

As Silbey further writes, “The central insight in my work derives from the observation that most people, most of the time, go along with the law” (3).

Law therefore becomes visible primarily when rules are broken or challenged. Legal action often emerges not from abstract legal reasoning but from lived experiences of restriction, inequality, or injustice.

The recently published memoir *Mother Mary Comes to Me* by Arundhati Roy speaks directly to these concerns. Through memories drawn from childhood, Roy presents a complex portrait of her mother, Mary Roy, whose challenge to gender-biased inheritance laws marked a significant moment in Indian legal history. As Roy writes, “she was my shelter and my storm” (4), a description that captures the emotional complexity of their relationship.

This paper argues that law extends beyond courtrooms and formal legal institutions and is most deeply encountered through everyday experience. Mary Roy’s legal challenge to inheritance laws governing Syrian Christian property rights in Travancore did not emerge suddenly in the courtroom. Instead, it developed gradually from lived experiences of exclusion and vulnerability within family structures. It is through such experiences that individuals come to recognize the workings of law and, in some cases, are moved to question and resist it.

Rather than reading the memoir as a legal document or a feminist manifesto, this paper treats literary narrative as a space where the everyday operations of law become visible and interpretable. Literature enables the representation of legal experience in ways that formal legal discourse often cannot capture. In doing so, it expands the meaning of justice beyond institutional procedure and presents it as rooted in dignity, memory, and social responsibility.

LAW BEYOND COURTROOM: LEGAL CONSCIOUSNESS AND EVERYDAY AUTHORITY

It is insufficient to understand law solely through formal institutions such as courts, statutes, and judgments, because such an approach offers only a partial understanding of how law actually operates. The lived struggles and everyday negotiations shaped by law—including the uncertainties and constraints experienced by those subject to it—often remain hidden from public view. For individuals who encounter law through hardship, restriction, or exclusion, its operation appears very different from its formal representation within institutional settings. While legal systems are commonly recognized through moments of enforcement and adjudication, much of law’s influence exists beyond these visible sites. Law therefore governs everyday life through routine practices and habitual expectations. It is through this quiet and ordinary functioning that law maintains its authority and shapes social behaviour.

The concept of legal consciousness has been widely used to describe how individuals understand and engage with law in everyday life. It does not require formal legal knowledge; rather, it refers to the

ways people perceive legality as part of their ordinary social environment. In this sense, law appears less as an external force and more as a background condition structuring everyday experience.

In “Move over and Make Space for Lived Experience Criminology: Why We Do ‘Lived Experience,’” Dwayne Antojado and Tina McPhee emphasize the importance of lived experience in understanding how individuals encounter legal systems beyond institutional frameworks. They observe that lived experience includes the perceptions, interpretations, and responses of individuals who interact directly with legal institutions or are subject to legal regulation in their everyday lives (489). This perspective supports Susan S. Silbey’s argument that although thousands of legal disputes arise in society, only a small number reach courts or trials and become publicly visible as “law.” As she explains, “Although the trial stands as an icon of the rule of law in popular culture, it is merely the tip of a giant iceberg of matters that come to legal agencies for resolution, reconstruction, and containment” (3).

Most legal processes therefore remain embedded within routine expectations, social norms, and institutional practices that operate without drawing attention to themselves.

Another important dimension of everyday legality emerges when we recognize that the authority of law persists even though it is not fixed and may be challenged through resistance. In this sense, law operates through hegemony—that is, through forms of consent produced within everyday social practices. Repeated actions gradually form patterns that begin to appear logical and natural, shaping behaviour without requiring visible enforcement. This everyday authority functions within society beyond the courtroom and contributes to the normalization of legal structures.

As Silbey explains in “After Legal Consciousness,” “Over time, individual transactions are repeated and may become patterned. Patterns may become principled and eventually naturalized” (331).

Through such processes, law becomes embedded in daily life as an unquestioned framework guiding behaviour. What appears natural is often the result of long-term institutional shaping rather than individual choice.

Because legal consciousness operates through lived experience rather than formal expression, legal documents and court records often fail to capture how law is actually experienced. Literary narratives, especially memoirs, provide an important space for representing these everyday encounters with authority, discipline, and access to rights. By describing ordinary relationships and domestic life, memoirs reveal the subtle ways in which law operates within households and social institutions.

MARY ROY, INHERITANCE, AND THE DOMESTIC OPERATION OF LAW

Having established that the functioning of law is not confined to formal legal institutions but is deeply connected to lived experience, this section examines the everyday legal realities reflected in *Mother Mary Comes to Me* by Arundhati Roy. The family operates as a foundational social unit shaped by legality, even when this influence is not explicitly recognized as legal. Rights related to property, inheritance, and marriage structure domestic relationships and authority within households. In this sense, the household becomes an important site where law operates continuously yet often invisibly.

The memoir reveals how inheritance law shaped family relations and gendered authority long before it appeared as a formal legal dispute. Families frequently encounter legal structures through conflicts over land and property ownership. Although such disputes often appear economic in nature, the consequences of inheritance inequality extend far beyond financial loss and affect dignity, autonomy, and social security.

As Sulagna Mookerjee argues in “Gender-Neutral Inheritance Laws, Family Structure, and Women’s Status in India,” gender inequality has historically been embedded within legislative frameworks governing succession and property rights. This inequality is particularly visible in the inheritance practices affecting Syrian Christian women in Travancore.

The traditional patrilineal inheritance system governing Christian women in Kerala was significantly challenged by Mary Roy. Although women were technically included within inheritance structures as daughters, widows, mothers, sisters, daughters-in-law, and grandmothers, their rights varied considerably and remained unequal. Different Christian communities followed different succession laws; while some groups followed the Indian Succession Act, which granted equal inheritance rights to sons and daughters, Syrian Christian women remained subject to discriminatory provisions under the Travancore Christian Succession Act. Mary Roy challenged this inequality by questioning the gender bias embedded within inheritance law.

As Sindhu Thulaseedharan observes, Mary Roy’s petition led the Supreme Court of India to declare equal inheritance rights for Christian women in Kerala retrospectively from 1951. This decision marked a major transformation in the legal status of women within the community.

Mother Mary Comes to Me presents these struggles not as abstract legal debates but as lived realities that shaped everyday domestic life. The memoir shows how legal inequality translated into vulnerability within the household. Property, shelter, and financial stability emerge not merely as material concerns but as conditions closely tied to dignity, authority, and survival. Through ordinary moments of illness, separation, and economic hardship, the narrative reveals how law operated within the family long before any formal legal intervention occurred.

Roy recalls how her mother's severe asthma affected the household's daily survival. When Mary Roy became too ill to work, financial insecurity intensified, forcing the children to assume responsibilities at an early age. Roy writes that her mother would "write out a shopping list of vegetables and provisions, put it into a basket and send us into town with it" (14). As her illness worsened and she became unable to continue working, the family "ran out of money," leading to hunger and illness among the children (15). These experiences demonstrate how legal inequality did not function as a single act of exclusion but accumulated gradually across time, shaping the conditions of care, survival, and motherhood within the household.

Susan S. Silbey's argument that only a small portion of legal disputes becomes publicly visible as "law" helps explain how the Travancore Christian Succession Act operated within domestic spaces. Laws often function quietly within families, shaping expectations and authority without appearing as formal legal enforcement. Roy recalls: "They told my mother that under the Travancore Christian Succession Act, daughters had no right to their father's property and that we were to leave the house immediately" (11).

Here, law operates not through courts but through family authority structures that justify exclusion.

Roy further reflects on how this experience shaped her mother's determination to challenge the law: "Our uncle G. Isaac ... was laying the ground for his own downfall ... she would safeguard this memory of her mortification as though it were a precious family heirloom" (12).

These memories demonstrate that legal resistance develops gradually from repeated experiences of injustice rather than emerging suddenly within formal legal institutions.

Roy also notes that inheritance law shaped behaviour even across ideological boundaries: (This was the house that would become the centre of the dispute when my mother challenged the Travancore Christian Succession Act.) G. Isaac ... was a Marxist (18).

This contrast illustrates how inheritance law structured everyday authority regardless of political affiliation. Law functioned here through routine practice, making unequal power relations appear normal within the household.

Over time, Mary Roy's growing awareness of legal inequality prepared the ground for formal legal action. Roy observes that by recounting these experiences, her mother was "preparing the ground for when she would petition the Supreme Court" (95). Even after the Act was struck down, its social effects continued. Although the Court granted equal inheritance rights to Christian women in Kerala, resistance to implementation persisted (176). This reveals the gap between legal judgment and lived justice.

Taken together, the memoir demonstrates that inheritance law is experienced long before—and long after—courtroom decisions. Resistance emerges through memory, storytelling, and everyday encounters with injustice. The household therefore becomes a central site where legality operates continuously, often outside the visibility of formal legal discourse.

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