Tristram Shandy is an extremely complex novel. Its own fictitious narrator describes it as a machine (Book I, chap.XXII), in which everything is carefully planned. Nothing is left to chance; even the chaotic, fragmentary and apparently aimless plot hides an ambitious project which aims at representing the spontaneousness of thoughts floating in the human mind. As a consequence, every element, even the most banal and absurd, has to be considered an essential part of this mechanism.

I focused my attention on the wedding settlement which is quoted in the first book of Tristram Shandy, in order to analyse what kind of role it is supposed to play within the novel: is it just a technical device through which the author tries to enrich his prolix and confused plot or is it something more? By raising the legal document to an entirely new point of view I will show the relationship which strongly links the settlement to themes such as the novel’s structure, its language theories and its realism. From literary aspects of the novel which the critics have widely investigated to references to the eighteenth-century historical background, I will try to offer a different reading approach to Sterne’s masterpiece.

THE WEDDING SETTLEMENT AND REALISM

In The Rise of the Novel, Ian Watt maintains that Sterne’s Tristram Shandy can be considered to be a realistic novel; he recognizes Sterne’s ability to portray scenes which ‘achieve a living authenticity’ (p.331). Like his predecessors (Defoe, Richardson) Sterne employed technical devices which allowed him to create an original and convincing work. The wedding settlement can be conceived as a useful means through which the author succeeded in this literary task.

As far as the content is concerned a realist writer draws his inspiration from daily life. The audience was gradually widening and this new condition required stories and anecdotes in which people could identify themselves easily. The wedding settlement thus witnesses Sterne’s attempt to provide his plot with true life, with characters whose actions corresponded to real behaviour and habits. By this device the author referred indirectly to a legal act which had been published in that period. The ‘Marriage Act’ (1753) consisted of a series of rules which gave the wedding practice an order; anarchy was finally replaced by law (see The wedding settlement and the historical background). Moreover, his personal experience as a parson caused Sterne to face directly the consequences and echoes of such an act on society. This way history, together with a deep knowledge of virtues and vices of English upper-middle class, became the source of a novel based on some veiled considerations upon the role of wedding and the role of family in a society which was wholly built on both these principles.

But how did Sterne represent this realistic content? In order to describe his contemporary world the author turned to a microcosm: Shandy-Hall symbolizes English society. By representing the family members’ behaviour and actions, Sterne mirrored habits and customs which were typical features of the class he wanted to portray. As a consequence characters are supposed to be credible. Biography or epistolary novel were the most common narrative forms because they allowed the writer to hide himself behind a narrator who tells the reader everything about his life. As for Tristram Shandy, the homonymous character, addressed the reader introducing himself, his family and his opinions. To be precise, Tristram gives a peculiar account of his life by following the thoughts floating in his mind. This way the reader can learn how the narrator’s mind moves, and what he really thinks. Nothing seems to be left unknown to the reader and he is not suspicious: he believes he knows everything, and he believes everything.
As the narration does not follow the traditional chronological order but the one of the protagonist’s mind, the reader happens to read anecdotes which are often disconnected. Such a peculiar sequence can lead the reader to confusion, thus undermining the plot’s credibility. But the constant presence of the wedding settlement within the narration helps restore the reader’s confidence in what he/she is reading. The document indeed proves to be a sort of glue: being the starting point of the whole plot, it becomes the reference point to which the various anecdotes are often directly or even indirectly linked. Therefore, the reader manages to orientate himself within the chaos of Tristram’s mind and of the narration (see The wedding settlement and the unity of the text).

The novel’s authenticity is also preserved by details and by using extra-textual elements: once again the marriage contract allows Sterne to confer more truth to characters and situations. Tristram faithfully quotes the ‘original’ document which deals with his parents’ wedding. Those few pages certify the existence of Elizabeth and Walter Shandy, the union between the two before the law. Moreover, by presenting the document the writer also certifies that the whole plot is real: Tristram’s life and opinions all derive from this settlement. Sterne was able to obtain such realistic nuances through a marvellous reproduction of the document. The author managed to create the same peculiar structure and vocabulary which characterize juridical documents (see The wedding settlement and Sterne’s language theories). Sterne’s great skill was his attention in matching each situation to its language.

In the end, by paraphrasing Watt, Tristram Shandy demonstrates to be a realistic novel whose realism is mainly due to Sterne’s ability to present reality.

**THE WEDDING SETTLEMENT AND ITS HISTORICAL BACKGROUND**

Being a parson Sterne was a public figure who was necessarily involved in social debate. When Sterne began to write his novel, England was living important social changes: the Lord Hardwicke Marriage Act was issued in 1753, and the echoes and consequences of these new rules were slowly developing in society. Tristram Shandy reflects some aspects of this feature: the presence of the wedding settlement and a plot which basically deals with marital and family relationships aim to represent ironically virtues and vices of some English habits. Irony, therefore, helps to emphasise those aspects of life which were ridiculous and unfair in the author’s view.

When Mr. and Mrs. Shandy got married, they fixed the usual legal arrangement. According to the contract, Mrs. Shandy was granted the freedom and right to give birth where she most liked and to be assisted by the midwife she preferred even after they had already moved from London to Shandy Hall. The agreement seemed to be particularly equal at first. Unluckily Mr. Shandy’s fear of unfair play on the part of his wife led him to add a further clause to the document: his generous concessions were to be valid just for once. This clause was held responsible for all the misfortunes which occurred to poor Tristram: having moved to London because of a hysterical pregnancy in 1717, Mrs. Shandy wasted her right to claim the wedding contract. Therefore, later, when she was about to give birth to Tristram, Mr. Shandy forced his wife to stay at Shandy Hall as the said clause mentioned established. The woman did not even dare to complain, but adapted herself to the absurd situation.

Mr. Shandy’s prejudice against his wife’s loyalty could lead the reader to picture Mrs. Shandy as a devil whose first goal was to make fun of her husband. But if we go on reading, we realise that the real victim is Elizabeth, while Mr. Shandy is the one who plays unfairly. She proved to be weaker than women like Aunt Dinah or Walter’s grandmother, who succeeded in obtaining what they really wanted. Aunt Dinah refused traditional social habits in order to marry the man she loved, although he belonged to a lower class. Walter’s grandmother forced her husband to increase the life estate which she was supposed to receive if she outlived her husband. Mrs. Shandy distinguished herself in her passivity: she was not particularly cultivated, and was not at all interested in her husband’s studies and intellectual hobbies (Book II, chap.XIX); her attitude usually annoyed Mr. Shandy. She barely intervened in family affairs: when their beds of justice (Book VI, chap.XVIII) took place, she hardly spoke. She kept repeating her husband’s words without expressing any of her opinions. Moreover, although she had had something to say, Mr. Shandy would have never let her speak because of his quite selfish temperament. This way her loquacity was due not so much to her poor cultural background, but to her being a woman; it was a male opinion that female natural inferiority excluded women from any kind of decision. With reference to this social belief, Sterne wrote an amusing and ironic episode: when Mr. Shandy allowed his wife to choose the midwife she preferred, Dr. Slop complained about the freedom the man had given Mrs. Shandy (Book II, chap.XVIII). According to the doctor that was not a matter in which a woman could
interfere; in other words she was not allowed to decide how to live her pregnancy.

This lack of communication within husband and wife was further worsened by a total lack of feelings and passion. Even intimacy was turned into a sterile appointment: intercourse was scheduled monthly after Mr. Shandy had wound up the house-clock. The couple’s gestures were totally mechanical; there was not any natural involvement as the scene of Tristram’s conception reveals (Book I, chap.I). Marital life indeed seemed to be characterized mostly by coldness rather than complicity.

Family life also seemed to reflect such indifference and lack of feeling: according to contemporary habits both Mr. and Mrs. Shandy left Tristram on his own, abandoned to a nanny. When Walter Shandy realized that his son had lived too many misfortunes (Tristram’s conception, birth and baptism were a total failure; nothing went as Mr. Shandy had planned) he decided to write a pedagogical essay about how he was going to bring him up. Paradoxically the man left his son alone once again because he was too busy in accomplishing his literary task. As a consequence, Tristram mirrored all those children who seldom benefited of the presence of their parents. Moreover, the novel reminds the reader of the law used to deny mothers their natural role in their children’s life (Book V, chap.XXII). Only fathers were judged to be legally responsible for their sons.

Thus by irony Sterne described quite a superficial society in which marriage was basically the symbol of sterile marital relationships. But Sterne’s interest in contemporary public debate was a widespread attitude among writers. Even Defoe and Richardson wrote novels, such as Moll Flanders and Pamela, which dealt with the actual social function of marriage; both works, indeed, showed that marriage was the only means for women to gain an honourable social role.

MOLL FLANDERS AND PAMELA: LITERARY BACKGROUND

Like Tristram Shandy, Moll Flanders and Pamela are novels which deal with a portrait of social customs. Defoe, Richardson and Sterne started from a common point of view (marriage conceived as a social function, as it granted women a role within society) but they handled this topic differently.

As far as Moll Flanders is concerned, its eponymous character aimed to become a gentle woman, by which she meant to achieve personal and economic independence. But female financial self-dependence was strictly linked to an immoral and illegal life: women who wanted to be free from conjugal ties often earned their own living becoming thieves and prostitutes. This way on the one hand Moll could not bear to act like Mrs. Shandy: marriage would have deprived her of her dignity, of her opinions, of her self-dependence; on the other hand her wealth could not derive from thefts and prostitution (they were antisocial). Moreover her personal experience taught her to avoid love: feelings were just obstacles to her plans. Eventually she reached her goal; by marrying James she was able to combine the dignity she acquired from this social status to the self-dependence she desired. Defoe portrayed a sort of reversal of social roles: the strong Moll took the typical role of the husband, while the weak James played the part of the wife dedicating himself to trifles. Hence Moll could be compared to Mr. Shandy rather than to Mrs. Shandy, who was subject to the legal agreement and to her husband’s will. Unlike Mrs. Shandy, Moll Flanders was able to gain her social position saving her freedom; but like the Shandy’s wedding, even Moll’s lacked feelings.

As for Pamela the protagonist showed she was aware of the traditional social believes. Her fear of being raped by Mr. B. is due to her fear of losing the only thing which could give her social dignity. When Pamela realized her master’s immoral intentions she lost her respect for him. He was not behaving as a gentleman, so she felt that she was allowed to face him as if they were equal. This way she began to contrast his provocations and abuses by revealing her contempt and denying his authority. Because of Pamela’s rhetorical skill and bravery Mr. B. realized how much she was worth and gradually changed his attitude. When Mr. B became a gentleman again Pamela restored her respect for him, as well as their social gap. Only after their wedding, the protagonist was raised not only to a new social status but also to her husband’s level.

Somehow far from Sterne and Defoe’s representation Pamela’s marriage embodies a union built on love rather than on economic and social interest. Moreover although Richardson seemed to emphasize an unusual reciprocal respect, the couple’s relationship still carries those social features which prevent women from being considered equal to men. Love notwithstanding, Pamela was not able to gain the same authority and self-dependence which Moll Flanders instead preserved in her wedding. At the same time she cannot be compared to Mrs. Shandy, even if Mr. B. asked her to behave according to specific directions: Pamela made a list of forty-eight rules which on the one hand denied principles like command and obey, but on the other hand still suggested a female reverential attitude towards man.
Before the publication of the 'Marriage Act' no law ruled the institution of marriage, thus causing problems about the validity of a union. Since the Middle Ages marriage was an oral practice: it consisted of a promise made in front of witnesses. Only the exchange of properties between the bride and the groom’s family had a written contract. Eventually things got confused when an ecclesiastical law in 17th century imposed weddings to be officiate from eight o’clock in the morning to midday: it aimed to discourage young people from getting married without their parents’ consent. These orders notwithstanding, they were able to fall back on other options like ‘fleet weddings’: in exchange for money priests wedded people no question asked; sometimes they also antedated the records to legitimate children already born. As a consequence at the beginning of the 18th century less than a half the population was married in conformity with the ecclesiastical law. The reason was that although an union was illegally officiated it was still binding for life, making a future separation impossible. Parents were disappointed about this situation because of the loss of respect for their parental authority which prevented them from protecting their wealth from smart social climbers.

In 1753 the House of Lords approved 'An Act for the better Preventing of clandestine Marriages' leading to relevant changes. The act imposed public banns; parental agreement was required for marriages between minors. If parents were unable to decide, a court clerk could decide for them; promises of marriage were not a bond anymore; banns and weddings had to be recorded and signed by the priests in a special book owned by the church; any breach of the law could be punished by death. Therefore this act aimed to abolish contracts arranged before marriages, secret marriages and bigamy, and to confer more parental authority, at least with minors.

Such general worry about the marriage matter was basically due to the fact that it was not only the union of two people but of two families and two fortunes too. It was supposed to keep families’ social status and at the same time to increase their wealth. Because of this we speak of ‘arranged marriage’: families planned the wedding and the couple was to meet for the first time on the day of the ceremony. They could hardly avoid this kind of union because they were often threatened by their parents.

By the introduction of Lord Hardwicke’s Act the marriage practice gradually reached an order, forcing people to accept the new rules and to abandon their old illicit habits. But in such period of changes there were customs which survived. For example, when marriages were arranged, they usually respected some moral taboos which were specified in an act belonging to Henry VIII’s Statutes: people were not allowed to get married to their own relatives. Such legal measure was essential in a society in which the upper class had to preserve its purity and did so by turning to unions between members of the same family. Moreover, in their attempt to keep the social status people paid great attention in arranging a good and convenient marriage. The dowry was the main economic source for family support; furthermore women were entitled to take possession of part of the inheritance without waiting for their parents to be dead. But although the couple’s wealth often depended on the bride’s dowry, the woman was not allowed to manage it. The bride was generally excluded from all those affairs which were usually run by the groom. Her role was basically to ‘produce’ heirs and to take care of the household. As she was considered to be inferior to man, she had no rights, even as far as their children’s education was concerned. Children were usually left to the care of nannies and tutors, and women had not any role in their life. Consequently even if the marriage practice had gradually evolved by the introduction of more legal rules, the condition of women had still to wait for improvement.

THE WEDDING SETTLEMENT AND STERNE’S LANGUAGE THEORIES

Tristram Shandy is characterized by a chaotic narrative structure. Digressions, empty or marble-coloured pages, exchanged chapters are technical devices by which Sterne created an innovative novel. Influenced by Locke’s theories on time and association of ideas Sterne wrote a novel which aimed to represent how the human mind works. The author was particularly interested in the principle of psychological time: it consists of the succession of ideas which float in our mind without being influenced by human rationality. These ideas are thus connected by chance only. Consequently although Sterne tried to give the reader some chronological references which could help him in contextualizing the work, he put chronological time aside focusing on the protagonist’s mind. The author tried to represent the exact succession of ideas within Tristram’s mind.

As this succession is ruled by chance, even the narration is consequently characterized by such feature. The reader is not supposed to approach the novel rationally, otherwise he would not understand anything; he has to let himself be guided by the
stream of the protagonist’s thoughts. As one idea succeeds the other because of a casual element which associates them, the reader enters this mechanism and finds that element in the novel which confers it a global consistency: the wedding settlement embodies this cohesive function. The legal contract represents the original point of the plot: all misfortunes which happened to poor Tristram are due to this document. This way the fragmentary anecdotes are often associated by this apparent useless element.

The wedding settlement is set in the first book (chap.XV). According to it Mrs. Shandy could live her pregnancy where she most liked and Mr. Shandy was to give her everything she asked for even when they had already moved to the countryside. Mr. Shandy feared that his wife would take advantage of it, so that a clause was added to the document and Mrs. Shandy could claim her right for once only. Unluckily, when she moved to London because of a hysterical pregnancy Mr. Shandy applied the clause and his wife was no longer allowed to move from Shandy Hall.

If the reader keeps this crucial event in mind he will be able to follow the succession of digressions and progressions in the novel. Sterne’s technique, in fact, consists of constant interruptions of the narration by introducing new actions or characters which usually do not have any direct relationship with the previous and following one. This way the reader is told about something new which he may consider to be pointless there; only later he will be able to sort it out. For instance, Tristram begins his autobiography telling about his conception; seven chapters later he will suddenly give up such description in order to focus on a new character, the midwife (chap.vii). The reader is told about her in quite a fragmentary manner, but he is not able to understand what kind of relationship links the woman to the Shandys. The narration then moves on dealing with a new character, Mr. Yorick, whose life is wholly reported just because he helped the woman to become a midwife (typical example of association of ideas). Such story lasts until Tristram mentions and reproduces his parents’ wedding settlement (chap.XV). Only in the eighteenth chapter the reader finds out that the midwife was not just an extra but was going to take an active part in the novel, as she was asked to assist to Tristram’s birth. Although Mrs. Shandy could not rely on the wedding contract, she made a compromise with her husband according to which she was allowed to prefer the midwife to the doctor. Therefore the reader, from chapter 7, has to wait for this chapter in order solve his doubts about the midwife’s role in the novel. The previous digression thus is not pointless, as it could seem at first, but its sense can be grasped only after the reader is told about the contract. Then Tristram goes on with a French essay on baptism, Walter Shandy’s theories on names and with a portrait of uncle Toby which continues even in the second book. In the eleventh chapter of the second volume Toby ceases being the protagonist and Dr. Slop enters the scene. This movement from one anecdote to the other can lead the reader to confusion: he could feel lost because he is not able to perceive any logic in what he is reading. But within this chaos we can realize that the wedding settlement can help finding at least a mental order. When in the 11th chapter another character and another scene are introduced, there’s an exclamation which reminds the reader of the legal document; this way he recollects the anecdote of the midwife, the one of the settlement, the other one in chapter eighteen and finally associates them to Dr. Slop and to the present scene.

Such examples show how the reader’s mind goes back and forward trying to find the hidden logic which lies behind the chaos of the narration. Meanwhile the wedding settlement represents a sort of ‘key-event’ which the reader recollects in order to reach such logic: directly or indirectly mentioned the contract becomes a point of reference of the whole plot and confers it sense and unity.

**LOCKE’S THEORIES OF WORD AND LANGUAGE**

Man has been endowed with the faculty of speech. By using words he can express his thoughts, his ideas. Human mind associates the word to his idea arbitrarily. To be precise words are strictly linked to the personal experience of the speaker; consequently different people associate the same word to different ideas because of different experiences of it. Such misunderstanding is due to the impossibility to associate a single word to each idea: otherwise how many words should we know and keep in our mind? That is why the human mind realized a sort of ‘generalization process’, according to which ideas are deprived of factors which made them unique; only their common features are kept (example: we know different varieties of apples, they can be red, green, yellow, sweet or sour but we call them without distinction ‘apple’; this term meanwhile allows to distinguish this kind of fruit from a different one, like a ‘peach’, which has different natural characteristics from an ‘apple’).

Previously I underlined that personal experience influences the process of association of terms and ideas leading people to misunderstandings which can be sometimes passed by definitions. Locke maintains that there are ideas which cannot be explained because they are sort of axioms, sort of prime numbers, which we call ‘simple ideas’. Combining this simple ideas we
get ‘complex ideas’: they can be defined by using the simple ideas which compose them. Although some words can be defined and explained, the English philosopher admits that the world of words is too uncertain: words are not able to express the whole range of ideas and experiences which each person has in his mind. According to Locke such limit is due to language and to its lack of words: "The provision of Words is so scanty in respect of that infinite variety of Thoughts, that Man, wanting Terms to suit their precise Notions, will, […], be forced often to use the same Word, in somewhat different Senses" (Locke, Book II, chap.XI). This way there seems to be no way out of human incapability of expressing himself: man is destined to be misunderstood.

THE WEDDING SETTLEMENT AND THE UNITY OF THE TEXT

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