

realistic images and what they symbolize (as we might expect a critic to do), but instructs us in interpreting the meaning of human actions and failures and their relation to “the enveloping action,” the larger motion that is so often scanted by contemporary interpreters who have not the insight and the world view of Andrew Lytle. His comprehensive understanding of Undset’s vision, of the balance of medieval culture, includes the obligations of mother and father, wife and husband, daughter and son, vassal and lord, parishioners and priest, the private and the public, the spiritual and the carnal, and life and death. At the end, to see “the divine connection between the renewing snow and the plague’s holocaust,” and to see a mother’s death as an instruction in the mystery of creation, is to stare deep not only into *Kristin Lavransdatter* but into something that surpasses literary criticism as well as mundane understanding.

J.O. Tate is a professor of English at Dowling College on Long Island.

## A Ride Into the Sunset

by Gregory McNamee

Where the Bluebird Sings to the Lemonade Springs: Living and Writing in the West

by Wallace Stegner

New York: Random House;  
227 pp., \$21.00



At the age of 83, Wallace Stegner is the *éminence grise* of Western American literature, a man responsible for shaping the writing not only of the region but also that of points eastward, thanks to the scores of graduates from the Stanford writing program that bears his name. Stegner’s work, regrettably, sells far less than that of lesser transplants like, say, Gretel Ehrlich or Bret Easton Ellis. Regrettably, I say, because his books are exemplary, whether novels like *Angle of Repose*, biographies like *The Uneasy Chair* and *Beyond the Hundredth Meridian*, or historical studies like *Mormon Country*. Regrettably, too, because Stegner—the American writer

most deserving of the Nobel Prize in Literature—still has much to tell us.

He reiterates some of the themes of his life’s work in *Where the Bluebird Sings to the Lemonade Springs*, collecting essays on a range of subjects. Among the most successful are those that open the book, memoirs of Stegner’s long tenure as a Westerner. In them, he writes affectingly of his parents; his father, a speculator who dragged his family from one dusty town to another in search of easy riches and “died broke and friendless in a fleabag hotel, having in his lifetime done more human and environmental damage than he could have repaired in a second lifetime,” his mother prematurely aged by a rootless life marked by one humiliation after another. Stegner has never been quite so open with his past, and his reflections help set the body of his writing in clearer context. The title of his collection similarly derives from a pole in Stegner’s upbringing: Harry McClintock’s hobo ballad of 1928, “The Big Rock Candy Mountain,” which promised that drifters would find in the West a land dripping with cool streams of alcohol and teeming with handouts growing from every bush. Those images have haunted Stegner for seven decades (*The Big Rock Candy Mountain* is one of his early novels). They evoke all that is right and wrong with the West: a land full of riches, but full of fool’s promises as well.

Years ago, Stegner called the West “hope’s native home.” He is less buoyant today. Indeed, many of the essays in the second section of his book, dealing with the West as a series of environments, are marked by an unwonted despair. Regarding the arid lands of the West as “less a place than a process,” he now sees reason for us to abandon hope at its gates, now that its great cities are “growing to the limits of their water and beyond, like bacterial cultures overflowing the edges of their agar dishes and beginning to sicken on their own wastes”; now that the irreparable damage of its vast irrigational “plumbing” projects is becoming increasingly apparent; now that the “western myths that aggrandized arrogance, machismo, vigilante or sidearm justice, and the oversimplified good-guy/bad-guy moralities invented mainly by East Coast dudes fascinated by the romantic figure of the horseman, and happily appropriated by a lot of horsemen and sidearm Galahads

as self-justification,” which Stegner has long hoped to dispel, have come to be taken for history itself.

This is not the diplomatic, eminently reasonable Stegner we have come to know through thirty-odd books. In his last years, Stegner, it seems, is becoming a cultural rebel, disinclined to roll with the punches. He recently declined a National Medal for the Arts, citing his dislike for the politicization of American arts in general and the government’s role in the culture business generally. He is equally quick to condemn the private sector’s current crop of get-rich-quick hucksters who guide the West’s economy and politics—the Sagebrush Rebellion jockeys and welfare ranchers—for their overall role in the nation’s destruction. In the last matter, his essay “A Brief History of Conservation” is a hallmark of political discourse.

The closing section of *Where the Bluebird Sings to the Lemonade Springs* is given over to Stegner’s disquisitions on writers and writing. He pays homage to two near-contemporaries, George R. Stewart—a forgotten author whose work deserves a new audience—and Walter van Tilburg Clark, the author of the fine novels *The Ox-Bow Incident* and *The City of Trembling Leaves*, and to his former student Wendell Berry, the Kentucky farmer, writer, and critic of industrial agriculture. He turns to his own work as well, explaining that he writes “to make sense of my life” (a good enough reason, and a characteristically modest one at that) and offering an observation that beginning writers would do well to memorize:

You take something that is important to you, something you have brooded about. You try to see it as clearly as you can, and to fix it in a transferable equivalent. . . . Sure, it’s autobiography. Sure, it’s fiction. Either way, if you have done it right, it’s true.

“The land will not be lived in except in its own fashion,” Mary Austin once remarked of the West. The history of the region has been marked for two centuries by a willful disregard for the land’s logic. That has riled Wallace Stegner to new passions, and we should be glad to have his anger and his fine new book.

Gregory McNamee is a freelance writer living in Tucson, Arizona.

# Limits to Litigation

by Jim Christie

## The Hollow Hope: Can Courts Bring About Social Change?

by Gerald N. Rosenberg  
Chicago: The University of Chicago Press; 424 pp., \$29.95

Gerald N. Rosenberg, an assistant professor of political science and an instructor in law at the University of Chicago, has some simple advice for activists who think a United States Supreme Court ruling is an end-all: not only are you wrong, but your money is better spent out of court than in court.

In *The Hollow Hope*, Rosenberg takes to task the civil and women's rights movements for making the Supreme Court the battleground for social change. Looking at *Brown v. Board of Education* and *Roe v. Wade*, the most celebrated legal cases of these respective movements, Rosenberg finds that neither case provided for the substantial type of social reform activists currently credit them with producing.

Indeed, Rosenberg disagrees from the outset with the long-held litigious strategy of many in the civil rights movement, in which *Brown* is spoken of with awe and reverence. Rosenberg's research reveals that the *Brown* ruling was hardly "the most important political, social, and legal event in America's twentieth century history" or the "paradigmatic event" civil rights lawyers claim. Instead, he finds the Supreme Court to have been impatient but unable to implement *Brown* until the Civil Rights Act of 1964—a full decade later—owing to a lack of supportive political and public opinion.

The numbers Rosenberg presents are convincing and bear out his contention that congressional legislation, presidential resolve, and evolving public opinion did more for blacks in Southern public schools than did the *Brown* ruling. For example, in 1959-60, five years after *Brown* overturned *Plessy v. Ferguson's* separate-but-equal ruling, only .16 percent of black children in the South were attending elementary and secondary schools with white children. By comparison, five years after the Civil Rights Act in 1969, 32 percent of black children in the South had been integrated

into the region's public schools. "The statistics from the Southern states are truly amazing. For ten years, 1954-64, virtually nothing happened," says Rosenberg. "Despite the unanimity and the forcefulness of the *Brown* opinion, the Supreme Court's reiteration of its position and its steadfast refusal to yield, its decree was flagrantly disobeyed. . . . As Judge Wisdom put it, writing in the Jefferson County case, 'the courts acting alone have failed.'"

Congress, the executive branch, and the federal agencies, following the passage of the Civil Rights Act of 1964, Rosenberg argues, were the real catalysts for desegregation reform in the South. He reminds the reader of the power of the federal purse: "When the federal government made money available to local school districts that desegregated, it loosed a powerful and attractive force on segregated schools. This was particularly true in the South because that region spent less on schools, as measured by the percentage of total personal income, than any region in the country." Federal funds definitely seemed to have spurred social change. Mississippi, for example, in 1963-65 received only \$13 million in federal funds for its state school system and had only .02 percent of black children in school with white children. By 1971, 91.5 percent of Mississippi's black children attended integrated public schools, which were drawing \$99.4 million in federal funds.

Rosenberg also credits leadership at the executive level for having contributed to the desegregation movement by creating a "political climate" in which *Brown* could be enforced. It is hard to argue against this point, considering the evolution from the Eisenhower administration's cautious approach toward civil rights to the Johnson administration's enforcement of the Voting Rights Act of 1965. Far more important than presidential fiat, however, is the fact that American society as a whole was becoming less tolerant of segregation and more sympathetic toward the civil rights movement as events and the people who launched them—the Montgomery Bus Boycott, the Little Rock crisis, the Freedom Riders, the murders of Medgar Evers and three other civil rights workers near Philadelphia, Mississippi, and the Birmingham Demonstrations—were brought to the attention of the public through the mass media. "While it must be the case that Court action in-

fluenced some people," writes Rosenberg, "I have found no evidence that this influence was widespread or of much importance to the battle for civil rights. The evidence suggests that *Brown's* major positive impact was limited to reinforcing the belief in a legal strategy for change of those already committed to it."

Likewise, he says, for *Roe v. Wade*: "Relying on the civil rights movement as an example of a successful use of courts to produce significant social reform, and assuming 'congruence between civil rights and women's rights, groups were formed to litigate women's rights issues. Money, time, and talent were poured into the litigation strategy. What were the results?' Not much. Abortion was already a socially—but not legally—acceptable procedure by the time of *Roe* in 1973. According to Rosenberg's numbers, the rate of increase of abortions from 1970 to 1973 is not markedly different from that between 1973 and 1980. What is more, the real revolution with regard to abortion rights came prior to *Roe*—the high-water mark of the women's movement—and occurred within the state courts, the forums today's abortion rights activists despise and dread. Before *Roe*, the federal government treated the question of abortion with "benign neglect," as a matter for the states—many of which Rosenberg describes as having been extremely receptive to abortion rights—to decide. "In 1967, there was an outbreak of legislative activity to liberalize abortion law. Reform bills were introduced in 28 states, including California, Colorado, Delaware, Florida, Georgia, Maryland, Oklahoma, New Jersey, New York, North Carolina, and Pennsylvania." By the early 1970's benign neglect was firmly entrenched: "Despite his personal anti-abortion beliefs, President Nixon did not take active steps to limit abortion. While his opponent in the 1972 presidential election, Senator George McGovern, was dubbed by some Republicans the 'triple A' candidate (Abortion, Acid, Amnesty), where it mattered the Nixon administration was silent."

After celebrating their victory in *Roe*, women's and abortion rights activists failed to protect their flanks in Congress, where anti-abortion legislation was starting to breed. They also lost sight of their goals at the community level, where the pro-life movement was in its fetal stage.