

# PERIODICALS

*Reviews of articles from periodicals and specialized journals here and abroad*

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## POLITICS & GOVERNMENT

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### *Helping the Aged*

"The Graying of Civil Rights Law" by Peter H. Schuck, in *The Public Interest* (Summer 1980), Box 542, Old Chelsea, New York, N.Y. 10011.

Inspired by a decade of civil rights legislation and mindful of the votes of the elderly, Congress hastily passed the Age Discrimination Act (ADA) of 1975. But the act's ambiguities are bound to sow administrative confusion and create social conflict, writes Schuck, a Yale Law School professor.

The ADA explicitly bars discrimination against *any* age group (not just the elderly) in all federally assisted activities—just as its predecessors prohibit racial and sexual discrimination. Yet it goes on to exempt certain programs aimed at helping specific age groups (such as tax relief for the elderly). In addition, the ADA grants federal agencies great leeway in implementing and enforcing its provisions.

Schuck believes that, despite the rhetoric of the measure's supporters, "ageism" is not analogous to racism. Age is, statistically, a valid measure of intellectual, physical, and emotional maturity. It can reliably gauge readiness to assume civic responsibilities (e.g., voting), propensity toward illness, and future employability.

Much alleged government ageism results from "reasonable" discrimination. Comprehensive Employment Training Administration (CETA) job programs, for example, focus on youths because of their longer remaining work life. Community Health Centers concentrate on preventive care for children. If federal spending does not increase, predicts Schuck, a flurry of lawsuits will soon challenge these programs for age discrimination. Program effectiveness may decline as bureaucrats shuffle funds to meet broad entitlements, not high-priority needs.

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Schuck calls the ADA's passage an artful dodge by Congress. The legislators could have appropriated funds to upgrade inadequate programs for the elderly. Instead, they supported a broadly written law that they knew would redistribute government money covertly and therefore not antagonize other disadvantaged groups.

*Herbert Hoover  
as Promoter*

"The 'Great Engineer' as Administrator: Herbert Hoover and Modern Bureaucracy" by Peri E. Arnold, in *The Review of Politics* (July 1980), Box B, Notre Dame, Ind. 46556.

Most history books describe Herbert Hoover (1874–1964) as "The Great Engineer," a simple technocrat less interested in formulating policies than in perfecting the means to carry them out. But Arnold, a Notre Dame political scientist, contends that the seven-and-one-half years Hoover spent as Secretary of Commerce before he became the 31st President stamp him as a highly "political" bureaucrat.

Hoover, trained as an engineer, won fame as an administrator after World War I as head of U.S. relief efforts in Europe. When he became Secretary of Commerce in 1921, the Department was a sleepy Washington backwater. Created 18 years earlier to give business and labor groups Cabinet-level representation, the department was a hodgepodge of organizations—among them, the Lighthouse Board and the Census Bureau—pulled from other Cabinet agencies. The department's promotional responsibilities put it out of step with the trustbusting and regulatory policies of Presidents Theodore Roosevelt and Woodrow Wilson. Yet Hoover accepted President-elect Warren Harding's invita-

Cartoonist "Ding"  
Darling saw Herbert  
Hoover's 1928 presi-  
dential victory as a  
"Fine opportunity for a  
modern engineer if  
they'll let him work."



Courtesy of the J. N. Darling (Ding) Foundation, Inc.