

THE PRESS & DAKOTAN

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On The Web



OPINION | WE SAY

THUMBS UP to the introduction of the Mount Marty College webcast for athletic contests and other events. The webcast has already received a positive response from those who are unable to attend those events, particularly those who live at a distance from Yankton, such as family and friends. With MMC's introduction of its service, webcasting of games is now offered by all schools in the Great Plains Athletic Conference (GPAC). It's a great marketing tool and brings MMC events to a much larger audience.

Holiday Sound



THUMBS UP to the wonderful "Holiday Jam with the Hegg Brothers," held Sunday at Yankton's Dakota Theatre. The concert, sponsored by Historic Downtown Yankton, provided a great addition to Yankton's already-solid holiday season of music. Featuring members formerly of the beloved, retired "Acoustic Christmas" programs, Sunday's show drew a packed house to the Dakota. In a way, it was long overdue, been around for five years and this was its debut performance in Yankton. Hopefully, it won't be the last.

Peter The Great



A THUMBS DOWN must go out to the passing of the incomparable Peter O'Toole, who passed away last weekend at age 81. He was an immense personality with an unmistakable voice and a simmering air of ferocity that made him compelling, unpredictable and entertaining to the last. He will always be best known for his star-making role in "Lawrence of Arabia," but there were dozens of other films throughout his career that were energized by his presence, whether it was the regal dramas such as "The Lion in Winter" and "Beckett" or even the animated Pixar film "Ratatouille," in which he lent his instantly recognizable voice to the character of a powerful food critic. The broad comedy "My Favorite Year" was one of his best roles — one of many in which he received one of his eight Oscar nominations — wherein he played a drunken movie start coping with the new terror of live television. His defiant bellow, "I'm not an actor, I'm a movie star!" is still one of the funniest moments of O'Toole's career, which will forever be enjoyed while the man himself will be sadly missed.

Into The Hall



THUMBS UP to the fascinating, era- and genre-spanning list of new inductees into the Rock and Roll Hall of Fame, announced this week. The 2014 list pays ample homage to the 1970s and 1980s, with an overdue nod to KISS, as well as to soulful crooners Hall and Oates, folk star Yusuf Islam (Cat Stevens) and country rock/pop staple Linda Ronstadt. It delves into prog rock by rewarding Peter Gabriel with his second HOF ticket (he previously made it with Genesis). Most intriguingly, it begins to touch the grunge explosion of the early 1990s with a no-brainer selection of Nirvana, arguably the brightest (if not the most successful) star of that movement. Also being recognized with special awards are late Beatles manager Brian Epstein, former Rolling Stones manager Andrew Loog Oldham, and Bruce Springsteen's backup outfit, the E Street Band. If nothing else, this guarantees a night of great music at the induction ceremony next April in Brooklyn.

ONLINE OPINION

The results of the most recent Internet poll on the Press & Dakotan's Web site are as follows:

LATEST RESULTS:

Do you support the legalization of gay marriage in your state?
No 59%
Yes 39%
Not sure 2%
TOTAL VOTES CAST 357

The Press & Dakotan Internet poll is not a scientific survey and reflects the opinions only of those who choose to participate. The results should not be construed as an accurate representation or scientific measurement of public opinion.

CURRENT QUESTION:

Do you think Leslie Frazier will be back to coach the Minnesota Vikings in 2014?
To vote in the Press & Dakotan's Internet poll, log on to our website at www.yankton.net.

ON THIS DATE

By The Associated Press

Today is Friday, Dec. 20, the 354th day of 2013. There are 11 days left in the year.

Today's Highlight in History: On Dec. 20, 1803, the Louisiana Purchase was completed as ownership of the territory was formally transferred from France to the United States.

On this date: In 1790, the first successful cotton mill in the United States began operating at Pawtucket, R.I.

In 1812, German authors Jacob and Wilhelm Grimm published the first volume of the first edition of their collection of folk stories, "Children's and Household Tales."

In 1860, South Carolina became the first state to secede from the Union as all 169 delegates to a special convention in Charleston voted in favor of separation.

In 1864, Confederate forces evacuated Savannah, Ga., as Union Gen. William T. Sherman continued his "March to the Sea."

In 1912, the play "Peg O' My Heart," a "comedy of youth" by John Hartley Manners starring his wife, actress Laurette Taylor, opened on Broadway.

In 1945, the Office of Price Administration announced the end of tire rationing, effective Jan. 1, 1946.

In 1963, the Berlin Wall was opened for the first time to West Berliners, who were allowed one-day visits to relatives in the Eastern sector for the holidays.

In 1973, singer-songwriter Bobby Darin died in Los Angeles following open-heart surgery; he was 37.

In 1987, more than 4,300 people were killed when the *Dona Paz*, a Philippine passenger ship, collided with the tanker *Vector* off Mindoro island.

In 1989, the United States launched Operation Just Cause, sending troops into Panama to topple the government of Gen. Manuel Noriega.

In 1998, Nkem Chukwu gave birth in Houston to five girls and two boys, 12 days after giving birth to another child, a girl. (However, the tiniest of the octuplets died a week later.)

In 1999, the Vermont Supreme Court ruled that homosexual couples were entitled to the same benefits and protections as wedded couples of the opposite sex.

Ten years ago: Spain's prime min-

ister, Jose Maria Aznar, paid a surprise visit to Spanish soldiers in Iraq. Friends and relatives of Michael Jackson descended on his Neverland Ranch to show their support for the entertainer as he fought child molestation charges (Jackson was later acquitted).

Five years ago: A Continental Airlines Boeing 737-500 taking off from Denver veered off the runway into a ravine, injuring 37 people. Olga Lepeshinskaya, the Bolshoi Ballet's prima ballerina for three decades during Soviet times, died in Moscow at age 92. Movie director Robert Mulligan ("To Kill a Mockingbird") died in Lyme, Conn. at age 83.

One year ago: The State Department acknowledged major weaknesses in security and errors in judgment exposed in a scathing independent report on the deadly Sept. 11, 2012 assault on a U.S. diplomatic mission in Libya. The National Hockey League announced the cancellation of the 2012-13 regular-season schedule through Jan. 14. Michael Phelps was named The Associated Press male athlete of the year. In a series of posts to her Twitter account, three-time Olympic runner Suzy Favor Hamilton acknowledged working as an escort following a report on The Smoking Gun website about her double life.

Today's Birthdays: Actress Audrey Totter is 96. Actor John Hillerman is 81. Original Mouseketeer Tommy Cole (TV: "The Mickey Mouse Club") is 72. Rock musician-music producer Bobby Colomby is 69. Rock musician Peter Criss is 68. Psychic/illusionist Uri Geller is 67. Producer Dick Wolf ("Law & Order") is 67. Rock musician Alan Parsons is 65. Actress Jenny Agutter is 61. Actor Michael Badalucco is 59. Actress Blanche Baker is 57. Rock singer Billy Bragg is 56. Rock singer-musician Mike Watt (The Secondmen, Minutemen, FIREHOSE) is 56. Actor Joel Gretsch is 50. Country singer Kris Tyler is 49. Rock singer Chris Robinson is 47. Actress Nicole deBoer is 43. Movie director Todd Phillips is 43. Actor David Cook ("American Idol") is 31. Actor Jonah Hill is 30. Singer JoJo is 23.

Thought for Today: "Friendship is unnecessary, like philosophy, like art. ... It has no survival value; rather it is one of those things that give value to survival." — C.S. Lewis, British author (1898-1963).

FROM THE BIBLE

But I trust in You, O LORD; I say, "You are my God." My times are in Your hand; rescue me! Psalm 31:14-15. Portals of Prayer, Concordia Publishing House, St. Louis



A Penguin Christmas?

BY KATHLEEN PARKER
© 2013, Washington Post Writers Group

WASHINGTON — *When, what to my wondering eyes should appear, but a miniature sleigh, and eight tiny reindeer.*

And a penguin?
In case you missed the most pressing issue of the season — Santa's race — Fox News' Megyn Kelly reaped a whirlwind when she recently declared that not only is Santa white but so was Jesus.

"Santa is what he is," she said. "Just because it makes you feel uncomfortable doesn't mean it has to change. You know, I mean, Jesus was a white man, too."

Kelly was directing her verdict to Slate blogger Aisha Harris, who wrote that Santa should be a penguin instead of a "fat white guy." Harris recounted growing up with two Santas, one black and one white, but felt ashamed that her Santa was overshadowed by the more broadly accepted, default white Santa.

Not surprisingly, Kelly's commentary earned her ridicule, mockery and a full-scale national debate (at least on cable TV, where time must be filled) and absurd charges of racism. Where is Chris Crockier when you need him: "Leave Megyn alone! She's a human!"

Had Kelly ignored the article, we might not be engaged in this consequential conversation. No one but Kelly even mentioned Jesus. Instead, she has learned the lesson once articulated by P.J. O'Rourke: "Just as some things are too strange for fiction, others are too true for journalism." Obviously, Santa has always been white — at least in white households. And Jesus has to be white. Haven't you seen all those stained-glass windows?

Except, seriously, he probably wasn't. A Jew living in the Middle East 2,000 years ago — pre-sunscreen, not to mention at least 40 days wandering in the desert — Jesus probably wasn't the light-skinned, brown-haired, sometimes blue-eyed lad most Americans of a certain age thought they knew.

As a child I often wondered how black people felt about Jesus and, therefore, God being white. There was a lovely little African-American church on the corner of Gervais and Millwood in Columbia, S.C., where I visited family during the summer, that featured the familiar image of Jesus kneeling in Gethsemane. He was beautiful in a Brad Pitt Legends-of-the-Fall kind of way so I had a little crush. But I never passed that church without also think-



Kathleen PARKER

ing about the worshipers inside. Didn't they want a Jesus who looked like them?

And, by extrapolation, a Santa? Well, yes, it turns out that many did and do, including Harris.

This story would have no flippers if it didn't hint at a larger issue that isn't really about race. The skin color of magical elves who fly around in reindeer-drawn sleighs is a far easier conversation than the broader iconoclasm that is really at the root of what Kelly perhaps intuited but failed to convey. But then cable TV, tethered as it is to hits, blips and buzz, doesn't often lend itself to deep reflection.

It should be no surprise that, as demographics shift, so do cultural icons. It is also understandable that such challenges would be unsettling to many, but there are more sophisticated ways of discussing them without resorting to "The War on (fill in the blank)."

Among other reasons, war demands victory rather than understanding.

At first glance, Santa, the most innocent of icons, seems a gratuitous target for revision. Looking closer, however, diversifying Santa in a nation that elected a black president seems appropriate. When you make up stuff, you can make it up again.

Besides, very young children are oblivious to race. Assuming no racial animus at home, most children would as eagerly climb on the lap of a jolly black Santa as a white one (or any other race/ethnicity). They only want the thrill of the gift and the reassurance (note to New York's brawling Santas) that all is right with the world.

This is the true gift of Santa. He is a gentle grandfather — a benevolent figure to whom all impossibilities can be presented and conquered. As such, he is a human gesture of kindness to children whose innocence will be ravaged soon enough.

Myths transcend race and serve purposes beyond the material. They elevate our spirits, impart hope, and convey values: *It is better to give than to receive.* Such lessons are more pleasantly absorbed when visions of sugar plums are dancing in our heads.

Which is probably what Kelly meant to say, and might have added: Just because something makes you comfortable doesn't mean you shouldn't change it.

Kathleen Parker's email address is kathleen-parker@washpost.com.

Kelly Hertz

A Judge Of Many Roles

BY KELLY HERTZ

kelly.hertz@yankton.net

To many people, Judge E.W. Hertz was a man of justice. He was a scholarly, thoughtful jurist who for years presided over the tying up of legal loose ends and criminal mysteries. He earned the deepest respect of his peers, who remember him for his reverence of the scriptures of law.

But I knew Ernest Hertz as many other things. First and foremost on this dark winter's eve, I knew him as the last remaining uncle — the last of 10 kids in his family; for me, the last of the line.

Thus, his passing in Menno last weekend at age 91 hits me as more than just a painful loss. It creates an aching vacuum.

Most people did indeed know him as a judge, a fact I used to encounter all the time. I cannot tell you how many times people asked me, "Is your father the pitcher or the judge?" When I noted the former, they talked about seeing my dad play baseball back in days that, at best, I could scarcely remember. Many of them then added that Ernie was a terrific judge.

In a way, he scared the daylight out of me. Family legend has it that, as the next generation of us was growing up, my uncle instructed local law enforcement that, if any of us ever got into trouble, they were to throw the book at us. He was not going to tolerate anybody thinking that his kin were somehow getting special treatment due to his influence. True or not, I took this prospect to heart.

The one time I did have a legal issue — I was ticketed for running a stop sign, which I didn't do — I went to my uncle for advice. I asked him, "What can I do?" — not "What can you do for me?" On his suggestion, I talked to the sheriff and, after explaining at length what happened and after some further inquiry, the charge was dropped. Ernie had nothing to do with that, other than to show me a path forward and encourage me.

This was so typical. In our family, he was a marvelous source for sage patriarchal guidance.

I did see him in court once, during the penalty phase of the first Donald Moeller murder trial, held in Yankton in 1992. This was a momentous and emotional matter; I could feel the nervous weight of it in that courtroom the day I was there. Ernie, the presiding judge, was direct and dispassionate as he explained to the jury members what they could and couldn't consider in weighing the death penalty. I was told that, at one point, the jurors sent a message to Ernie asking if they could have a Bible to consult. My uncle — a devout Lutheran who considered going into the ministry before

turning to law (I was told that, as a kid, he used to go to the family outhouse to practice preaching to make-believe congregations), and who often delivered guest sermons at church — refused the request. A sentence of death was final returned.

(A quick aside: That sentence was handed down late one morning, and later that day, I made a trip to Sioux Falls. In a store, I overheard a couple of clerks talk about the death penalty decision, and one of them scoffed, "Don't ever get arrested in Yankton!" The aggravating ridiculousness of that comment, tied to a case involving the rape and murder of a 9-year-old girl in *Sioux Falls*, nearly compelled me to have a second brush with the law. OK, I have that out of my system. Let's move on.)

Some years later, after the verdict in Moeller's Yankton trial was overturned and he was subsequently convicted in a second trial, I talked to Ernie about the case. He predicted that, with myriad appeals, it might take decades before Moeller ever met his fate.

This may sound cold-hearted in this warm-hearted Yuletide season, but I was glad in some ways that my uncle lived to see Moeller die for his crimes that he finally confessed to just months before he was executed. I like to think this gave Ernie a small sense of closure in what was one of the biggest cases of his distinguished career. He was, after all, a man whose life was devoted to tying up loose ends.

Ernie was much more than a judge and my uncle. I also knew him as quite a fisherman. He was a baseball player, just like everyone else in that family — in fact, they literally had their own team back in the day. Ernie also played some basketball at Yankton College when the Greyhounds went to a national tournament. He was a veteran, too, serving in the Coast Guard during World War II. He was on board a ship off the coast of Normandy in 1944 witnessing the D-Day invasion unfold. I read the other day about the confidence he had in the allied mission, but I often wondered if he truly understood at that moment in his young life that he was seeing the fate of the 20th century being decided across those violent beaches in the distance. Of course, I can't ask him that question now.

That's just a random loose end I have with a noble soul who was many things and touched many lives, including my own. As such, he will be missed in so very many ways.

You can follow Kelly Hertz on Twitter at twitter.com/kelly_hertz/. Discuss this story at www.yankton.net/.

YOUR LETTERS

'Heartfelt Appreciation'

Rita Stange, Yankton

I would like to thank everyone that involved in, contributed and showed support for me at my fundraiser. I would especially like to thank Kati Stange, Jessie Jensen and

Janelle Tacke for all their hard work. I am humbled by my family and friends show of concern, caring and support in so many different ways. Words cannot express my heartfelt appreciation.

May God bless each and every one of you.