

The Press & Dakotan

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OPINION

Gay Marriage And A Changing World

If you were shocked by the decision of a federal judge that declared South Dakota's same-sex marriage ban unconstitutional, you haven't been paying attention. If you see the decision as just a fleeting setback until the nation is shepherded back to the way it was — to an age when same-sex couples were unseen and forbidden by law to have access to some of the same rights and privileges the rest of us do — then you'd better wake up.

The world is changing. On Monday, a little piece of that world called South Dakota changed when U.S. District Court Judge Karen E. Schreier struck down the state's same-sex marriage ban, approved by voters and set into the state's constitutional stone, and declared that such couples "have a fundamental right to marry." In her 28-page decision, Schreier wrote: "South Dakota law deprives them of that right solely because they are same-sex couples and (does so) without sufficient justification."

Monday's decision is not an outlier, for it joins a tidal wave of similar rulings across the nation, largely set off by a 2013 U.S. Supreme Court decision that overturned the 1996 federal ban on same-sex marriages. Thirty-six states now allow, or have been ordered to allow, such marriages.

However, South Dakota's status is on hold pending an appeal, which the state has already announced it will file. The appeal would go to the U.S. Court of Appeals for the Eighth Circuit, a region in which five of the seven states now have legalized — or are in the process of legalizing — same-sex marriages.

Perhaps South Dakota will win its appeal. Perhaps it won't. Perhaps the issue will finally be decided by the U.S. Supreme Court, which seems to be the place toward which this matter is inexorably headed. Perhaps it will happen this year, or next year or the next ... But it will happen.

In the broader scheme of things, there is no going back. There is no stripping away of a basic right from people once they have finally achieved it. There can be no place in our constitutional logic for equality with exceptions.

One case cited in Monday's opinion was a 1967 Supreme Court decision that ruled that outlawing interracial marriage was illegal. There's possibly a fitting historical connection in that, for one suspects that future generations will look back on the rationale for both issues and draw similar conclusions. Some say this is a moral issue — and that's quite true. The thing is, is it moral to use the law to declare that some people are unequal and undeserving of a fundamental right because they are different from the majority? That they are second class? That they are less?

Indeed, some argue that the will of the majority should reign, which is a compelling point in our democratic ideology. However, the plaintiffs in the case note their desire to protect same-sex couples from the "tyranny of the majority," which is in fact also an underlying principle of our liberties. It's a driving spirit behind our freedom of speech and freedom of worship, among other vital rights we enjoy. Then again, recent public opinion polls show that, for the first time ever, a majority of Americans support the legalization of same-sex marriage. This represents a dramatic evolution of the public will that was unimaginable not so very long ago. (Interestingly, after the decision was announced Monday, our newsroom email account received no press releases from groups or individuals denouncing the ruling. That's unheard of in politically charged issues such as this.)

Some of this change may well be a generational influence: Younger people are typically much more willing to embrace this fact of life than older generations, and that only further reinforces the direction in which this issue is headed.

That's why the tide is irreversible and the time is coming. For the moment, the time is nearly here in South Dakota, which seems to have taken its place in the 21st century.

kmh

ABOUT THIS PAGE

The View page provides a forum for open discussion of issues and interests affecting our readers. Initialed editorials represent the opinion of the writer, but not necessarily that of the PRESS & DAKOTAN. Bylined columns represent the view of the author. We welcome letters on current topics. Questions regarding the Views page should be directed to Kelly Hertz at kelly.hertz@yankton.net/.

IN HISTORY

By The Associated Press

Today is Wednesday, Jan. 14, the 14th day of 2015. There are 351 days left in the year.

Today's Highlight in History: On Jan. 14, 1784, the United States ratified the Treaty of Paris ending the Revolutionary War; Britain followed suit in April 1784.

On this date: In 1814, the Treaty of Kiel ended hostilities between Denmark and Sweden, with Denmark agreeing to cede Norway to Sweden, something Norway refused to accept.

In 1900, Puccini's opera "Tosca" had its world premiere in Rome.

In 1914, Ford Motor Co. greatly improved its assembly-line operation by employing an endless chain to pull each chassis along at its Highland Park plant.

In 1943, President Franklin D. Roosevelt, British Prime Minister Winston Churchill and French General Charles de Gaulle opened a wartime conference in Casablanca.

In 1952, NBC's "Today" show premiered, with Dave Garroway as the host, or "communicator."

In 1954, Marilyn Monroe and Joe DiMaggio were married at San Francisco City Hall. (The marriage lasted about nine months.)

In 1963, George C. Wallace was sworn in as governor of Alabama with the pledge, "Segregation forever!" — a view Wallace later repudiated. Sylvia Plath's novel "The Bell Jar" was published in London under the pen name "Victoria Lucas," less than a month before Plath committed suicide.

In 1965, singer-actress Jeanette MacDonald, 61, died in Houston.

In 1969, 27 people aboard the aircraft carrier USS Enterprise, off Hawaii, were killed when a rocket warhead exploded, setting off a fire and additional explosions.

In 1975, the House Internal Security Committee (formerly the House Un-American Activities Committee) was disbanded.

In 1989, President Ronald Reagan delivered his 331st and final weekly White House radio address, telling listeners, "Believe me, Saturdays will never seem the same. I'll miss you."

In 1994, President Bill Clinton and Russian President Boris Yeltsin signed an accord to stop aiming missiles at any nation; the leaders joined Ukrainian President Leonid Kravchuk in signing an accord to dismantle the nuclear arsenal of Ukraine.

Ten years ago: Army Spc. Charles Graner Jr., the reputed ringleader of a band of rogue guards at the Abu Ghraib prison, was convicted at Fort Hood, Texas, of abusing Iraqi detainees. (Graner was sentenced the next day to 10 years in prison; he was released from prison in Aug. 2011 after serving more than 6 1/2 years.) The European Huygens space probe sent back the first detailed pictures of the frozen surface of Saturn's moon, Titan. Mystery writer Charlotte MacLeod died in Lewiston, Maine, at age 82.

Five years ago: President Barack Obama and the U.S. moved to take charge in earthquake-ravaged Haiti, dispatching thousands of troops along with tons of aid. Iraq's electoral commission barred 500 candidates from running in March 2010 parliamentary elections, including a prominent Sunni lawmaker, deepening sectarian divides.

One year ago: Sporadic violence flared across much of Egypt as a two-day referendum on a new constitution began. A federal judge struck down Oklahoma's gay marriage ban, then set aside his order while state and local officials completed an appeal. (Oklahoma was among five states whose bans on same-sex marriage were ultimately overturned.)

Today's Birthdays: Blues singer Clarence Carter is 79. Singer Jack Jones is 77. Singer-songwriter Allen Toussaint is 77. Former NAACP Chairman Julian Bond is 75. Actress Faye Dunaway is 74. Actress Holland Taylor is 72. Actor Carl Weathers is 67. Singer-producer T-Bone Burnett is 67. Movie writer-director Lawrence Kasdan is 66. Pulitzer Prize-winning columnist Maureen Dowd is 63. Rock singer Geoff Tate (Queensryche) is 56. Movie writer-director Steven Soderbergh is 52. Actor Mark Addy is 51. Fox News Channel anchorman Shepard Smith is 51. Rapper Slick Rick is 50. Actor Dan Sniegor is 49. Actress Emily Watson is 48. Actor-comedian Tom Rhodes is 48. Rock musician Zakk Wylde (Ozzy Osbourne Band) is 48. Rapper-actor LL Cool J is 47. Actor Jason Bateman is 46. Rock singer-musician Dave Grohl (Foo Fighters) is 46. Actor Kevin Durand is 41. Actress Jordan Ladd is 40. Retro-soul singer-songwriter Marc Broussard is 33. Rock singer-musician Caleb Followill (Kings of Leon) is 33. Actor Zach Gilford is 33. Rock musician Joe Guese (The Click Five) is 32. Actor Jonathan Osser is 26.

Thought for Today: "Dignity is like a perfume; those who use it are scarcely conscious of it." — Queen Christina of Sweden (1626-1689).

FROM THE BIBLE

He Himself bore our sins in His body on the tree. 1 Peter 2:24. Portals of Prayer, Concordia Publishing House, St. Louis.



In A Rut: Why Wages Won't Rise

BY ROBERT B. REICH Tribune Content Agency

Jobs are coming back, but pay isn't. The median wage is still lower than it was before the Great Recession when you adjust for inflation. And wages show no sign of turning up.

It used to be that as unemployment dropped, employers had to pay more to attract or keep the workers they needed. That's what happened when I was labor secretary in the late 1990s.

It still could happen — though the unemployment rate would have to sink far lower than it is today, probably below 4 percent.

But there's reason to believe the link between falling unemployment and rising wages has been severed.

For one thing, it's easier than ever for American employers to get the workers they need at low cost by outsourcing jobs abroad rather than hiking wages at home. Outsourcing can now be done at the click of a computer keyboard.

Besides, many workers in developing nations now have access to both the education and the advanced technologies they need to be as productive as American workers. So, CEOs ask, why pay more?

Meanwhile, here at home, a whole new generation of smart technologies is taking over jobs that used to be done only by people. Rather than pay higher wages, it's cheaper for employers to install more robots.

Not even professional work is safe. The combination of advanced sensors, voice recognition, artificial intelligence, big data, text mining and pattern-recognition algorithms is even generating smart robots capable of quickly learning human actions.

Moreover, millions of Americans who dropped out of the labor market in the Great Recession are still jobless. They're not even counted as unemployed because they've stopped looking for work. But they haven't disappeared entirely. Employers know they can fill whatever job openings emerge with this "reserve army" of the hidden unemployed — again, without raising wages.

Add to this the fact that today's workers are less economically secure than workers have been at any time since World War II. Nearly one out of every five is in a part-time job. Insecure workers don't demand higher wages when unemployment drops. They're grateful simply to have a job.

To make things worse, a majority of Americans have no savings to draw upon if they lose their job. Two-thirds of all workers are living paycheck to paycheck. They won't risk losing a job by asking for higher pay.

Insecurity is now baked into every aspect of the employment relationship. Workers can be fired for any reason, or no reason. And



Robert B. REICH

benefits are disappearing. The portion of workers with any pension connected to their job has fallen from over half in 1979 to under 35 percent today.

Workers used to be represented by trade unions that utilized tight labor markets to bargain for higher pay. In the 1950s, more than a third of all private-sector workers belonged to a union. Today, though, fewer than 7 percent of private-sector workers are unionized.

None of these changes has been accidental. The growing use of outsourcing abroad and of labor-replacing technologies, the large reserve of hidden unemployed, the mounting economic insecurities and the demise of labor unions have been actively pursued by corporations and encouraged by Wall Street. Payrolls are the single biggest cost of business. Lower payrolls mean higher profits.

The results have been touted as "efficient" because, at least in theory, they've allowed workers to be shifted to "higher and better uses." But most haven't been shifted. Instead, they've been shafted.

The human costs of this "efficiency" have been substantial. Ordinary workers have lost jobs and wages, and many communities have been abandoned.

Nor have the efficiency benefits been widely shared. As corporations have steadily weakened their workers' bargaining power, the link between productivity and workers' income has been severed.

Since 1979, the nation's productivity has risen 65 percent, but workers' median compensation has increased by just 8 percent. Almost all the gains from growth have gone to the top.

This is not a winning corporate strategy over the long term because higher returns ultimately depend on more sales, which requires a large and growing middle class with enough purchasing power to buy what can be produced.

But from the limited viewpoint of the CEO of a large firm, or of an investment banker or fund manager on Wall Street, it's worked out just fine — so far.

Low unemployment won't lead to higher pay for most Americans because the key strategy of the nation's large corporations and financial sector has been to prevent wages from rising.

And, if you hadn't noticed, the big corporations and Wall Street are calling the shots.

Robert Reich is Chancellor's Professor of Public Policy at the University of California at Berkeley and Senior Fellow at the Blum Center for Developing Economies. His new film, "Inequality for All," is now out on iTunes, DVD and On Demand.

LETTERS TO THE EDITOR

A Parking Concern

Joe and Sylvia Gatzfeld, Yankton We are wondering if any other people in our fair city of Yankton have a problem with people parking their vehicles directly in front of their sidewalk out to the street.

When they are parking like that, if ever we need an ambulance, it would be very difficult for them to get to our house; for the paper

person to deliver the P&D; for the mail person to deliver our mail and for any other person trying to come to our front door without walking around the vehicle that is parked directly in front of our sidewalk.

If there is a problem in other areas of our city, maybe we should have some ordinance in place forbidding that sort of parking.

Asking them not to park there doesn't help. What happened to common courtesy?

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