

March 23, 2014

Watching how Putin's Russia gets things done, [David Harsanyi](#) reminds us why gridlock is good.

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In general, I'm not comparing the ambitions of Barack Obama and Putin. But Russian politics offers us another lesson on why gridlock is more useful than destructive. The Founders erected an elaborate system of checks and balances to impede the flood of power, bad ideas, and passions, the exigency of overcoming “gridlock”—the “fierce urgency” to get things done, as Obama might put it, seems trumps all other concerns here at home. Polarization in Washington is an organic safeguard against one party's ability to fundamentally changing the institutions of the country, yet we're schooled to be repelled by it. In a 2013 [Gallup poll](#) 78 percent of Americans disapprove of the way Congress was handling its job. The top concern offered was partisan gridlock. Other polls find that upwards of 95 percent have negative view of the GOP congress – who they blame for creating gridlock when, in fact, a diverse electorate is the guilty party.

Putin's reprehensible play in Crimea exposes some of the problems with our knee-jerk support for majoritarianism, both internationally and domestically. ...

While on the subject of governments without checks on their power, [John Fund](#) wrote a piece on hate crime laws.

Forty-five states and the District of Columbia provide additional penalties for crimes that they classify as “hate crimes,” over and above what would have been available if the same crime been committed with a different motivation. In 2009, President Obama signed into law a federal hate-crimes statute that adds a third level of criminalization for violent crimes that occur “because of” the victim's “actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation.”

Actual hatred is not required. It is enough that there is a causal connection between the crime and one of these grounds.

Like all federal criminal statutes, this one gives federal authorities the power to prosecute a defendant who has already been prosecuted by state authorities. They can even prosecute a defendant who has been acquitted. Double-jeopardy protections do not apply.

But can such far-reaching federal authority to try a defendant twice be justified under the Constitution, especially given how emotionally charged these prosecutions often are? In the absence of evidence that states are “falling down on the job,” shouldn't such prosecutions be state-controlled? On Friday, the Supreme Court will decide if it will hear a case directly challenging part of the federal government's claim of authority in this area. ...

According to Glenn Reynolds more government abuse comes from "prosecutorial discretion."

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Such crimes can be manufactured from violations of obscure federal regulations that can turn pocketing a feather or taking home a rusted bit of metal from a wilderness area into a crime. In other cases, issues almost always dealt with in civil court, disagreements over taxes for instance, can be turned into a criminal case.

The combination of vague and pervasive criminal laws — the federal government literally doesn't know how many federal criminal laws there are — and prosecutorial discretion, plus easy overcharging and coercive plea-bargaining, means that where criminal law is concerned we don't really have a judicial system as most people imagine it. Instead, we have a criminal justice bureaucracy that assesses guilt and imposes penalties with only modest supervision from the judiciary, and with very little actual accountability. (When a South Carolina judge suggested earlier this year that prosecutors should follow the law, prosecutors revolted.) ...

Joel Kotkin calls for a re-appraisal of our system of education.

... As for the effectiveness of college, a recent Rutgers University report found that barely half of college graduates since 2006 had full-time jobs. And it's not getting better: Those graduating since 2009 are three times more likely to not have found a full-time job than those from the classes of 2006-08. Since 1967, notes one 2010 study, the percentage of underemployed college graduates has soared from roughly 10 percent to more than 35 percent.

What we need to do is rethink the notion, supported by President Obama and others, that the solution to our education woes primarily is "more." More what? What are the job prospects for the new crop of ethnic-studies majors, post-modern English graduates and art historians, for example, particularly those from second-tier institutions? These kind of liberal-arts degrees are, as the New York Times recently reported, that tend to earn graduates the least, while those degrees that pay the most are largely offered by schools aimed at technology, mining and other "hard skills."

First, we need to understand that educational differences and capabilities exist and cannot be easily adjusted simply by forever lowering standards. Our most competitive institutions need to make sure that people leave with the highest degree of critical skills. Grade inflation at Harvard may not produce unemployables, but it does weaken the value of the degree and, even worse, suggests that one can not expect too much knowledge, or reasoning capacity, from graduates. Indeed, many employers complain about the lack of "soft skills," such as communication and critical thinking, as much as they do about applicants' lack of harder skills such as math and science.

This suggests that even those of us who teach at more selective universities cannot just rest on laurels. Schools have to focus more on developing actual skills – notably in presentation and

research – even among the brightest students. Instead, all too often, as the Manhattan Institute's Heather McDonald has pointed out, political education – usually, but not always, tending toward the progressive left – actually predominates over learning how to think critically and express ideas coherently.

More important is the need to put greater effort in lifting students who may not be ideal for a classical liberal four-year education. This may include a greater emphasis on skills with practical applications, such as nursing, rehabilitation, technical and scientific areas of specialization. It also includes expanding innovative programs, such as at LaGuardia College in New York, that helps high school dropouts to get their diplomas. ...

Andy Malcolm has late night humor.

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Conan: Workers building the LA subway have discovered Ice Age fossils. The fossils belong to the last creature ever to use the Los Angeles subway.

Letterman: New scam in town. A ring of hardened criminals is selling counterfeit Chapstick. I knew right away it was counterfeit. The cap didn't come off in my pocket.

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The Federalist

Putin's Russia: Gridlock-Free And Getting Stuff Done

by David Harsanyi

There is no political obstructionism in the Russian Federation – a state of affairs that must make good-government types here in the United States envious.

Without gridlock, Russia is blessed with extraordinarily high levels of bipartisanship – scratch that, *transpartisanship*. And we're not talking about a few moderates jumping ship to create the illusion of compromise. Democratically elected leaders are *governing*. Things get done. And they get done quickly. On March 18, Russian President Vladimir Putin asked the parliament to pass a bill to incorporate Crimea and Sevastopol into Russia. On March 19, after the Foreign Minister moved the treaty and urged lawmakers for their support. It passed on a vote of 443 to 1. Ilya Ponomarev, the soon-to-be-former representative from Novosibirsk was the only crack in unity. I hope the guy stays safe.

By March 21st, Putin had his treaty signed and Crimea was Russia.

Without a strong minority voters are awash in self-determination. Without any true division of power, courts function under a weak and malleable constitution and crony plutocrats work closely with Moscow for the collective good. There is little economic uncertainty and lawmakers are able “accomplish” much without hassle. The Russian Constitution, for example, already guarantees a citizen the right to free healthcare and medical assistance provided by the state. Not us. 1918 called, it wants its debate back.

In general, I’m not comparing the ambitions of Barack Obama and Putin. But Russian politics offers us another lesson on why gridlock is more useful than destructive. The Founders erected an elaborate system of checks and balances to impede the flood of power, bad ideas, and passions, the exigency of overcoming “gridlock”—the “fierce urgency” to get things done, as Obama might put it, seems trumps all other concerns here at home. Polarization in Washington is an organic safeguard against one party’s ability to fundamentally changing the institutions of the country, yet we’re schooled to be repelled by it. In a 2013 [Gallup poll](#) 78 percent of Americans disapprove of the way Congress was handling its job. The top concern offered was partisan gridlock. Other polls find that upwards of 95 percent have negative view of the GOP congress – who they blame for creating gridlock when, in fact, a diverse electorate is the guilty party.

Putin’s reprehensible play in Crimea exposes some of the problems with our knee-jerk support for majoritarianism, both internationally and domestically. It should be noted that Crimean Prime Minister Sergei Aksyonov is leader of the “[Unity](#)” party. And today, he actually enjoys unity. Over 95 percent of the Crimean voters voted “yea” in the referendum to secede from Ukraine and rejoin Russia. From what I’ve gathered listening to Washington over the past 15 years, self-determination is a worthwhile enterprise. If 90 percent of voters demand action — say on gun control — it is, as the Democrats have often argued, unconscionable not to move forward. Why shouldn’t Crimean voters have their way? History didn’t begin yesterday, after all. How can you be a Wilsonian idealist one day, and decide that borders are forever static stationary the next? Peter Baker lays our shifting position in [the New York Times](#):

Consider the different American views of recent bids for independence.

Chechnya? No.

East Timor? Yes.

Abkhazia? No.

South Sudan? Yes.

Palestine? It’s complicated.

It is an acutely delicate subject in the West, where Britain wants to keep Scotland and Spain wants to keep Catalonia. The United States, after all, was born in revolution, breaking away from London without consent of the national government — something that the Obama administration insists Crimea must have.

If we support the “Palestinian people’s right to self-determination,” [as Obama](#), and other administrations, have argued, why not the ethnic Russians of Crimea? There’s a perfectly good reason to oppose both, of course. But there are things we should value more than self-determination and “democracy”? Yes – over there, and here at home.

National Review

Hate-Crime Laws and the Expansion of Federal Power

How does the Thirteenth Amendment justify making certain kinds of violence a federal crime?

by John Fund

Forty-five states and the District of Columbia provide additional penalties for crimes that they classify as “hate crimes,” over and above what would have been available if the same crime been committed with a different motivation. In 2009, President Obama signed into law a federal hate-crimes statute that adds a third level of criminalization for violent crimes that occur “because of” the victim’s “actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation.”

Actual hatred is not required. It is enough that there is a causal connection between the crime and one of these grounds.

Like all federal criminal statutes, this one gives federal authorities the power to prosecute a defendant who has already been prosecuted by state authorities. They can even prosecute a defendant who has been acquitted. Double-jeopardy protections do not apply.

But can such far-reaching federal authority to try a defendant twice be justified under the Constitution, especially given how emotionally charged these prosecutions often are? In the absence of evidence that states are “falling down on the job,” shouldn’t such prosecutions be state-controlled? On Friday, the Supreme Court will decide if it will hear a case directly challenging part of the federal government’s claim of authority in this area.

The Obama Justice Department has argued that the part of the 2009 Hate Crimes Prevention Act that governs race is constitutional under the 13th Amendment, which reads that: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

How is it that one can read the 13th Amendment to prohibit criminal activity, though racial in nature, if it has nothing to do with “slavery or involuntary servitude?” The Supreme Court ruled in the 1883 *Civil Rights Cases* that “Congress has a right to enact all necessary and proper laws for the obliteration and prevention of slavery with all its badges and incidents.”

For 85 years, that doctrine was used properly to fight against criminal laws at the state level that ensnared sharecroppers and agricultural laborers in a cycle of debt that sometimes forced them to remain on the plantations. This system of peonage roughly approximated many of the attributes of antebellum slavery. But starting with a 1968 housing-discrimination case, the Supreme Court began stretching the phrase “badges and incidents” beyond any tenuous connection to slavery. In *Griffin v. Breckenridge* (1971), for instance, the Court held that “the varieties of private conduct that [Congress] may make criminally punishable or civilly remediable extend far beyond the actual imposition of slavery or involuntary servitude. . . . Congress has the power under the Thirteenth Amendment rationally to determine what are the badges and the incidents of slavery.”

These subsequent decisions deviated from the *Civil Rights Cases*, which had explicitly rejected this extension. After noting that the 13th Amendment “has respect not to distinctions of race or class or color, but [only] to slavery,” the Court concluded that “it would be running the slavery

argument into the ground to make it apply to every act of [private] discrimination. . . . Mere discriminations on account of race or color were not regarded as badges of slavery.”

But at least these cases were interpreting statutes passed during the Reconstruction Era, when Congress plausibly was motivated by a desire to prevent slavery from returning. Not so with the Hate Crimes Prevention Act of 2009.

The facts of the crime involved in Friday’s challenge before the Supreme Court are brutal but highly instructive regarding just how much the federal government is stretching its authority. In 2010, William Hatch, a restaurant worker in Farmington, N.M., conspired with two of his co-workers to persuade a mentally disabled Navajo man (known in court records only as “V.K.”) to go to the apartment of one of the workers. The three white men then drew on the man’s back with markers. “They told him they would draw ‘feathers’ and ‘native pride’ but actually drew satanic and anti-homosexual images,” according to the charges filed in court “They then shaved a swastika-shaped patch into V.K.’s hair. Finally, they heated a wire hanger on the stove and used it to brand a swastika into V.K.’s arm.”

New Mexico prosecutors charged the men with kidnapping and aggravated battery, as well as conspiracy to commit both crimes.

While state prosecution was pending, the federal government charged the assailants with violating the portion of the 2009 Hate Crimes Prevention Act that makes it a felony to physically attack a person because of his race. In May 2011, Hatch was convicted in state court of conspiracy to commit aggravated battery, but otherwise acquitted.

That same month, Hatch moved in federal court to dismiss the federal indictment, calling the law unconstitutional and claiming that Congress “lacked the authority to criminalize purely intrastate conduct of this character.”

A federal judge nevertheless accepted the Justice Department’s argument that the Hate Crimes Prevention Act was authorized by the 13th Amendment, which abolished slavery. Hatch then pled guilty but reserved his right to appeal, which he did while serving 18 months on the state conviction concurrently with a 14-month sentence for the federal charge.

Last year, a three-judge panel of the Tenth Circuit Court of Appeals upheld his conviction. The Court expressed some doubt about the case law expanding federal authority under the 13th Amendment, but felt bound by it.

The problem with granting Congress such sweeping power under the 13th Amendment is the mischief it could encourage. Given the movement the Supreme Court has made to signal limits on Congress’s ability to legislate under the Commerce Clause, liberal legal scholars are embracing the 13th Amendment as a new catch-all justifying federal intervention in a host of areas. As Alison Somin and Gail Heriot of the U.S. Commission on Civil Rights note, scholarly articles argue that the section of the 13th Amendment used to justify the 2009 federal hate-crimes law can be used to authorize the following:

Hate-speech regulation; bans on housing discrimination based on sexual orientation; federal civil remedies for victims of domestic violence; bans on racial profiling; minimum-wage laws; federal regulation of the mail-order bride industry; bans on race-based jury peremptory challenges;

regulation of racial disparities in capital punishment; regulation of environmental problems in African-American communities; regulation of the use of the Confederate battle flag; federally funded job-training programs for the urban underclass; a federal ban on rape; bans on payday lending; and even changes to our nation's "malapportioned, undemocratic presidential election system" because of its "appeasement to southern slaveholding interests."

Predicting which of these sometimes fanciful proposals might become law in the future is impossible. But today's fanciful academic musings often become tomorrow's legislation, especially in the fevered atmosphere following a crisis or scandal. Before the New Deal, few would have predicted the massive growth of the Commerce Clause power that the federal government began using to regulate just about everything.

All politicians like broad grants of power, and they are likely to eventually use any such power in ways that could not have at first been imagined. The best way to prevent legislators from going beyond the limits of their constitutionally granted powers is for courts to pay close attention to the text and original meaning of the relevant constitutional provisions and vigorously enforce appropriate limits on such powers. That's why it's important that the Supreme Court takes up the Hatch case — not to get rid of all hate-crime laws, but to ensure that Congress does not overreach its powers.

USA Today

[Our criminal justice system has become a crime](#)

Prosecutors too often abuse unrestrained powers

by Glenn Harlan Reynolds

Here's how it's supposed to work: Upon evidence that a crime has been committed — Professor Plum, found dead in the conservatory with a lead pipe on the floor next to him, say — the police commence an investigation. When they have probable cause to believe that someone is guilty, the case is taken to a prosecutor, who (in the federal system, and many states) puts it before a grand jury. If the grand jury agrees that there's probable cause, it indicts. The case goes to trial, where a jury of 12 ordinary citizens hears the evidence. If they judge the accused guilty beyond a reasonable doubt, they convict. If they think the accused not guilty — or even simply believe that a conviction would be unjust — they acquit.

Here's how things all-too-often work today: Law enforcement decides that a person is suspicious (or, possibly, just a political enemy). Upon investigation into every aspect of his/her life, they find possible violations of the law, often involving obscure, technical statutes that no one really knows. They then file a "kitchen-sink" indictment involving dozens, or even hundreds of charges, which the grand jury rubber stamps. The accused then must choose between a plea bargain, or the risk of a trial in which a jury might convict on one or two felony counts simply on a "where there's smoke there must be fire" theory even if the evidence seems less than compelling.

This is why, in our current system, the vast majority of cases never go to trial, but end in plea bargains. And if being charged with a crime ultimately leads to a plea bargain, then it follows that the real action in the criminal justice system doesn't happen at trial, as it does in most legal TV shows, but way before, at the time when prosecutors decide to bring charges. Because usually, once charges are brought, the defendant will wind up doing time for *something*.

The problem is that, although there's lots of due process at trial — right to cross-examine, right to counsel, rules of evidence, and, of course, the jury itself, which the [Framers of our Constitution](#) thought the most important protection in criminal cases — there's basically no due process at the stage when prosecutors decide to bring charges. Prosecutors who are out to "get" people have a free hand; prosecutors who want to give favored groups or individuals a pass have a free hand, too.

When juries decide not to convict because doing so would be unjust, it's called "[jury nullification](#)," and although everyone admits that it's a power juries have, many disapprove of it. But when prosecutors decide not to bring charges, it's called "[prosecutorial discretion](#)," and it's subject to far less criticism, if it's even noticed. As for prosecutorial targeting of disfavored groups or individuals, the general attitude is "if you can't do the time, don't do the crime."

The problem with that attitude is that, with today's broad and vague criminal statutes at both the state and federal level, *everyone* is guilty of some sort of crime, a point that Harvey Silverglate underscores with the title of his recent book, [Three Felonies A Day: How The Feds Target The Innocent](#), that being the number of felonies that the average American, usually unknowingly, commits.

Such crimes can be manufactured from violations of obscure federal regulations that can turn pocketing a feather or taking home a rusted bit of metal from a wilderness area into a crime. In other cases, issues almost always dealt with in civil court, disagreements over taxes for instance, can be turned into a criminal case.

The combination of vague and pervasive criminal laws — the federal government literally [doesn't know](#) how many federal criminal laws there are — and prosecutorial discretion, plus easy overcharging and coercive plea-bargaining, means that where criminal law is concerned we don't really have a judicial system as most people imagine it. Instead, we have a criminal justice bureaucracy that assesses guilt and imposes penalties with only modest supervision from the judiciary, and with very little actual accountability. (When a South Carolina judge suggested earlier this year that prosecutors should follow the law, [prosecutors revolted](#).)

In a recent *Columbia Law Review* [essay](#), I suggest some remedies to this problem: First, prosecutors should have "skin in the game" — if someone's charged with 100 crimes but convicted of only one, the state should have to pay 99% of his legal fees. This would discourage overcharging. (So would judicial oversight, but we've seen little enough of that.) Second, plea-bargain offers should be disclosed at trial, so that judges and juries can understand just how serious the state really thinks the offense is. Empowering juries and grand juries (a standard joke is that any competent prosecutor can get a grand jury to indict a ham sandwich) would also provide more supervision. And finally, I think that prosecutors should be stripped of their absolute immunity to suit — an immunity created by judicial activism, not by statute — and should be subject to civil damages for [misconduct](#) such as withholding evidence.

If our criminal justice system is to be a true justice system, then due process must attach at all stages. Right now, prosecutors run riot. That needs to change.

Glenn Harlan Reynolds, a University of Tennessee law professor, is the author of [The New School: How the Information Age Will Save American Education from Itself](#).

Orange County Register

Good jobs often not matter of degrees

by Joel Kotkin

With liberal-arts degrees costing more and earning less, the education system needs to provide a more reliable pathway to middle-class jobs.

If there's anything both political parties agree upon, it's that our education system is a mess. It is particularly poor at serving the vast majority of young people who are unlikely either to go to an elite school or get an advanced degree in some promising field, particularly in the sciences and engineering.

Historically, education has been a key driver of upward mobility and progress in our society. But, increasingly, its impact on boosting incomes has slowed, [or even reversed](#), and, for many, the attempt to get a four-year degree ends in debt and widespread unemployment or underemployment. Worse still, many don't make it. Indeed, according to a 2010 report by the [Public Policy Institute of California](#), young adults in California are less likely to graduate from college than were their parents."

These failures make things even worse for workers with only a high school education, as they must compete for even low-wage jobs with people who either have been in college or have graduated. So, we now see college graduates working in jobs as humdrum as barista or even janitor. This has even led to some pretty dubious lawsuits against schools by disgruntled graduates who [feel they were misled](#) by post-graduate employment claims.

The worst performance is at the grade-school and high school levels, particularly in California. Blame funding, teachers unions or demographics, but our state's basic education system has been deteriorating for decades. California was [ranked 48th](#) in 2009 for high school attainment. In 2000, it ranked 40th. In 1990, it was tied with Illinois for 36th place.

Clearly, if we are to advance as a state, and a country, we need to develop a new perspective on education. It's not just a matter of money, as [progressive journalists](#), [teachers unions](#), education lobbyists and advocates for various ethnic and political causes all insist. Money should be spent but more emphasis needs to be placed on how it is spent. After all, America [boosted per-pupil](#) spending on public elementary and secondary education by 327 percent from 1970-2010 (adjusted for inflation) with no rise in student test scores.

As for the effectiveness of college, a [recent Rutgers University](#) report found that barely half of college graduates since 2006 had full-time jobs. And it's not getting better: Those graduating since 2009 are three times more likely to not have found a full-time job than those from the classes of 2006-08. Since 1967, notes one [2010 study](#), the percentage of underemployed college graduates has soared from roughly 10 percent to more than 35 percent.

What we need to do is rethink the notion, [supported by President Obama](#) and others, that the solution to our education woes primarily is "more." More what? What are the job prospects for the new crop of ethnic-studies majors, post-modern English graduates and art historians, for example, particularly those from second-tier institutions? These kind of liberal-arts degrees are, as the [New York Times recently reported](#), that tend to earn graduates the least, while those degrees that pay the most are largely offered by schools aimed at technology, mining and other "hard skills."

First, we need to understand that educational differences and capabilities exist and cannot be easily adjusted simply by forever lowering standards. Our most competitive institutions need to make sure that people leave with the highest degree of critical skills. Grade inflation at Harvard may not produce unemployables, but it does weaken the value of the degree and, even worse, suggests that one can not expect too much knowledge, or reasoning capacity, from graduates. Indeed, many employers complain about the [lack of “soft skills,”](#) such as communication and critical thinking, as much as they do about applicants' lack of harder skills such as math and science.

This suggests that even those of us who teach at more selective universities cannot just rest on laurels. Schools have to focus more on developing actual skills – notably in presentation and research – even among the brightest students. Instead, all too often, as the Manhattan Institute's Heather McDonald has [pointed out](#), political education – usually, but not always, tending toward the progressive left – actually predominates over learning how to think critically and express ideas coherently.

More important is the need to put greater effort in lifting students who may not be ideal for a classical liberal four-year education. This may include a greater emphasis on skills with practical applications, such as nursing, rehabilitation, technical and scientific areas of specialization. It also includes expanding innovative programs, such as at [LaGuardia College](#) in New York, that helps high school dropouts to get their diplomas.

Although some of these students will still seek four-year degrees, for many, the best opportunities for employment do not require more than a two-year degree, or simply a certificate. This may be particularly critical for the roughly [40 percent of students](#) who attend college but don't finish.

These include many fields where employment has been growing, notably, in energy, manufacturing and – with the resurgence of the housing market – construction. But the biggest shift may be as a result of the current energy revolution, which, notes the president of the engineering and electronics conglomerate Siemens, [Joe Kaeser](#), “is a once-in-a-lifetime moment.” Cheap and abundant natural gas, in particular, is luring investment from European and Asian manufacturers and sparking demand not only for geologists and engineers but also machinists, rig operators and truck drivers.

The workforce in many of these fields is rapidly aging, and the demand for new, updated skills, particularly involving computers, has soared, [leaving manufacturers](#) desperate for necessary workers.

There is already, notes a recent [Boston Consulting Group](#) study, a shortfall of some 100,000 skilled manufacturing positions. In this respect, millennials – which I have called “the screwed generation” – may have finally caught a break. By 2020, according to the consultancy BCG and the Bureau of Labor Statistics, the nation could face a shortfall of about 875,000 machinists, welders, industrial-machinery operators and other highly skilled manufacturing professionals.

This already is the case in parts of the country now enjoying the energy and manufacturing renaissance. In training facilities in the New Orleans area, where some of the new trade school students have migrated after receiving four-year degrees, and near Columbus, Ohio, you can see many young people preparing for positions not only in medical fields, but as technicians, machinists, plumbers and electricians.

Businesspeople almost everywhere decry such labor shortages, but rarely lament a lack of English post-modernist scholars. As I saw on a recent trip to Houston – in many ways the country's most economically dynamic city – developers enjoy high demand but are stymied by a lack of skilled labor. In some cases, companies are beginning to invest not only in community colleges but also looking to recruit high school students into these professions.

This practical approach may offend people to whom it seems reminiscent of the infamous “tracking” system, which was used to steer even the most academically gifted minority students into manual professions. Still, stuffing more students into a system that, in the end, fails to prepare young people for the future, and lands them in debt, makes little sense. Today a record [1-in-10 recent college borrowers](#) has defaulted on student debt, the highest level in a decade. And, with wages for college graduates on a downward slope, one has to wonder how many more will join them.

Some “progressives” believe the solution lies in [subsidizing even more](#) the current system. In reality, such an approach will only continue the current failures, with fewer students graduating with needed skills and more years of wasted effort. Shifting the financial burdens from parents and students and onto business and the taxpayer does not seem the best way to boost public support for education.

Instead of bailing out the current system, we need to find ways to change our educational focus from the elite level to the certificate program, in ways that serve the needs of both the economy and the next generation. For the talented students I so often encounter at Chapman, this means greater rigor, more serious reading and opening themselves to conflicting ideas. But, for many others, the focus should be on practical skills that can lead to middle-class jobs. We have to learn to appreciate that there's nothing wrong with a son or daughter, rather than aspiring to become a doctor or lawyer, instead, earning a good living as a plumber.

Register opinion columnist Joel Kotkin is R.C. Hobbs Professor of Urban Studies at Chapman University. He is the executive editor of www.newgeography.com.

IBD

[Late Night Humor](#)

by Andrew Malcolm

Seth Meyers: A Virginia Tech professor claims he can turn wood-chips into food. However, still no luck with kale.

Conan: Workers building the LA subway have discovered Ice Age fossils. The fossils belong to the last creature ever to use the Los Angeles subway.

Letterman: New scam in town. A ring of hardened criminals is selling counterfeit Chapstick. I knew right away it was counterfeit. The cap didn't come off in my pocket.

Seth Meyers: The world's longest-serving ice cream man is retiring after 50 years. He plans to spend the rest of his life trying to get that song out of his head.

Fallon: A family called the police because their cat cornered them in a bedroom. Yeah, they would've climbed out the window, but their hamster was blocking the way.

Fallon: London's famous Globe Theater just announced plans to perform Shakespeare's "Hamlet" in North Korea. "Hamlet" is about a man on a murderous revenge mission inspired by his late father. Kim Jong-Un said, "Where do they come up with this stuff?"

Conan: Archeologists have discovered a leather belt believed to be 4,000 years old. So, now we know why Larry King wears suspenders.

SethMeyers: The website for the Ohio Department of Natural Resources had a porn film up for a week before someone noticed. Or, before someone who didn't like it noticed.

SethMeyers: A new study names Los Angeles as the worst American city for gridlock. While Portland remains the best American city for dreadlock.

SethMeyers: A British woman was fined because her sex dungeon violated fire safety laws. Though she claims the fire safety laws enjoy being violated.

SethMeyers: Researchers have discovered the first T-Rex fossil within the Arctic Circle. The T-Rex apparently froze to death because he couldn't button his jacket with those little arms.

SethMeyers: Taco Bell has announced a new partnership with a clothing line to make socks covered in illustrations of tacos and burritos. They're the socks that say to the world, "I'm addicted to marijuana."

Fallon: The Labor Department says 3.9 million U.S. jobs are available. Even more exciting when you find out there's still TWO that HAVEN'T been taken by Ryan Seacrest.

Fallon: Obama wants less prison time for people convicted of drug-related crimes. If your only offense is smoking lot of weed, your sentence would be four to eight years as president.

Fallon: John McCain led some senators to Ukraine for a firsthand look at things. When they landed, McCain was like, "This is a disaster! These people are living like animals!" Then someone said, "We have a layover, sir. This is LaGuardia."

Fallon: Crimea voted on joining Russia. But the ballot had no "No" option. Asked where he got that idea, Vladimir Putin said, "The iTunes user agreement."

Fallon: A New Jersey judge says women can keep their husbands or boyfriends from the delivery room during labor. Asked if they'd mind leaving, the husbands and boyfriends were already gone.

Fallon: The firm that owns Chuck E. Cheese is considering buying Dave & Buster's for \$1 billion. Or ten trillion Skee-Ball tickets.

SethMeyers: Obama wants schools to demonstrate their proper preparation of students for real jobs after graduation. So don't be surprised if chemistry class Monday is all about how to make a cappuccino.

Fallon: A native Alaskan won the Iditarod dogsled race in a record time of eight days and 13 hours. Afterward, he said "We did it!" And his dogs said, "Who's this 'we'?"

SethMeyers: A California woman taking her driver's test for the third time caused a gas leak when she crashed into the DMV office. Even more amazing, this was during the written test.

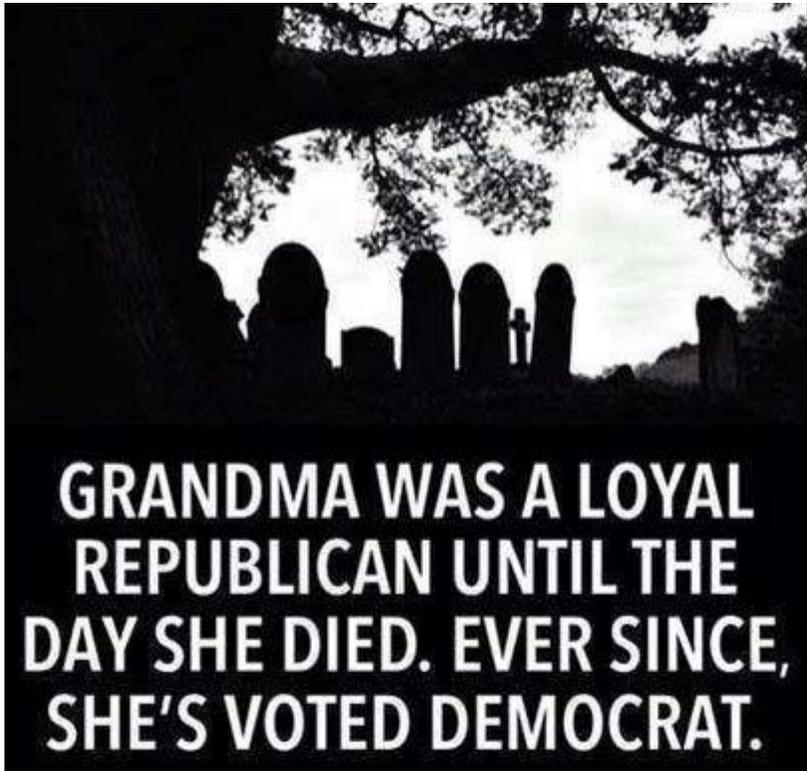
Fallon: Sunday Crimea voted 95% to join Russia. While five percent got to...try again. "Looks like you answered wrong..."

SethMeyers: St Patrick's Day today, when we commemorate the time St. Patrick drove all the alcoholics out of New Jersey and into Manhattan.

Fallon: Two million people at New York City's annual St. Patrick's Day Parade. It's the one parade where the *HORSES* are the ones who have to watch where they step.

Fallon: March Madness and Obama says Michigan State beats Louisville in the final. Going by Obama's past picks let's congratulate Louisville right now on a big win.





The very first senior moment in history



