

President Obama's Marriage Equality Mistake

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When New York State passed a marriage equality bill last week, it was a victory of national, not just statewide proportions. New York is a big state which, while solidly Democrat in recent presidential elections, still has a substantial Republican presence, thus again demonstrating that marriage equality can pass in states that are not dominated by liberals. The major legislative barrier to marriage equality, as with most progressive legislation in New York State, was the Republican controlled state senate. While most Republicans in the state senate voted against the bill, [enough supported it to make it pass](#). New York's governor, Andrew Cuomo, has received a good deal of credit for having the political and courage to support marriage equality and ensure its passage, despite Republican control of the state senate.

It is difficult look at Governor Cuomo at this time and not be reminded of President Obama's failure to support marriage equality. Today, Barack Obama is to the right of the New York State Senate on civil rights. The president's failure to support marriage equality remains baffling. The explanation that Obama has taken this position because of concerns about his chances at reelection in 2012 is the simplest rationale for Obama's position, but it is not altogether satisfactory.

Marriage equality is not a wedge issue that will move undecided voters away from supporting a Democratic president, but a mobilizing issue that excites voters on both sides of the issue. If Obama were to take a clear stance in favor of marriage equality, the number of undecided voters in swing states who were otherwise ready to support the African-American Democrat who has been called a socialist and anti-American in the right wing media for most of his first term would be quite small. On the other hand, opponents of marriage equality would vote even more enthusiastically against President Obama, but it is unlikely that many new anti-Obama voters would be mobilized as these voters are already highly mobilized for 2012.

It is understandable that a president approaching what might be a tough reelection fight might focus more on the potential political cost to any major decision, but there would be another rather obvious political consequence for the president if he took a clear position in favor of marriage equality. Obama would reenergize large parts of his political base, not just gays and lesbians but others who believe strongly in equality and are disappointed with Obama's presidency. Having at least one unequivocally progressive position would probably be a net positive for a president whose term in office has been largely characterized by timidity and caution. For Obama, there are virtually no more

votes to lose among those who oppose marriage equality, but a lot of enthusiasm support and money to be gained from those who are for marriage equality.

The President's failure to support marriage equality is, at best, a political miscalculation, but it is also more than that. It is a failure to take a leadership role on one of the defining civil rights issues of the day. Even if Obama were to change his mind tomorrow he would not be viewed as a leader on this issue as that space is now occupied by other politicians, most recently and notably New York's Andrew Cuomo. Leading on marriage equality will also quickly prove to be a political win for Governor Cuomo, not only in his own state, but nationally. Cuomo now has a major accomplishment to point to which satisfies much of the liberal base of the Democratic Party, and also has helped his national profile as a leader and national figure in the Democratic Party.

Equally damagingly, Obama has almost certainly placed himself on the reactionary side of history with regards to this battle for equality. New York is, Republican controlled state senate notwithstanding, a somewhat liberal state, but it is also a big and important state. Accordingly, the passage of marriage equality in New York sends a much bigger and more important national message, than similar legislation in smaller states. There will still be setbacks, but the legislative arc on the issue of marriage is now curving towards equality rather than bigotry. It is likely that within a decade or two most states will recognize marriage equality with only the most right-wing states still holding out against it.

Thus, Obama's position on marriage equality will become more, not less, puzzling, as the years go by. It is likely that ten or twenty years from now, instead of seeing Obama's hesitancy to embrace marriage equality as the result of the President being a pragmatic politician constrained by the political realities of his era, progressives will wonder why Obama was oblivious to both the political and moral environments surrounding marriage equality.