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President Obama and Same-Sex Marriage — The Dance Continues

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Some predictions are rather safe to make. 2012 is almost certain to be a determinative year on the issue of same-sex marriage. Multiple courts appear poised to strike down the Defense of Marriage Act [DOMA] and, even more urgently, the appeal on California's Proposition 8 at the Ninth Circuit U. S. Court of Appeals will set up a certain appeal to the U. S. Supreme Court. Given the facts of this case and the significance of the nation's most populous state, the Supreme Court is almost certain to take the case. This sets the stage for the courts to make some determinative statement on same-sex marriage within the next several months — a decision that will go a long way toward setting the direction of the larger culture.



At the same time, the same-sex marriage issue will play a part in the 2012 presidential campaign. The reason for this is quite simple. The issue of same-sex marriage is about far more than marriage as a legal institution and about more than sexuality and personal autonomy. It is the great inescapable issue, and we will know in fairly short order what all the candidates believe about the issue.

Then again, maybe not.

President Barack Obama has done far more to advance the cause of gay rights than any previous president. His executive orders and administrative policies have granted benefits to the domestic partners of federal employees, ordered the Department of Justice not to defend the Defense of Marriage Act in the courts, and ordered the Department of State to make the rights of homosexuals a major priority and principle of American foreign policy. Beyond all that, the President led the effort to repeal the military's "Don't Ask, Don't Tell" policy, leading to the full integration of active homosexuals within the U. S. armed services.

But, what about the question of same-sex marriage? The President has explained that his views on the subject are "evolving." Just a few weeks ago, the President told George Stephanopoulos of ABC News that he is "still working on" the issue. The President has clearly affirmed something like same-sex marriage, assuring a gay rights group in October that "every single American deserves to be treated equally before the law." In that context, there is little room for seeing that statement as anything other than a call for same-sex marriage.

The President has insisted that he is not for same-sex marriage . . . yet. He undermines the Defense of Marriage Act, assures activists for same-sex marriage that he is moving in their direction, but is still "evolving."

In the aftermath of the Stephanopoulos interview, *New York Magazine* stated the obvious with this headline: "President Obama Won't Say if He'll Stop Pretending to Oppose Same-Sex Marriage Before the Election."

Now, *The New York Times* has published a major article arguing that the President is allowing his surrogates in the Administration to advance the issue for him. In "Obama Still Lets Surrogates Take the Lead as Gay Rights Momentum Builds," reporter Mark Landler explained:

"President Obama has long relied on his oratorical gifts to ease him through tricky political situations. But on the emotionally charged issue of gay rights, Mr. Obama has been content recently to let his lieutenants do the talking. And they have said some striking things."

On the specific issue of same-sex marriage, Landler reported: "There is little indication that Mr. Obama plans to endorse same-sex marriage before the presidential election in November, despite recent statements that tiptoe right up to that position."

Thus, the dance continues. The reason for the President's reluctance is clear enough. Landler nailed the rationale head-on, explaining that the President "is reluctant in an election year to be drawn into a culture-war issue — one that reliably helps Republicans turn out evangelical voters in their favor and also strikes a particular nerve with religious black

voters, a bedrock Obama constituency in battleground states like North Carolina and Florida.”

This disingenuous waltz will be a hard dance to maintain, and the President must know it. Nevertheless, some political authorities in Mr. Obama’s own party are advising him to keep it going.

Interestingly, the latest of these is former President Jimmy Carter. Mr. Carter recently told the Associated Press that President Obama has endangered his re-election prospects by alienating too many voters. His words to President Obama sound like an encouragement to continue his evasive dance on the issue.

President Carter said, “If your main goal is to get re-elected, avoid a controversial subject as much as you can in the first term.”

Mr. Carter recalled that he alienated too many voters during his first term, and, as he told a group recently, was “involuntarily retired.”

Maybe that explains it all. The first Obama term is all about “evolution” on the issue. Clarity will come only after the 2012 election. Then, and only then, will the dance end.

At the very least, President Carter has helped us to see the dance for what it is.

I am always glad to hear from readers. Write me at mail@albertmohler.com. Follow regular updates on Twitter at www.twitter.com/AlbertMohler

Mark Landler, “Obama Still Lets Surrogates Take the Lead as Gay Rights Momentum Builds,” *The New York Times*, Saturday, December 31, 2011.

Dan Amira, “President Obama Won’t Say if He’ll Stop Pretending to Oppose Same-Sex Marriage Before the Election,” *New York Magazine*, Monday, October 3, 2011.

Greg Bluestein, “Carter’s Advice to Obama: Don’t Alienate Voters,” The Associated Press, Wednesday, January 4, 2012.

