



April 17, 2009

Marriage plans

It is perhaps too tempting to accuse Gov. David Paterson of playing change-the-subject politics, for introducing legislation yesterday legalizing gay marriage, this while cascading bad news about state finances, the economy, jobs, taxes - apparently everything but the weather - continues to swamp New York. Irresistible would be a better word, though that hardly gets at the full story. The nightmarish recession actually bolsters the case for marriage fairness; it doesn't detract from it.

As New York plays catch-up with Vermont and Iowa, both recently joining the ranks of states permitting same-sex marriage, Paterson called for an end to the state's gay marriage ban. "Marriage equality is about basic civil rights and personal freedom," the governor said. "Too many loving families do not receive the legal recognition they deserve." In this economy, recognition not only means dignity and equality under the law, but also economic security. Legal scholars have said that same-sex marriage bans cost gay and lesbian couples literally hundreds of legal rights and benefits shared by traditional married couples. Paterson cited 1,350 civil protections, including health and pension rights.

That disparity came into sharp focus yesterday as the state Labor Department announced that New York lost 33,000 private-sector jobs in March. Since the state's private-sector job count peaked in August, more than 176,000 such jobs have been lost, wiping out more than 40 percent of the job gains during the 2003-08 economic expansion. The group National Organization for Marriage, which is for marriage for just heterosexuals, chided Paterson for "pushing a divisive culture war on the people of New York as a distraction from his inability to lead on rebuilding New York's economy and balancing its budget." But if not during tough times, when?

A bipartisan New York state Assembly backed a gay marriage bill in 2007, when the economy was doing swimmingly. The group Empire State Pride Agenda noted yesterday that every supporter - the vote was 85-61 - won re-election. Nonetheless, the GOP-controlled Senate declined to take up the matter. In last year's election campaigns, Democrats promised to lift the gay marriage ban if they took control of the chamber. The Democrats later won a 32-30 majority, but their "control" has been more like helter skelter. Sen. Ruben Diaz, D-Bronx, an evangelical pastor opposed to gay marriage, said Thursday he would meet with religious leaders today to discuss how to block the bill. It was widely reported during the Senate Democrats' post-election leadership squabbles that Diaz, in exchange for his political backing, secured a pledge from Sen. Malcolm Smith, the eventual majority leader, that the gay marriage bill would just sit.

So Paterson and fairness proponents have their work cut out for them - as history continues to zip past New York. Vermont earlier this month approved a law allowing same-sex marriage. Courts in Iowa, Massachusetts and Connecticut have ruled to permit the practice. Enabling legislation is pending in New Hampshire. New York remains in wait-for-justice mode, notwithstanding a 3-year-old New York Court of Appeals ruling that gay marriage is a question for the Legislature to decide. Injustice prolonged is simply injustice. It remains well past time for the lawmakers to end the unequal treatment and extend this fundamental right to all its citizens.

A Journal News editorial
