

THANK PRESIDENT OBAMA FOR HIS DOMA DISASTER

By Maggie Gallagher
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In refusing to defend the federal Defense of Marriage Act, President Obama has just made a huge mistake -- a telling mistake that demonstrates what a hard-left bubble he must now be in.

President Obama's nearly unprecedented decision, based on very weak legal logic, to refuse to defend DOMA will backfire, both tactically and politically.

Let's take the politics first.

Even as gay marriage advocates lose battle after battle in actual elections, they feed into the media a consistent message of despair: Their victory is inevitable. People don't care anymore, they say (and The New York Times and The Washington Post dutifully echo the theme). President Obama must actually believe those carefully worded and deeply deceptive polls that purport to indicate that a "majority" now support gay marriage.

To read the truth about public reaction to gay marriage you have to read the gay press, which actually covers what is happening.

Take the battle for gay marriage in two deep blue states: Maryland and Rhode Island.

Getting a gay marriage bill through the Rhode Island House of Representatives with Gov. Lincoln Chafee's support and a new openly gay House speaker was supposed to be a cakewalk. Instead, as The Boston Phoenix (an alternative paper) reports: "The end game is proving trickier than advocates had hoped. ... They've been caught off guard by the prowess of the church, which has joined with the nation's leading anti-gay marriage group to mount a surprisingly potent defense of the status quo." (By "anti-gay group" they mean the National Organization for Marriage, which I chair). Speaker Gordon Fox suddenly pulled the bill, and its future is now uncertain.

Similarly, this week in Maryland, black Democrats from progressive districts are beginning to jump ship. First Melvin Stukes, a co-sponsor of a gay marriage bill in that state's House of Delegates, unexpectedly announced he was switching sides.

A few days later, two black Democrats counted as "yes" votes suddenly went missing, refusing to show up for a committee vote, which had to be postponed.

Maryland is a deep blue state -- core Democratic territory -- but opposition to gay marriage is also surging:

"With opponents, including the Maryland Catholic Conference and the New Jersey-based National Organization for Marriage, applying enormous pressure on wavering delegates, (Maryland state Sen. Richard) Madaleno and Equality Maryland officials said support in the House might be in jeopardy," reports the Washington Blade.

Leadership may yet ram through a bill, and the people of Maryland, like the people of Maine did in 2009, will have to exercise their "people's veto" through the referendum process.

But the really big newsworthy event in these blue states is the surging, unexpected opposition to gay marriage from the public at large, from the Catholic church, and most significantly, from the black church.

Politically, President Obama just nationalized the gay marriage issue, potentially alienated parts of his base and caused all major GOP presidential candidates (except Mitch Daniels) to weigh in on marriage.

What did he gain? He almost certainly just helped us win the legal case for DOMA.

Here's the honest truth: I've been tearing my hair out for the last six months while strategizing behind the scenes with others to figure out some legal strategy to get someone to intervene in the DOMA case. President Obama's incredibly weak legal defense was causing DOMA to lose in court. How could we get a great lawyer in that courtroom who actually wanted to defend the law?

By pretending to defend DOMA, President Obama was blocking the door to the courthouse for marriage advocates.

This week, he just removed that obstacle. The U.S. House of Representatives will intervene to protect DOMA. Our chances of winning a great victory for marriage at the Supreme Court just shot way up.

President Obama, this decision will cost you votes, energize the GOP base, and most important, dramatically increase our side's odds of legal victory on DOMA. Thank you, thank you, thank you.

(Maggie Gallagher is the founder of the National Organization for Marriage and has been a syndicated columnist for 15 years.)

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