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Decorator Dan - 1414 Fairview - 526-7372

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Photo Studio:

Algren Photography - 2711 Boston Street

Theater:

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Adonis News - 4009 Hollister - 462-8171

Main Street - 4418 South Main - 528-9693

Studz - 1132 W. Alabama - 528-9948

LUBBOCK Lounge:

Davids Warehouse - 2403 Marshall - 762-9165

McALLEN Lounge:

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ODESSA Lounge:

Skylite - 415 North Jackson - 337-9575

SAN ANTONIO Lounges:

El Jardin - 106 Navarro - 223-7177

Habitat - 309 West Market - 223-0866

1 Penny Pub - 10006 Wurzbach - 696-9181

Rhapsody - 115 West Rhapsody Drive

Sagittarius - 3000 N. St. Marys - 732-0686

WACO Lounge:

Other End - 2810 North 19th - 753-9195

WICHITA FALLS Lounges:

Carousel - 703 Travis Street - 322-0832

Le Pisoire' - 608 8th Street - 322-0020

MAIN STREET NEWS



Features A Varied Selection of:

- Gay Magazines • Newspapers • Films •
- Liberal used book & film trade-ins • Special Orders (Whatever YOUR tastes) • Hot 25¢ Movie Arcade



SEE ALAN AND HIS JOCK STRAP IN OUR MOVIE ARCADE! ALSO: LOCKER ROOM, BUNK HOUSE, AND JACK AROMA

MAIN STREET NEWS

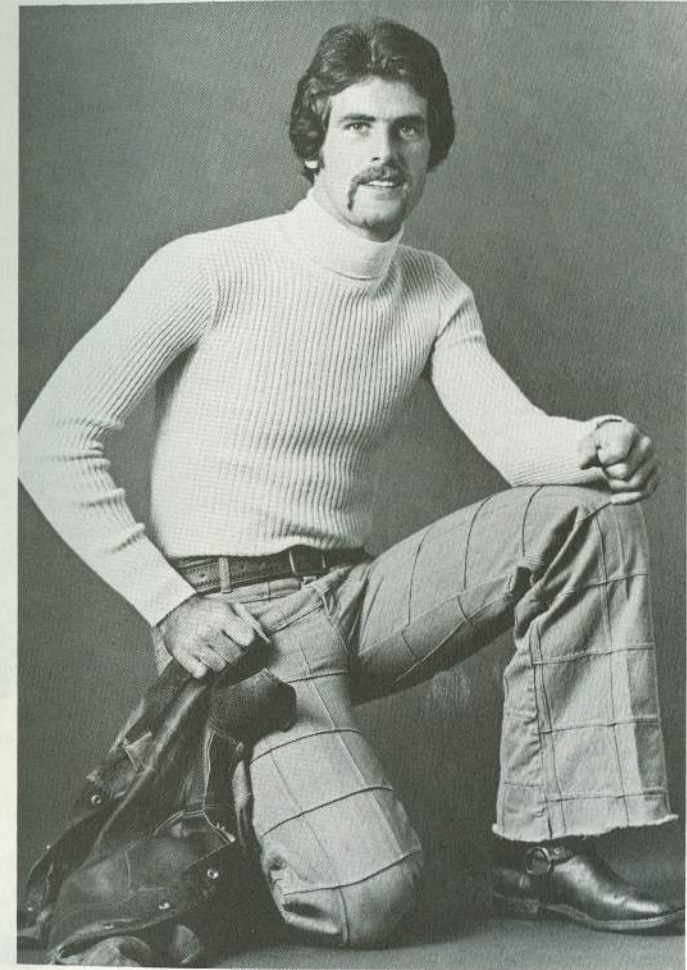
4418 South Main (Next to Delman Theatre) • 528 9693

YES! There's plenty of FREE PARKING behind the store.

THIS WEEK

IN TEXAS

VOLUME 1, NUMBER 38



RICK STINCHCOMB, DAY ATTENDANT AT STUDZ NEWS, HOUSTON

DEC. 20 - DEC. 26

MERRY CHRISTMAS



WES, BARTENDER AT ADAM'S IMAGE & TORCHY LANE, HOUSTON
Photo by Algren

AROUND THE STATE THIS WEEK

A Selective Guide to Entertainment and Events of Unusual Interest

SATURDAY, DECEMBER 20

HOUSTON

Holiday show at the **LAMP POST**, with Eartha Kitt, Dianne Wright, Ivory Jo, the Gum Sisters and Maya. Show-time 9:30pm.

ODESSA

Drag show and Christmas party, **SKYLITE LOUNGE**. Watch for the arrival of Santa Claus.

EL PASO

The **TIME MACHINE** presents El Paso's first annual Emperor and Empress Ball, 10pm. Advance tickets are \$3.00.

WICHITA FALLS

Annual Christmas party (gift exchange, snacks and impersonation show) at **LE PISOIRE**'.

SAN ANTONIO

"Toys for Tots," **HABITAT**. Bring a toy for \$1 or more, wrapped and marked boy or girl. Toys to be donated to local charities. This will continue thru Monday.

LAREDO

Christmas party, **EL VAQUERO**. Cover \$5, with 2 free drinks and 2 drag shows at 9pm and midnight.

DALLAS

"Toys for Tots," sponsored by the Wrangler M.C. and **SUNDANCE KIDS**. To enter the bar, you must have a toy or a cash donation. Eagle Leather and Sundance Kids will be awarding a leather jacket to a lucky ticket holder.

SUNDAY, DECEMBER 21

FORT WORTH

500 Folies Christmas Festival, **500 CLUB**, 9pm.

Full length film *Jesus Christ Superstar*, **REGENCY**, 9pm. Reservations suggested.

HOUSTON

George K. Arthur's film, *Twelve Days of Christmas* (16mm, sound and color). It's gay and hilarious at the **VENTURE-N**.

Bring a festive dish to the round-up from 2-5pm, for hungry cow pokes at the **LAZY J**.

MONDAY, DECEMBER 22

HOUSTON

DIRTY SALLY'S Christmas party, 5pm. Have your picture taken with Old Santa.

WEDNESDAY, DECEMBER 24

EL PASO

Christmas party with disco and show, 8pm, the **APARTMENT**. Also, free champagne and cake from 4-6pm.

SAN ANTONIO

Xmas Eve show hosted by Miss Vicky, **SAGITTARIUS**, 10:30pm. \$1.50 cover.

HOUSTON

Buffet 7pm until ?, with a \$1 beer bust, **DEPOSITORY**.

MARY'S Christmas party, with a Mr. Mary's contest. Cash prize, \$250 and 2 trophies.

All night Christmas Eve party at the **OLD PLANTATION**, starting 5pm.

FORT WORTH

"Decorating the Christmas Tree," **500 CLUB**, 9pm. Prize for the most unique tree ornament, plus a special surprise.

THURSDAY, DECEMBER 25,
MERRY CHRISTMAS

DALLAS

Xmas dinner, 4pm, **SWAMP TRASH**.

SAN ANTONIO

Xmas night show hosted by Iesha (Miss Gay San Antonio), 10:30pm, **SAGITTARIUS**. \$1.50 cover.

EL PASO

Christmas party with disco and show, plus free food, **PET SHOP**, 9pm.

HOUSTON

Christmas day buffet at **CLUB HOUSTON**, 4-7pm.

Christmas buffet, 8pm until, at the **FARMHOUSE**. Also, a special Christmas show in the Plantation Room.

Christmas buffet, 7pm until, with a \$1 beer bust, **DEPOSITORY**. Also, after hours tonight.

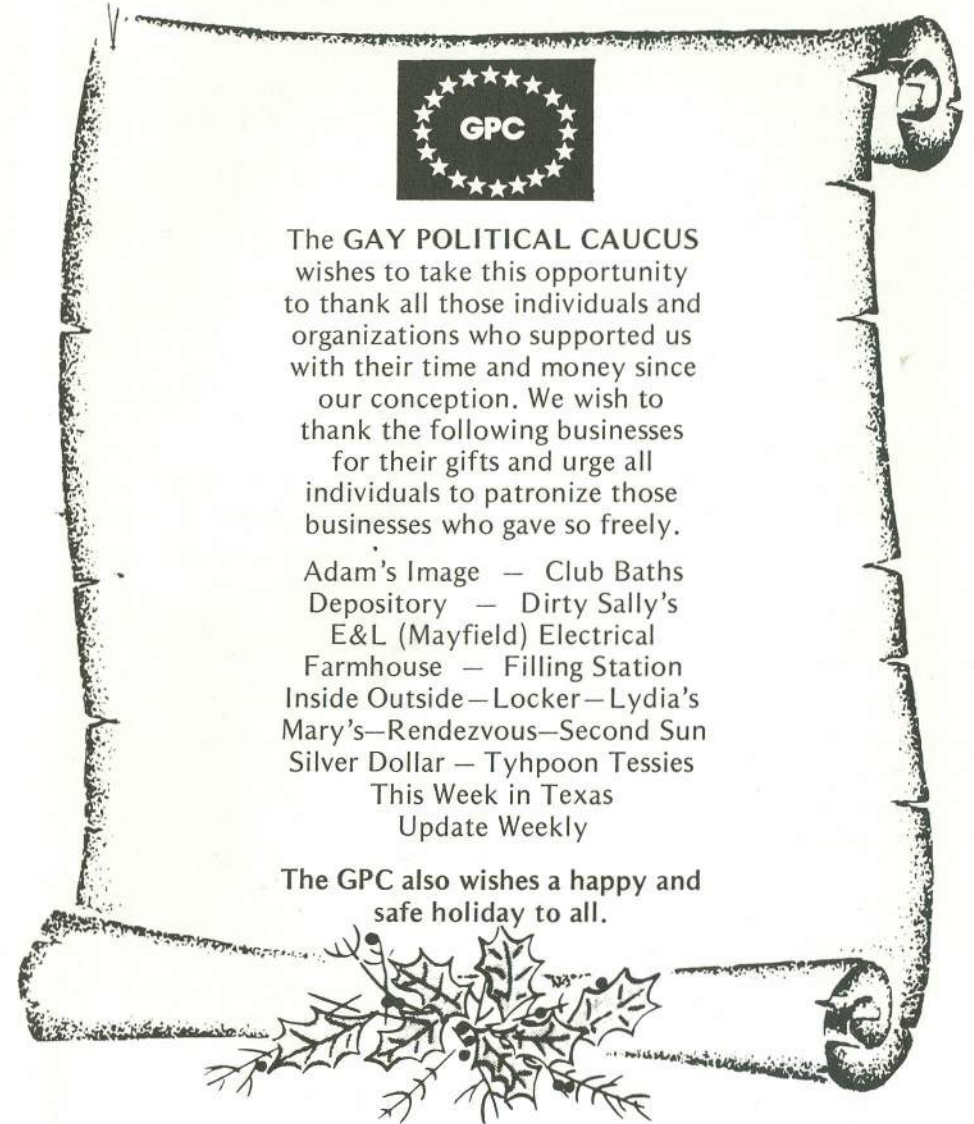
Buffet from 7-9pm, **VENTURE-N**, with Babbs and Baldy at 9:30pm.

One big box to be given away tonight at the **LOCKER**.

Birthday party for Tennessee and Hameed, 3-7pm, **DETOUR**.

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SAMPLING TEXAS

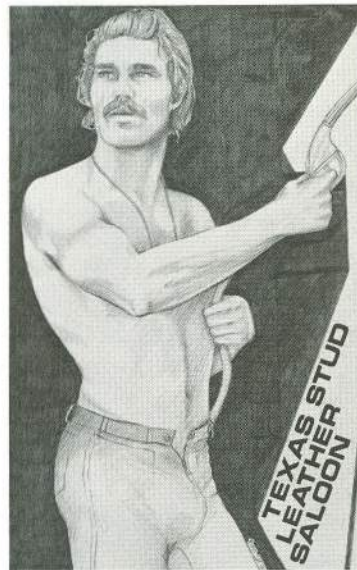
Merry Christmas, everybody! . . . This time of the year is a very intense emotional period for gay people. Psychologists say gay people are especially susceptible to the holiday season, although it is not necessarily a time of joy. . . . For those in our community who are happy, Christmas brings even more happiness. But unfortunately, those who tend to feel depressed through most of the year become even more despondent when Christmas rolls around. A lonely person feels even more lost when he or she thinks everyone else in the entire world is having a great holiday time except themselves. This is very sad. . . . It's very difficult to give a person with the "blues" a pep talk. But if this time of year doesn't seem to offer all it should, please know that you are not alone. This can be a very difficult time for many of us. But we can all make it through — together! Don't give up. Get out of the house and mix, as they say. You'd be surprised how many formerly dull holidays can be resurrected at the last minute by a single pleasant encounter. There are lots of people out there who feel just the way you do. You could be the answer to their problems, and they could be the answer to yours. Share and give of yourself. You *will* get an affirmative response. And be joyous that you have made it through another year and are, therefore, eligible for the good things upcoming in 1976. With so many unemployed, so many in ill health, and literally hundreds of thousands of children who will be hungry tonight, give thanks for all the

continued on page 8

NOW SERVING LIQUOR

FREE
BEER
BUST
Every Sunday
7pm til

BAR
DRINKS
25¢
4:30-5pm
Everyday



**The FILLING
STATION
HOUSTON**
1801 Richmond
528-8523



Open me first...

From us to you: thanks for dropping by during this past year...have a happy holiday season.



The Club Bath Chain

CLUB HOUSTON
2205 Fannin
(713) 659-4998

CLUB DALLAS
2616 Swiss
(214) 821-1990

Sampling Texas, continued

assets you have. It sounds cliched, but it is very, very true. Smile. . . . So much for the sermon, on with the business. And part of the business is on the topic of sharing. Jim (Vera) Ethridge wrapped up a lot of time and effort in a just-concluded Toys for Tots campaign at the Briar Patch in Houston, while similar campaigns are now going on under the sponsorship of the Wranglers M.C. and Sundance Kids in Dallas, the Habitat in San Antonio and the Heart of Texas M.C. in Waco. . . . Reviewing some of the daily holiday specials being offered, but not mentioned in Around the State This Week, shows that champagne is now going for 50¢ a glass at Dirty Sally's; the Briar Patch is giving away free drinks of any kind during a 15-minute period each night, from December 25th to January 15th, twenty-five cent draft beer after 8pm at the 500 Club until Christmas; nickel beer at the Depository Dec. 18-20; and liquor can now be had at the Filling Station since they have just received their long-awaited liquor license. Note also that the Old Plantation Houston is now open, following their grand opening on December 17th. The Old Plantation, with its many motifs and moods, is like a gay Disneyland. The multiple bars and shops under the Old Plantation roof require you to walk only a few steps to find that one special area that is "just right" for you. . . . Announced Christmas Day hours for some of the spots in San Antonio include 6pm to 2am for the El Jardin and 7pm to 2am for the Habitat. . . . All you Dallasites should be told that the Entre Nuit is resuming its drag shows on Sundays at 9pm. So consider yourself so

informed. . . . And finally, this office has received the sad notice that popular impersonator Vicke Karr has cancer and now spend all his time in bed, either at M.D. Anderson hospital or at home at 2623 Haverhill Drive. His friends and loved ones ask for your prayers and, if possible, blood donations to the Hemotherapy Institute. . . . And that brings us back to our original point. Realize the joy of *being* during this holiday season. You have so much going for you. Many, many are not so fortunate. Peace. And Merry Christmas!



MR. FRIZBY Bath Club
3401 MILAM (AT FRANCIS)
OPEN 24 HOURS (closed Monday)
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Men Only - Membership Required

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Open 2pm
to 2am

Fort Worth's
Number One
Spot for
Drag Shows
and Discotheque Dancing

Season's Greetings

259 Bailey..... Ft. Worth

Metropolitan Community Church of the Resurrection



"To see Thee more clearly, Love Thee more dearly, Follow Thee more nearly - Day by Day, at Christmas and throughout the New Year!" Our wish to You.

Special Christmas Services:
 Dec. 24 at 11pm
 Dec. 25 at 10:30am
 Sunday Services: 1pm and 7:30pm

1214 Joe Annie
 P.O. Box 13731
 Houston, Texas 77019

Rev. R.M. Falls,
 Pastor

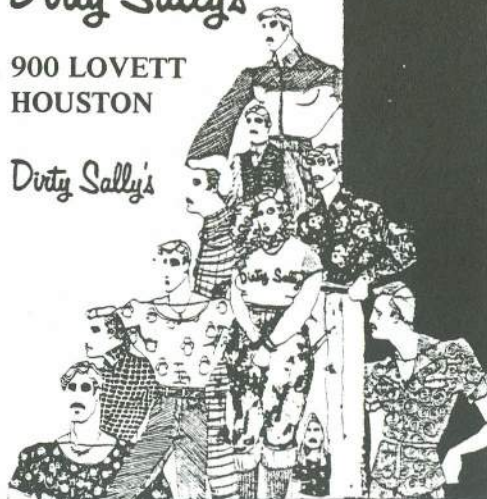
Phone (713) 526-8233

Dirty Sally's

Dirty Sally's

900 LOVETT
 HOUSTON

Dirty Sally's



DIRTY SALLY
 and all the staff
 wish everyone a
 Merry Christmas
 and
 Happy New Year.

-O-O-O-O-O-O-O-

Christmas Party
 5pm
 Dec. 22

-O-O-O-O-O-O-O-

Free Buffet
 every Sunday
 9pm



It was the night before Christmas,
 and all through the house not a
 creature was stirring and then
 Mrs. Olga Gotha screamed, "TO
 HELL WITH THIS HOLE! LET'S
 GET OUT TO SOMEPLACE FESTIVE!"

2710 Albany is a dandy place for drinking, dancing, camping and carrying on. The shows in the Plantation Room Wednesday and Sunday are simply divine. Mother Railey in the disco bar makes a drinkie-poo to knock your socks off, and you can dance your way to outer space nightly 7pm til 2, plus after hours Friday and Saturday, via Bose 901 speakers and 1801 amplifiers. There's the \$1.25 beer bust 7-midnight Sunday for parched throats - and much more! Owner Gene Howle and manager Wayne Barton invite you to spend the holidays home at the Farmhouse.

Farmhouse

BE IT EVER SO DECADENT THERE'S NO
 PLACE LIKE THE FARMHOUSE

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Weekly Bulletin Board

Weekly Bulletin Board has Six Divisions (For Rent, For Sale, Gay Organizations, Help Wanted, Services Offered, and Personals). To advertise, send \$1.00 per line (Maximum is 35 units per line) to: This Week in Texas, P.O. Box 22104, Houston, Texas 77027.

SERVICES

BARTENDING for private parties. Rod. (713) 529-6994.

ASTROLOGICAL SERVICES: Natal birthchart cast and fully delineated typewritten or cassette. Professional counseling available. Chad Duval. (713) 523-9382. Box 3513, Houston, Texas 77001.

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CASINO REVUE accepting bookings for January. Call Buddy Dennis (214) 521-3885.

CLIP me out for free membership to the Bachelor Quarter's Baths.

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WANTED: Restaurant location in Houston. Call C.A. Nelson at (713) 627-3840.

PERSONALS

Jim, Bobby, Kent, David, Monroe and Dennis from the Skylite wish all our customers a **MERRY CHRISTMAS**. Odessa.

HELP WANTED

Be a **THIS WEEK DISTRIBUTOR** in your city (except Houston). Write This Week in Texas, P.O. Box 22104, Houston, Texas 77027, for more information. Must have automobile and phone.

Depository

WESTHEIMER NEAR SHEPHERD

<p style="text-align: center;">MON</p> <p style="text-align: center;">\$1.00 //</p> <p style="text-align: center;">BEER BUST</p> <p style="text-align: center;">// 25¢</p> <p style="text-align: center;">BAR DRINKS</p>	<p style="text-align: center;">WED</p> <p style="text-align: center;">1st drink Free //</p> <p style="text-align: center;">WITH T-SHIRT</p> <p style="text-align: center;">75¢ BAR DRINKS</p> <p style="text-align: center;">//</p>
<p style="text-align: center;">TUES</p> <p style="text-align: center;">NO COVER</p> <p style="text-align: center;">75¢ //</p> <p style="text-align: center;">BAR DRINKS</p> <p style="text-align: center;">//</p>	<p style="text-align: center;">THURS</p> <p style="text-align: center;">NO COVER //</p> <p style="text-align: center;">75¢ BAR</p> <p style="text-align: center;">// DRINKS</p>
<p style="text-align: center;">FRI SAT</p> <p style="text-align: center;">// 1.00 //</p> <p style="text-align: center;">COVER</p> <p style="text-align: center;">AFTER HOURS</p> <p style="text-align: center;">2 - 4</p>	<p style="text-align: center;">SUN //</p> <p style="text-align: center;">1.25 BEER BUST</p> <p style="text-align: center;">// and</p> <p style="text-align: center;">BUFFET</p> <p style="text-align: center;">OPEN AT 7:00</p>

2606 Peckham
Houston, Texas 77006
527-0260

Buffet — Christmas Eve and Christmas Night — 7PM
\$1 Beer Bust Both Nights
After Hours Christmas Night Dec. 25

A FAIRY TALE OF SORTS

A WINTER STORY

Facts in the Case of
Mr. Agatthard Timpson

Fiction by M.W. MacDonald

1. Untilled

He was a human being and a human bean. Like a plant he was pretty much stationary. Like a plant he had pushed out tendrils to taste the world, and had been burned for staying in the sun too long, and had been stepped on for not having moved as quickly as some would have him do. He had been hurt by love like too much water on a thirsty plant (or too little water), and he had grown tired of standing around vegetating.

He had died a thousand times in numberless winters, committed a thousand crimes of apathy. He felt a thousand urges to propagate his seed, and he had felt pretty much alone.

He spent some time in his earlier years in a nursery. He used to think that mushrooms were elven umbrellas, and that Pearl Buck was a particularly popular brand of beer. And the moon was made of blue cheese and when it was full, bogeyman eggs the size of footballs would fall from its surface to the lawn outside his house. Washington was a heavy load of laundry, Dr. Spock was the light of the world, and nothing was impossible. Mr. Timpson recalled his first sense of failure came when he gave up after months of searching for the rabbit hole Alice took in route to Wonderland.

He was stiffened somewhat by life's tragedies; he was weakened somewhat by life's vanities, and he had been chewed up and digested by human beings, and was spat out upon the ground, and he had begun anew.

He knew in the biblical sense at least one American Beauty; and never having moved, knew pretty much where he stood. And he had read somewhere that other human beings had feelings too, though he pretty much doubted it.

He had shed his leaves many times, and he had shed some blood with inbuilt thorns, unintentionally.

He could become very attached to places; he was reminded often of his station in life, and he had been cut down in the prime of life by various people with a knack for gardening. He had resisted all efforts to trim and shape him, and he desired perennial life, but more than that desired only sufficient room to grow in the manner to which he had grown accustomed.

He knew that all life pretty much ascended from the dirt, and he had worked his way from the ground on up. As a young sap he expected in his old age to become a weeping willow. He had hoped someday to bear the fruits of his labors and aspirations; and when that day came, he would pluck it quickly lest it shrivel up; and he would taste it hungrily, but slow; and when finished, he would weep, and shrivel up, and die, like his father before him and his father's father and so on.

He knew that in the fruits of love lie the seeds of bitterness and the nectars of destruction, and he cared very little all the same.

2. Arboreal Sighs

As a child of seven, Mr. Timpson had come upon a lone tree, broken and dry in the winter snow. Stripped barren by February winds, it opened wide its woody fingers, reaching up to grasp the

continued on page 18

VENTURE IN



2923 MAIN PH. 528-9397

THE VANS...BABBS & BALDY

BABBS...

Florida's own and most talented female musical entertainer. Playing organ, piano, electric bass, melodica, good vocals.

PLUS BALDY...

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Thursdays - Sundays
9:00 PM Until

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BILL & JIM

10-2 DAILY, 12-2 SUNDAY

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BEER NIGHT

Sunday Keg Party 3:00 - 5:00 PM

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OPEN 4 PM - UNTIL
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**FREE
CHRISTMAS
BUFFET
DECEMBER 25
4PM to 7PM**

*Season's
Greetings*

**CLUB
HOUSTON**

2205 FANNIN
659-4998



A Fairy Tale of Sorts, continued

sky. He thought, "It must be a sad tree." As a child he told his mother, "The poor tree never knows in all its life what lies over the next hill. Some trees live forever — like sequoias!"

He would have rathered been a dandelion and float freely with the wind high above the world's sorrows.

Once his family had moved to a place where trees lived behind them, and he went often through a hole in the board fence to climb among them. He learned the sad uselessness of reaching for the sky with open fingers.

Then one day the bulldozers came. In six busy hours not one tree was left standing.

Inquiring among the neighbors he was told that they had gone to build a house. Perhaps for that reason he always preferred houses of brick.

He was lonely afterwards, and spent his time walking along bayou roads and little-known paths in the fields. He often wondered if somewhere in the forests of the world the trees could be waiting for him, watching with their hollowed eyes.

He never afterwards found more indulgent friends. For hours on end they had listened to his childish talk. Their strong, wide branches were always open to him.

He grew into an average specimen homo sapiens. He was no longer small enough to lie in the tree's cool beds, shaded by their leafy shrouds. Trees no longer recognized him, though he did not blame them; and with private tears he mourned their collective fates. They had taught him many things: The soft sadness of a windy day, and the acceptance of things he could not do — like grasp the sky with open fingers.

3. On His Way to Gone

Lots of times he thought of life,

having nothing better to do. He was a very particular person. He would have little to do with anything.

He had a lover once. Her name was Phoebe. She was lecherous and treacherous, which is to say typical. She taught him a few things, which is not peculiar in itself, since he was forever learning something. (In fact, he had learned so much since he was born, he sometimes thought of his brain as a cereal — it absorbed more the longer it was left in the bowl.)

At any rate, left to soak like the sop he was, he often soaked her in. He often basked in the sun of her worldliness.

She was a suppressor of gas. She was a minimal fartress. She was a sublime fortress of anal strength. He found her prowess unmatched.

At any rate, she'd said once in camouflaged flatulence something which Mr. Timpson found of use. This particular quote Mr. Timpson stashed away like a raisin at the bottom of his mind, in the dregs of his cerebral cereal. He did so for reasons which to him were both elusive and surreal.

She said; or rather, she asked: "What's the use of living if you don't take chances on dying?"

Phoebe, like anything he ever loved, eventually died.

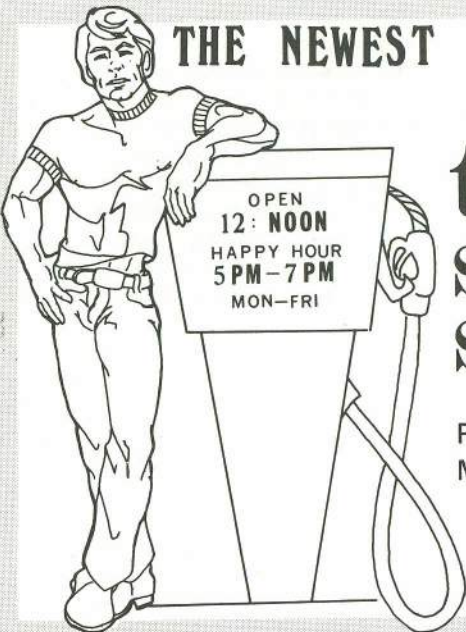
Hmmm. Often-times when at a loss for words, or reasons for living, for instance, he would grope and reach in slippery search for that verbal recipe. He would grope and reach for it as for a raisin in cereal. Or as he used to do with soap, before they made soap float.

It was of fleeting and seasonal solace. Suicide, similarly.

4. A Vacation from the Farm

Now Mr. Timpson was an old man,

continued on page 20



THE NEWEST BAR IN DALLAS!


the service station

POOL TOURNEYS
MONDAYS AT 7:30

3215 N. FITZHUGH

**TIRED OF THE SAME OLD BOOK STORES?
VISIT OUR NEW**

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In the Spring Branch area between Long Point Rd. and Hempstead Hwy. — take Hempstead to Clay Rd., left 1 block to Hollister, then turn left 1 more block.

**LARGE SELECTION OF
ADULT MAGAZINES FILMS
PAPERBACKS and NOVELTIES
HUGH MOVIE ARCADE BOOTHS**

And we now have
**BUNK HOUSE JAC AROMA
& LOCKER ROOM**

4009 Hollister next to Dynasty Club 462-8171

A Fairy Tale of Sorts, continued

and he watered the seeds of his thoughts with madness. A dripping intensity, which sprinkled in misty blankets on the fickle fertile earth of his mind coaxed forth buds of inspiration.

He said this: "I dare not plow the ground for a single crop, since you never can tell when a patch of hybrid weeds might bloom in bumper harvest."

So, perpetually nervous, he stood on streetcorners and asked himself questions; like, "My genius flowers perennially — can I say that?"

Mr. Timpson was, at last, a technical man. In exhaustive experiment in the early hours Wednesday the twenty-third of December, he practiced hanging himself by a rope from the staircase in the hall.

Many times in an hour he hung by his neck and got down again. He concluded

this: "Human beings, when hanging themselves, should do so standing up, and strangle only the blood which rushes forever in a hurry to the brain. That way, still breathing, they may fall asleep and hence to the floor, and without unpleasantness expire, their eyes closed to the unpleasantness of Death."

So, happily resolute he planned his own demise and thought of himself as a kind of travel agent.

Mr. Timpson was a philosophical man. After much reflection before the dresser mirror on himself, and Life, and other things, he put it together for the world in a relative summary.

He wrote this: "Youth, and the uses for prophylactics, are gone. I am a horticulturist of madness and a whore to my muse. I want out of the business. And the thing I have for cemeteries is a sense of belonging."



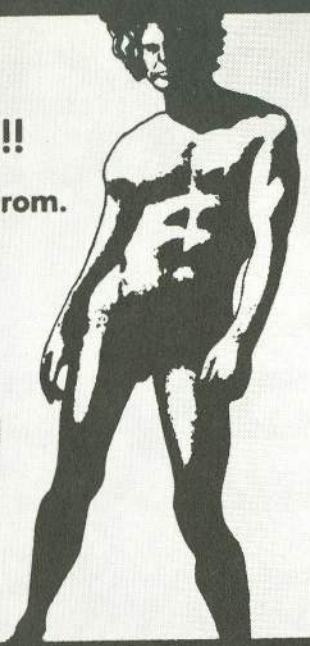
Happy Holidays

MARY'S II GALVESTON

STEAK NIGHT
WEDNESDAY

FREE FISH FRY
FRIDAY
8 P.M.

205 Q½ STREET
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East of California
are in **STUDZ'**
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STUDZ NEWS
1132 West Alabama
Houston (528-9948)

HOUSTON'S LEATHER BAR

1732 Westheimer
(713) 528-8844

Sunday 6-?:
\$1 beer bust

Monday 7-9:
free bingo with gifts, prizes

Tuesday 9:30:
free movie, 'Christmas Eve'

Wednesday:
half price drinks with hats or colors

Thursday:
go-go nite (slaves welcome)



THE LOCKER

Give it to a Texan!

Now, at Special Holiday Rates.

THIS WEEK IN TEXAS IS ONE GIFT THAT'S SURE TO BE A HIT FOR TEXANS. And there's never been a better time to give **THIS WEEK** to someone special. It's just \$10 for 26 issues, and we'll send you cards so you can personally announce each one. It's a winning idea. Give it to a Texan.

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The First in Houston
With The Very Best
All Male Movies

Tuesday - all day, all night is **Buddy Day**. 2 for \$5

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Ric & Jerry invite you to:
Happy Hour 10:00 am to 7:00 - .75¢ bar drinks
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ANSWERS BY ADAM

Dear Adam,

I know that the State of Texas does not sanction gay marriages. But with the gaining strength of the gay liberation movement, are there any signs that this could change? What legal approaches could be taken if someone wanted to fight those anti-gay laws? My lover and I are very happy together and feel that we have a right to have our union recognized by both the church and the state.

Robert E., Houston, Tex.

Dear Robert,

Admittedly, the gay liberation movement in Texas is, indeed, picking up great momentum, especially in Houston. But although many authorities have established a "hands off" policy toward gays and harassment is diminishing, the gay marriage concept is still a long way from reality in Texas and other states. Those "good ole boys" that comprise the Texas legislature are, for the most part, outraged by the very idea of such associations. If this matter is to be decided favorably, it will come from the somewhat more liberal courts and not the legislature. But even in the courts, it's still pretty shaky ground. However, some headway is being made in other parts of the country by fighting the issue on constitutional grounds.

According to the American Civil Liberties Union, the constitutional arguments most commonly used are that the refusal to grant gay marriages is a violation of the First Amendment right to freedom of association, an invasion of privacy as protected by the Fourth, Ninth and Fourteenth Amendments, and a denial of due process and equal

protection of the laws as guaranteed by the Fifth and Fourth Amendments.

The First Amendment generally protects the rights of individuals to associate with one another. No right to marry or to engage in sexual relations has, however, yet been recognized by the Supreme Court to be protected by the First Amendment.

The right of privacy has been more clearly defined by the Supreme Court to guarantee freedom from unwarranted government interference in what has been styled as the individual's zone of privacy. Matters so personal and intimate as decisions whether to use contraceptives or not, or whether to have an abortion or not, have been protected under this Amendment. Similarly, the decision of two people to marry and to choose with whom they wish to have consensual sex and an intimate relationship should be protected against needless government interference.

The Supreme Court has recognized that the right to marry is a fundamental right in cases of interracial marriages. The denial of such a right to one group (gays) while allowing others (persons of different races) may be said to deny equal protection of the laws unless a substantial reason may be shown for the difference in treatment.

The Supreme Court has held that discrimination on the basis of sex may violate the equal-protection clause. Since refusal of a marriage license because the partners are of the same gender may be argued to be a distinction on the basis of sex, and because the right to marry is a fundamental right, the court must examine the social interests of society allegedly served by such a refusal, and determine whether those interests outweigh individual interests.

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Answers by Adam, continued

justify the refusal to sanction gay marriages are (1) that the government should try to "cure" homosexuals and not encourage home homosexuality by tolerating and legalizing it; (2) that issuing a marriage license would place states in the position of officially sanctioning a relationship that may encourage the commission of illegal acts such as sodomy; (3) that most Americans view marriage as a union between a man and a woman who can consummate a marriage by heterosexual intercourse, and almost the same number believe homosexuality to be morally reprehensible.

Many responses to these arguments are possible. First, the American Psychiatric Association has concluded that homosexuals are not "sick" and need not be "cured." In any event, prevailing medical opinion has long been that

it is almost impossible to change sexual orientation. Second, the laws that prohibit consensual sexual acts in private between adults are arguably unconstitutional. Further, in all states except Kansas, New York and Pennsylvania, many sexual acts are prohibited, even if they are committed by married heterosexuals. Moreover, there are various sexual acts that may be performed by gays in private that are not proscribed by statute.

Finally, the Bill of Rights was intended, in part, to protect minorities against discriminatory treatment imposed by reason of a majority's deeply held beliefs. Many Americans believed that interracial marriages were immoral, but the courts have nonetheless held unequivocally that such marriages may not be prohibited. Society's moral preferences, whether based in religion or not, should not permit the denial of a fundamental right.

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