

Is There a Poetry Club Here?

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Each profession—each craft—has its own tools of the trade: medicine has its test tubes, its devices for measuring and monitoring the functions of the human body; the pipe fitter has various wrenches, fluxes and solders; the jeweler and watchmaker both use a loupe and miniature tweezers. But the legal profession, both the attorney who presents the case and the judge who decides it, has but one tool of the trade: words. And it is the law's choice of words, the precision of their use and, at times, the lack of precision, which propels the legal profession. The same, of course, is true of the poet's tools of the trade. As Anne Sexton put it in "Said the Poet to the Analyst," "My business is words." Odd, then, that there are so few instances where the law and poetry intersect. Fiction has on occasion come under the scrutiny of the law, Joyce's *Ulysses*, of course, and the sterling opinion of Judge Woolsey, finding Joyce's efforts to be "sincere and honest," being the best example. *Lady Chatterley's Lover* is another. Then, outside of literature, but still in the word business, we have the examples of Lenny Bruce and George Carlin butting heads with the censors.

Certainly, there are examples of poets who have run afoul of the law: Ezra Pound, Oscar Wilde, Shelley. But those cases were about the behavior of the poet, not about poetry itself. Pound was institutionalized in St. Elizabeth's Hospital for the Insane after propounding fascist propaganda from Italy during World War II. Wilde was sentenced to jail for seducing the son of Lord Queensberry. Shelley was expelled from Oxford for espousing atheism.

But it's harder to come up with instances in which the actual poetry, as opposed to the behavior of the poet, is the subject of legal review. OK, there's Whitman's *Leaves of Grass* which, in 1881, was seized on the grounds of its "explicit language." Then there's Ginsberg's *Howl*, which, after its publication in the fall of 1956, was seized by U.S. Customs and the San Francisco police and which was the subject of a trial at which the testimony of poets and professors of English persuaded the court that the book was not obscene. But the lingering supposition surrounding that case is that

the first copies of *Howl* were handed over to the authorities by friends of Ginsberg as a publicity stunt in order to promote the book. And the court's discussion of whether the literary merits of *Howl* rescue it from the charge of obscenity is closer to the cases of Carlin and Bruce than they are to anything else. Still, *Howl* is one of the few examples of poetry and the law. It seems possible that, by its very nature, having a narrower audience and being perceived as less accessible by the general public than is prose, poetry is better able to glide beneath the law's radar.

Now, however, the California Supreme Court has handed down a delicious case in which the essence of poetry is the subject. Or maybe not. Here's what I mean.

The case, cited in the legal cannon as *In re George T.*, 33 Cal. 4th 620 (2004), was decided on July 22, 2004. Here are the facts as developed by the trial court, and which for purposes of appellate review, everyone has to accept as true: George T., age 15, known to his family and friends as Julius (because they are minors and entitled to protection of their privacy, the students' full names are not given) was taking an honors English class at Santa Teresa High School in San Jose, California, in the spring of 2001, having transferred into the class from another school. On Friday, March 16, Julius moved to a vacant seat close to Mary S., handed her three pieces of paper written in ink and said, "Read these." As he approached Mary, Julius asked, "Is there a poetry club here?"

On the top page Julius had written, "These poems describe me and my feelings. Tell me if they describe you and your feelings." According to Mary, Julius was not laughing or joking. He had a straight face and appeared "serious." His face showed no emotion; it was just "blank." Mary read the poem:

Faces

Who are these faces around me?
Where did they come from?
They would probably become the
next doctors or loirs [sic] or something. All
really intelligent and ahead in their

game. I wish I had a choice on what I want to be like they do. All so happy and vagrant. Each original [sic] in their own way. They make me want to puke. For I am Dark, Destructive, & Dangerous. I slap on my face of happiness but inside I am evil!! For I can be the next kid to bring guns to kill students at school. So Parents watch your children cuz I'm BACK!!

The note was signed, "by: Julius AKA Angel."

Written in hand at the top of the page were the words, "Dark Poetry," which Mary understood to mean a poem that was entirely about "angry threats; any thoughts that aren't positive."

Up to this time, Mary's contact with Julius had been limited to two or three occasions, talking about "what time it was." She had never spoken with him "about philosophy or anything like that." During the weeks before March 16, the English class was reading *The Sun Also Rises*. There were no poetry assignments in the class and Mary was not involved in the school's poetry club.

On that same Friday, March 16, Julius also approached another girl, Erin S., to whom he handed the same poem that he had given Mary. Because she was late for class, Erin pretended to read the poem "to be polite" but did not actually do so. She put the paper in her jacket pocket and forgot about it over the weekend.

Mary testified that she found the contents of the note "personally threatening" to her "as a student" because Julius described himself as "dark, deceptive and dangerous." She felt Julius "was threatening [her] life." Having interpreted Julius's writing as a "death threat," she left the school "as fast as [she] possibly could." She told her parents about the incident; they were "alarmed." Mary's father tried to call the school but it was closed.

The next day, Saturday, Mary emailed a note to the English teacher, Mr. Rasmussen, describing Julius's poem and her fears. She remained frightened and was afraid to go to school the following Monday. After reading Mary's email on Saturday evening, Mr. Rasmussen called the police.

All of this took place, of course, against the backdrop of the Columbine killings of 1999 and a school shooting at Santana High in Santee, California, which

had taken place less than two weeks earlier on March 5, 2001, resulting in the death of two students and the wounding of eleven students, two adults, a student teacher and a campus security guard.

Erin S. didn't get around to reading Julius's poem until the following Monday, when she was summoned to the principal's office, where a police officer asked her if Julius had given her any notes. It was not until then that she pulled the paper from her pocket and read it for the first time. She became terrified and broke down in tears. At trial, Erin testified that reading the poem made her "very scared," that she was "extremely in shock," that she believed the words were "a threat to [her] life" and that she and her friends were in danger because Julius had written that he "can bring guns to school and kill students." Erin was not a member of the school poetry club, had no interest in poetry and was unfamiliar with the term "dark poetry."

San Jose Police Officer Pach Tran went to the home of Julius's uncle, where Julius was staying. Julius answered the door and Officer Tran asked whether there were any guns in the house, to which Julius nodded affirmatively. Julius's uncle handed over a rifle and a .38-caliber revolver. When asked about the note he had distributed to Mary and Erin on Friday, Julius responded by handing over another poem, entitled "Faces in My Head." This poem read:

Look at all these faces around me.
They look so vagrant.
They have their whole lives ahead of them.
They have their own indivisuality [sic].
Those kind of people make me wanna puke.
For I am a slave to very evil masters.
I have no future that I choose for myself.
I feel as if I am going to go crazy.
Probably I would be the next high school killer.
A little song keeps playing in my head.
My Daddy is worth a dollar not even 100 cents.
As I look at these faces around me
I wonder why r they so happy.
What do they have that I don't.
Am I the only one with the messed up mind.
Then I realized, I'm cursed!!

Julius was detained by the juvenile authorities, the equivalent of an arrest of an adult, on the allegation that he had made a criminal threat.

At trial, it developed that Julius had been trans-

ferred from two other local high schools that year before being placed at Santa Theresa High School. At the other schools, he had been disciplined for urinating on the wall of a school building, plagiarism and for repeatedly cutting classes. Julius testified to his belief that the school authorities were out to get him and alleged that the school district had bribed Officer Tran to lie in court to incriminate him. He specifically denied knowing that his uncle had guns in the house or that he had admitted such knowledge to Officer Tran.

In his defense, Julius testified that he was interested in poetry as a way to describe emotions instead of acting them out. He wrote the poem "Faces" on the afternoon of March 16, when he was having a bad day because he had forgotten to ask his parents for lunch money and thus had gone without lunch. When he was unable to find something he was looking for in his backpack, a bunch of unwelcome thoughts came into his head and he wrote the poem as a way of getting the thoughts out of his head. The reference to killing people was a reference to a joke among Julius and his friends to the Columbine killings. They would say, "I'm going to be the next Columbine killer," and they would fantasize about who would be killed and who would not. Julius testified that he did not intend the poem to be a threat; he was just joking around. On the other hand, he conceded that his mother would view his poem as a threat.

Now a quick legal lesson. Most lay people and all criminal defense attorneys are quick to frame Julius's case as a First Amendment issue: Julius has a fundamental and constitutionally protected right to free expression and he cannot and should not be prosecuted for his poem. But a threat is not constitutionally protected speech. So, for instance, if I barge into the office of the poetry editor of *Ploughshares* and say, "You've rejected my poems for the last time. Get ready to die!" That is a criminal threat that the First Amendment does not protect. And this is so even though such an utterance is pure speech, even though I don't point a gun at the editor as I say the words. A true threat lies outside the protection of the First Amendment solely because it "plays no part in the 'marketplace of ideas.' Rather than contributing to the world of opinion or ideas, a true threat is designed to inflict harm" (Opinion of the California Supreme court in the case cited as *In re M.S.*, 10 Cal. 4th 698 (1995)).

So, legally, the first question is whether Julius's

poem was a threat. Well, Mary and Erin and Mr. Rasmussen thought it was. And at his trial, Julius conceded his words would "obviously threaten" a fellow student if the recipient did not know him and did not know he was "just kidding."

And isn't this just the kind of cautionary indicator we all searched for in the agonizing post-mortem of the Columbine and Santee shootings? "Wasn't anybody paying attention to these boys? Wasn't there some clue, some warning sign that they were planning to shoot the school up? How could we have prevented this tragedy?" Well, here's Julius, possibly giving us such a warning, but it's in the form of a poem, so we're worried that it's an artistic expression protected by the First Amendment.

Threat by means of poem. A new legal concept? Or a new art form?

The juvenile court judge, Nazario Alberto Gonzales, of the Santa Clara County Superior Court, was decidedly unimpressed with Julius's poetry and found that he had made a criminal threat and ordered him committed to juvenile hall for one hundred days. Then Julius appealed his case to the Sixth District Court of Appeal, the intermediate appellate court between the trial courts and the California Supreme Court. At the Court of Appeal, a panel of three justices was assigned to hear Julius's appeal. Two of the appellate justices affirmed and upheld the juvenile court's finding. But a third justice, Conrad Rushing, himself a fancier of poetry, took up Julius's cause and wrote a dissenting opinion, which, while it did nothing to overcome the fact that he was outvoted by his two colleagues, nonetheless struck a blow for poetry itself. He suggested that it was unreasonable of Mary and Erin to be fearful of Julius or of the sentiments expressed in his poetry. He said that the poem was "mere hyperbole" and nothing more than a fumbling attempt by a lonely young man searching for a way to spark a friendship at his new school by sharing his poem. In a heartfelt and spirited defense of the adolescent creative impulse, Justice Rushing classified Julius's "Faces" in the genre of "dark poetry," comparing it to the confessional poetry of Plath, Berryman and Lowell. He cited Lowell's "Skunk Hour":

. . . My mind's not right.
A car radio bleats,
"Love, O careless Love. . . ." I hear
my ill-spirit sob in each blood cell,

as if my hand were at its throat. . . .
I myself am hell;
nobody's here.

This prompted the deputy attorney general, whose job it was to brief the case in the California Supreme Court after Julius took his appeal to that distinguished body, to write, "The dissent rhetorically asks, 'Could it [Lowell's "Skunk Hour"] have been considered a threat?' Certainly, such a poem by itself, sent to a publisher, or reprinted in a literary magazine, would hardly raise an eyebrow, let alone give rise to criminal proceedings. Without any negative context, the poem is harmless. A more apt comparison, however, would be if Robert Lowell went to the top of a hill at lover's lane, knocked on the window of a parked car and, with a serious demeanor, handed this snippet of his poem to the occupants inside. Also assume this encounter took place just eleven days after Caryl Chessman, the Red Light Bandit, had attacked another unsuspecting couple at a scenic overlook. Under these circumstances, the personal delivery of this snippet of "Skunk Hour" to complete strangers would constitute an unbelievably chilling threat."

Owing in large part to Justice Rushing's dissent, Julius's case drew the attention of the media. Articles about the case appeared in the *San Jose Mercury*, the *San Francisco Chronicle* and other newspapers. Eventually the case came to the attention of a loose group of writers who banded together for the purpose of retaining an attorney to submit an amicus—"friend of the court"—brief on Julius's behalf. The amicus group included J.M. Coetzee, Michael Chabon, Harlan Ellison, The First Amendment Project and PEN USA. Julius was getting ink.

The next step was an appeal to the California Supreme Court and there the attorney for Julius focused his arguments on whether or not there was evidence to support the finding that Julius's poems were threats at all. If they were not threats, but just poetic musings, they are entitled to First Amendment protection and Julius is off the hook. So Julius's appeal concentrated on the fact that although he didn't know Mary and Erin well, his prior relations with them had been marked by friendliness. They had talked, maybe three times since Julius first came to class, and Mary was nice to Julius and their "conversations were friendly." Erin had talked with Julius three or four times since

meeting him the week before, which worked out to about once per school day. Julius, according to his attorney, had had several friendly interactions with Mary, "but was unable to get past asking what time it was." The subtext of this argument was that Julius actually liked Mary and Erin, was attracted to them, but was shy and confused, and so, Georgie Porgie-like, tried to use his poems as ice-breakers.

A common legal tactic is to cite to other, more egregious cases based on more extreme facts, and then to attempt to distinguish or soften the case under consideration. For this purpose, Julius's attorney referred to a case reported in Arkansas in 2002, known as *Jones v. State*. In that case, a fifteen-year-old boy returned to school after a period of juvenile detention and sought to rekindle a three-year relationship with a female classmate. He wrote several notes and gave them to her, but she refused to write back. This angered the boy and he wrote a rap song and gave it to her. In the rap song, the boy stated that the girl had rejected him, that he was angry and full of misery, that the girl had "better run bitch cuz I can't control what I do. I'll murder you before you can think twice, cut you up and use you for decoration . . . there's gonna be a 187 on your whole family . . . then you'll be six feet under, beside your sister, father, and mother. You'll be in hell, and I'll be in jail, but I won't give a fuck cuz we all know I've been there before."

The Arkansas Supreme Court held that this rap song constituted a true threat and was not protected by the First Amendment, relying on the fact that the communication indicated he was mad at the girl, that there were no conditions on his threats, that he had communicated it directly to the girl, and that the girl believed that the boy had violent propensities, demonstrated by his criminal record.

In Julius's case, on the other hand, his attorney argued that there was no direct threat to kill or injure, "just the poetic expression of a perceived capability to do so." Any threat was not directed specifically to Mary and Erin. The girls had never heard Julius speak of being violent or angry and had no reason to believe he actually would carry out a school shooting.

The attorney general stuck to the traditional test, arguing that the sole question was whether or not Julius had made a criminal threat. Whether the threat was delivered in the form of a rap song, a painting or a poem is irrelevant. A threat is a threat, and putting it

into some type of artistic format does not alter the nature of the threat. The Attorney General emphasized the evidence developed at trial, and Julius's own admission, that he was aware that the entire nation was traumatized by the Columbine and Santee shootings and that his poem would be perceived as threatening and frightening to anyone who didn't know him. And to his mother, who presumably did.

The amicus group stated its interest in the case as preservation of "their own First Amendment rights to freedom of artistic expression, as well as the rights of the readers." The group also claimed a "special interest in ensuring that young adults, honing their creative writing talents, remain free to explore the whole range of their emotions and experiences, try on different literary voices and personae, and address disturbing subject matter without fear that they will be punished should their work be misinterpreted."

At the outset of its brief, the amicus group was quick to point out that they do "not contend that a poem can never constitute a true threat that lies outside of First Amendment protection." They contend, instead, that "creative works such as a poem or painting cannot, on their face, constitute a true threat. Only the circumstances surrounding the communication of a poem or other creative work can transform it from protected expression into an unprotected true threat." The amicus group argued, however, that where any artistic expression is involved, such as with Julius's "Faces" poem, the authorities should be held to a higher standard of proof, so that a presumption should apply against finding an artistic expression to be a true threat, compared to those cases in which the threat was delivered by common everyday speech, say, or by means of a letter. This is necessary, they argued, to insure against infringement on freedom of artistic expression. They urged the California Supreme Court to adopt a special test, another hurdle for the authorities, so that where a work of art is involved, the authorities would first have to overcome the presumption of protection by establishing that the circumstances surrounding the communication of the art "somehow transform it from protected expression into an unprotected true threat."

Up to this point, no one had raised the question whether "Faces" and Julius's other writing are actually poems. Justice Rushing didn't question it. The amicus group goes so far as to say, "No one argues that "Faces"—with its enjambed lines and metered sentence struc-

ture—is not intentionally and in fact a poem." Enjambed lines? Metered sentence structure? The brief goes on to compare Julius favorably to Shakespeare: "Like Hamlet, Julius's character Angel acknowledges that he is 'evil inside' disguised by the 'face of happiness' he 'slap[s] on.' Like Hamlet, Angel's potential for evil is deep: Angel has within him the potential to be 'the next kid to bring guns to kill students at school.'" Has the author of these lines ever sat through a poetry workshop?

The argument continued: "And no one could seriously argue that this poem, if published in an anthology of poems, in the literary magazine of the Santa Teresa poetry club, or even in the poetry section of the school newspaper, could be punished as a true threat." But isn't that exactly the point? Julius didn't submit these lines to a literary magazine or to the school newspaper or to an anthology of emerging young poets. He pressed his poetry on girls in his class to whom he was attracted, with whom he wanted to forge some type of relationship, but who, for all he knew, had no interest or understanding of poetry.

And this is important, because we are being asked by Julius's attorneys to apply a special standard to poetry when it is used as a vehicle for a threat. But let's consider the reverse case. Suppose Julius decides to broaden his skills and tries his hand at other forms. Rhyme, say, and strict meter. And so he writes another poem:

Roses are red
Violets are blue.
Give me the money,
Or I'll shoot you.

It's bad poetry, but it has as much claim to being called poetry as "Faces" does. When the authorities get a call from the recipient of this threat, should they be required to interrupt their investigations before making an arrest while they consider whether this poem is entitled to the "presumption of protection" of the First Amendment, as the amicus group urged?

Contemporaneous with these arguments in the California Supreme Court, the national press was reporting a somber and somewhat contentious re-examination of the events leading up to the 1999 Columbine shooting. At a building on the Jefferson County Fairgrounds, Colorado Attorney General Ken Salazar recently displayed the physical evidence relating to the country's deadliest school shooting. Onlookers were stunned by a display of hundreds of bullets, scraps of

bloody carpet, sawed-off shotguns, pistols, pipe bombs, knives and television screens fractured by bullets. “They could have been stopped a million times,” said a young man, with whom the killers had had a falling out and whose parents had told sheriff’s deputies about death threats against their son. Somehow, this death threat was never followed up by the authorities and families of victims now seeking an investigation as to why nothing was done. There has been no allegation that this earlier death threat was in the form of a poem.

Fundamentally at issue here is a balancing between our fears about guns and massacres in schools and our fears about the state’s incursion on our constitutional right to freedom of expression. And where do we rank these fears? Did we actually worry, in first reading about this case, that Julius’s arrest was an assault on our freedom to write and publish poetry? Which do you worry about more, potential infringements of this sort on your freedom of expression or preventing the next school massacre?

In the end, the California Supreme Court sided with Julius. Moreover, the decision was unanimously in favor of Julius, which is astonishing for a court generally known to be conservative. In coming to its decision the court examined Julius’s poem, “Faces,” finding that most of the poem does not constitute a threat. Only the final two lines were found arguably to be construed as a criminal threat: “For I can be the next kid to bring guns to kill students at school.” “Can” does not mean “will,” the court reasoned. “While the protagonist in “Faces” declares that he has the potential or capacity to kill students given his dark and hidden feelings, he does not actually threaten to do so. While perhaps discomfiting and unsettling, in this unique context this disclosure simply does not constitute an actual threat to kill or inflict harm.”

The court then turned the tables on Mary, pointing out that “Mary actually misread the text of the poem. In her e-mail to Rasmussen, she stated that the poem read, “he’s ‘going to be the next person to bring a gun to school and kill random people.”” Putting this incident in context, the court added, “Given the student killings in Columbine and Santee, this may have been an understandable mistake, but it does not alter the requirement that the words actually used must constitute a threat in light of the surrounding circumstances.”

The seven justices went so far as to acknowledge that “exactly what the poem means is open to varying

interpretations because a poem may mean different things to different readers. And further in their decision: “Ambiguity in poetry is sometimes intended: ‘Ambiguity’ itself can mean an indecision as to what you mean, an intention to mean several things, a probability that one or the other or both of two things has been meant, and the fact that a statement has several meanings.”

“When the words are vague, context takes on added significance, but care must be taken not to diminish the requirements that the communicator have the specific intent to convey a threat and that the threat be of such a nature as to convey a gravity of purpose and immediate prospect of the threat’s execution.”

Yes, exactly. Context is everything, isn’t it?

And picking up on the point outlined by Justice Rushing in the lower appellate court, “The themes and feelings expressed in ‘Faces’ are not unusual in literature: Literature illuminates who ‘we’ are: the repertory of selves we harbor within, the countless feelings we experience but never express or perhaps even acknowledge, the innumerable other lives we could but do not live, all those ‘inside’ lives that are not shown, not included in our resume. ‘Faces’ was in the style of a relatively new genre of literature called ‘dark poetry’ that amici curiae J.M. Coetze et al explain is an extension of the poetry of Sylvia Plath, John Berryman, Robert Lowell, and other confessional poets who depict extraordinarily mean, ugly, violent, or harrowing experiences. . . . Consistent with that genre, ‘Faces’ invokes images of darkness, violence, discontentment, envy, and alienation. The protagonist describes his duplicitous nature—malevolent on the inside, felicitous on the outside.”

And here, in the Supreme Court’s own words, is the holding of the case: “For the foregoing reasons, we hold the poem entitled “Faces” and the circumstances surrounding its dissemination fail to establish that it was a criminal threat because the text of the poem, understood in light of the surrounding circumstances, was not ‘so unequivocal, unconditional, immediate, and specific as to convey to [the two students] a gravity of purpose and an immediate prospect of execution of the threat.”

So, Julius is off the hook. But, not forgetting the legitimate concerns of the school authorities, the Supreme Court added a final paragraph:

“[Julius’s] reference to school shootings and his dissemination of his poem in close proximity to the Santee school shooting no doubt reasonably heightened

the school's concern that [Julius] might emulate the actions of previous school shooters. Certainly, school personnel were amply justified in taking action following Mary's e-mail and telephone conversation with her English teacher, but that is not the issue before us. We decide here only that minor's [Julius's] poem did not constitute a criminal threat."

Justice Baxter authored a separate, concurring opinion that more directly addressed fears of Mary and the school authorities. Justice Baxter wrote, "Under these circumstances, as the majority observe, school and law enforcement officials had every reason to worry that defendant, deeply troubled, was contemplating his own campus killing spree. The important interest that underlies the criminal-threat law—protection against the trauma of verbal terrorism—was also at stake. Accordingly, the authorities were fully justified, and should be commended, insofar as they made a prompt, full, and vigorous response to the incident. They would have been remiss had they not done so. Nothing in our very narrow holding today should be construed as suggesting otherwise."

In considering how this might affect us, let's revisit the characters in this drama.

First Mary. She shrieked. She cried. She ran home as fast as her legs would carry her. Did she cry wolf? Is she just another one of the girls that Georgie Porgie makes cry? Was it, as Justice Rushing suggested, unreasonable of Mary, when she read the words of Julius's "Faces," to fear that she might be the only alarm standing between Julius and another Columbine massacre? Or, in so believing, did she demonstrate considerable courage in notifying her parents and cooperating with the police? After all the twists and turns that this case has taken, what should Mary tell her friends to do if, in the future, they are handed poems like "Faces?"

Then there's Officer Tran, the cop on the beat. Society and the rules have changed since the days of *Dragnet* and *Columbo*, and Officer Tran has to keep up his professional skills. So, in addition to everything else we require of him, specialized knowledge about preservation of evidence, the need to avoid contaminating a crime scene, that kind of knowledge, are we now going to ask Officer Tran to know something about poetry as it relates to evaluating whether something is a threat? The next time Mary panics and calls the police, are we going to send Officer Tran out to explain to Mary the principles of enjambment and meter? And what is

Officer Tran going to do the next time he encounters a threat whose author is sly enough to put his threat in a prose poem?

And our hero, Justice Rushing, the only member of the judiciary thus far who seems to have any understanding or appreciation of poetry—but who seems uncomfortably familiar with the adolescent urge to give a girl a poem? How do we (or dare we) tell Justice Rushing that the term, "confessional poetry" is usually understood to describe exploratory, rather than revelatory, poetry? That in so-called confessional poetry, the narrator of the poem comes almost as a supplicant, impliedly inviting the reader to assume the priestly role of authority in judgment over the poem. And that of the "confessional poets," among whom we usually include Lowell, Bishop, Plath, Sexton and Snodgrass, the narrator almost exclusively turns his wrath inward, rather than outward. Lowell, in "Skunk Hour," cited by Justice Rushing, never expressed any thought of hurting anyone else; the narrator's pain was focused inward.

And what about Julius? What is the message we're trying to impress upon this young man? That his poetry is worthy of comparison to Lowell's? Or do we want Julius to consider context, and to tell him that, like the rest of us, he shouldn't show his poems to anyone but a trusted mentor or teacher, until he's worked it and reworked it and then it should only be shown to the other members of the poetry club or to the poetry editor of the school's literary magazine?

And while we're at it, should we be asking Julius what he's been reading? And suggest that he might do better than to do a Google search for web sites hosting "dark poetry"? Because I remember being fifteen and I remember falling in love with poetry and the urge to write self-absorbed poetry. And I'm not ashamed to remember reading Vachel Lindsay and Edna St. Vincent Millay and Emily Dickinson and e.e. cummings and thinking, "I could do this." And I remember kind and patient teachers who carefully guided me in my reading of poetry and in the craft of writing poetry. Can't someone take this boy by the hand and introduce him to, say, Bukowski? What is to become of Julius?

And what about the rest of us? What is our responsibility to Julius and others like him? What is our responsibility to poetry? What do we do when another young man in our class or in our poetry reading group hands out an example of "dark poetry" that reveals his possible intention to commit violence? Do we call the

We need one more page after this one

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