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Just Thinking, 10/28/02:

Freedom to Mourn; Freedom to Be Warned

by Justin Katz

I sometimes drove from my soon-to-be-wife's house to my collegiate abode very late at night. I'd cross the Newport and Jamestown bridges with music moderately loud and thoughts usually casting for possibilities in the future – whether proximate and school related or distant and family or career related. If scheduled to trudge out onto the docks to unload fish early in the morning, I would drive quickly. Saying goodnight was difficult; waking up was more so.

Once over the Jamestown Bridge, Rt. 138 West widens and is well paved and sparsely traveled, especially at those times when roads everywhere are empty. Just far enough from the bridge for the mind to drift, the highway becomes a dark and sharply curved ramp onto Rt. 1 South. I used to block any car whose headlights filled my rearview mirror too quickly and in order to slow it down gradually in the off chance that it was the driver's first time making the turn. I had learned from the screeching tires on my first trip around that bend.

On June 3, 2001, Alison Dunn Packer learned the same lesson with an unnecessary finality. She was one of six kids who piled into sixteen-year-old Robert Tarini's Chrysler, which, at approximately 3:30 a.m., entered the ramp fast enough to lose its grip on the road and roll. Ali lived long enough for her mother to hear her voice, over a cell phone, saying, "I cannot breathe."

Later in the summer, I took that route for the first time in years. Off the road, I noticed one of those small white crosses that motorists can spot in certain regions. Before I began commuting ninety miles into Massachusetts, I had never seen such memorials, and I wondered at the first few. The very first, observed when I was still an “atheist,” struck me oddly. The gloom of its forested location, enhanced, when I first noticed it, by dreary weather and drearier thoughts, and the way in which it was adorned brought images of the occult. Silly, I know. When a second came into my consciousness, I wondered whether it was part of a new campaign against drunk driving. By the third, I began to catch on.

Part of what led me to understand their import had to do with something that the crosses had in common other than their whiteness: relatively dangerous stretches of road. There was the one in the forest, which was on a hilly straightaway; there was the one where travelers on one major highway had to move quickly across another major highway to keep their path; and there were several on or near exit ramps. The crosses became more effective, for me, than “Dangerous Curve” signs. The eye catches the shape and the meaning, but without any necessity to read words or pictures. “Slow down. People have died here.”

Later, when I began to seek faith, I found the crosses comforting. It would be wicked to be glad of death simply because it brings an indirect consolation. Rather, the solace that those who had placed the memorials derived from the act and the faith that the symbol likely denoted, both being foreign to me at that time, brought a sad sort of hope. I’d say a prayer for the soul that each cross represented. I’d remember those things that were the heart of my motivation for going wherever I was headed. And I would slow down in my frenetic thinking just as I slowed down in my car.

The deeper meaning of the crosses has led to some controversy over the practice of placing them along public roadways. According to Freedom Forum, an objection to public displays of

religion motivated a man to collect them from a stretch of Colorado highway. Rodney Lyle Scott told the state trooper who found him on the side of the road with a truck-bed full of flowers and crosses that he was “cleaning up the interstate.” The police officer assumed that Scott was acting with permission. (Who would think that somebody would be so cruel to surviving loved ones?)

When families complained and a district attorney brought suit, Scott faced up to six months in jail and a \$750 fine for “desecration of venerated objects.” In came the philanthropists. Freedom from Religion Foundation attorney Bob Tiernan, seeing it as an issue of separation of church and state, took up Scott’s case gratis. “It’s a violation of the U.S. Constitution, as far as I’m concerned, and it’s a serious distraction.” Tiernan won because the judge twisted the language of the law to define purposefully constructed memorials – part of a practice on this continent that is older than our nation – as “discarded refuse” and “unlawful advertising.”

But if the object is not “venerated,” why would it offend anybody? And if it is only advertising, why wouldn’t such religious symbols be allowed everywhere that advertising is allowed – elementary school bulletin boards, for example? It’s all nonsense, of course, and “freedom from religion” might as well mean “no freedom of religion.” The Constitutional right to religious liberty has been deformed into a suggestion that the federal government must actively oppose religion. “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof” clearly would apply to the case of roadside crosses in such a way that, if anything can be placed by the side of the road, religious items must be allowed, as well. Apparently, in the specific case at hand, the families were allowed to replace the memorials minus the crosses, revealing the slanted way in which the law is made to address an issue that it refuses even to acknowledge.

As for Tiernan’s second claim, it is also nonsense to posit such crosses as any more of a distraction than the scenery provided by nature, nearby landowners, advertisers, and the traffic

signage placed for public safety. Indeed, given their multiple statements, such memorials are a public service, themselves. When I noticed that white cross with “A L I” painted across it, I felt that, if I had a child in the area, or if I were a child in the area, that conspicuous landmark would do much to remind me to think, even if I weren’t inclined to pray.