

The Ends of Governance: democracy, driver education, and the normalization of auto-death

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Lecturers

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Summary: As the American Interstate system turns fifty, I look at the unpleasant aspects of American mass transit with particular attention to automobile accidents and fatalities. In particular I focus on the public affair which emerged in response to it: road rage and aggressive driving. Applying a Foucauldian perspective, I analyze the discourse and tools that govern traffic and the role these play in the hegemony of auto-centrism in American mass-transit. Moreover, with an eye to the role of civil-society in the generation of this structure and the recent celebrations of governance, I question unilateral application of consensual models of democracy. In conclusion I use the Neo-Gramscian vocabulary to suggest radical, counter-hegemonic activity is the best response to the structurally violent and politically closed domestic development agenda embodied in American 'mass transit'.

"There are lies, damn lies, and statistics."
-Mark Twain

Introduction: America, a Museum of Roads

The American Interstate system turned fifty last year, and the monuments are going up. Surfing in and out of websites like that of the American Association of State Highways and Transportation Officials (AASHTO) or the American Road & Transportation Builders Association (ARTBA), the euphemisms are ‘a symbol of freedom’ or ‘we built it...America moves on it’, or in the case of the Federal Highway Administration (FHA), a modest ‘celebrating 50 years’. These websites are museums. They offer short histories, timelines, images, memories, ‘myth busters’, and ‘fascinating facts’: number of miles from X to Z, ‘see how the Interstate Highway System compares to Cheops or the Great Wall’ with all of its 46,837 miles, (AASHTO: 2004). The websites and monumental narrative they give body to are also linked to a generous amount of research and literature on meeting traffic flows now and throughout the next 50 years.

The transformation of the transportation landscape into an American monument, a golden anniversary between me and my country’s transportation grid, reminds me of a piece on Ellis Island before its renovation from ghost-town to American immigration monument:

Judgements inconsistent with this celebration find little place in the story and do not “take” when mentioned. The larger story of forced and unforced population movement, the application of more restrictive measures to unpopular national or ethnic groups –were ‘too complicated’ to work into the narrative (Frisch: 224).

If the re-erection of a system as a monument to ‘freedom’ or ‘American ingenuity and progress’ requires excluding inconsistent judgements on the thing to be made monument of –then what is missing from the celebratory accounts?

Because I know the statistics, which are not available at these particular museums, I can choose to measure America’s dominant mode of daily transit by its death toll. I arrive, eerily, at almost the same figure –approximately 42,000+ bodies annually since the 1980s (down from approx. 55,000 per annum in the 1950s and 1960s)¹. This represents the fifth leading cause of death in the US, and the leading cause of death for age range 1-29² –after which cancer (largely lung) and heart disease/failure (mainly from stress and lack of exercise) take over.

¹ Data taken from National Highway Traffic Safety Administration (NHTSA): <http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/index.html>. Last accessed 18.12.2007. The 10,000 decrease is usually attributed to a combination of anti drunk driving campaigns, better engineering, and the abolition of the federal 55mph speed limit –though the last as a factor tends to be contested.

² National Vital Statistics Report, Volume 50, Number 15 (September 2002). I have seen various similar statistics for this.

However, fatalities are the sad minority of the 6 million automobile accidents annually reported. These non-fatal accidents carry, in addition to injury, social costs of approximately \$200 billion. And these unintended effects are accompanied by all sorts of other familiar problems: greenhouse gas emissions, noise pollution, stress and chronic congestion, conditions of trans-national auto-motive production, oil dependency, environmental degradation related to roadways, and an auto-centric trans-urban design which makes walking or cycling either functionally impossible, or more dangerous and less practical, and the social and economic disability of people who do not possess a car and/or who cannot access and/or are not aware of alternatives.³

This is not to condemn cars as such (a machine I find suited to quite a number of occasions) and my concern here is not really the interstate system—which in addition to its uses and charms is ‘the safest road system in the country, with a fatality rate of 0.8—compared with 1.46 for all roads in 2004’ as measured by drivers per million (FHA: 2006). My concern is the framing of transportation safety in the United States and the role it plays in frustrating impetus to reframe and/or reprioritise transportation policy in such a way as to better handle the unintended consequences of too many cars and a lack of alternatives.

If cars as daily mass-transit are so deadly, costly, and unpleasant, why is the highway model expanding (and never fast enough) to accommodate it? Why isn’t there more movement from sub-politics (griping about traffic) to counter-hegemonic civil society (organizing alternatives)? If Howell and Pearce (2001) are not far off in their sentiment that civil society is “the space for imagining and realizing alternatives to dominant and oppressive political and economic systems”, then where is the active imagination in US transportation policy and why is it unable to connect to either the political dialogue or ‘the people’? In short, when it comes to transportation policy, which groups are heard in the metropolitans’ halls of governance; and which are simply compelled to ride along? What general characteristics might be learned about the state of

³ 11% of auto fatalities are pedestrian. Walking is the most dangerous form of transportation. Pedestrian-auto accidents affect African Americans and Latinos more than Caucasians (Arias: 2005). By 2000, 35.9 percent of US poor live in suburbs most of which lack decent public transport (Dreier: 2004). Among senior citizens in a study in Wisconsin there was in general a lack of public transport or lack of awareness of public transport (Kostyniuk: 2003).

the citizen in relation to civil society and ‘democratic institutions’ from this very particular, though rather ubiquitous arrangement of them?

To answer these questions I will discuss accounts of traffic safety in the United States from government, civil, and sub-political actors –institutions in/of the state and civil society as well as individually motivated agents. Analyzing these discourses I will adopt a Foucauldian perspective, which has the advantage of ‘helping to elucidate not only the systems of thought through which authorities have posed and specified the problems for government, but also the systems of action through which they have sought to give effect to government” (Rose and Miller in Morrison: 121).

However, I do not wish to *limit* this paper to an ‘elucidation’ of the dominant transportation regime. I share the Neo-Gramscian perspective that research should aim toward ‘insights for emancipation’ in a struggle from violent and exploitative social systems to systems of less exploitation and violence. “Rather than a problem-solving preoccupation with the maintenance of social power relationships, a critical theory...directs attention to questioning the prevailing order of the world” (Morton: 153).

1. Streets of Rage

In 1999 the Automotive Association of America’s (AAA) Foundation for Traffic Safety released a literature review and private study on the effectiveness of regional, state, and local programs to treat what media, politics, and civil society had framed as an epidemic of road rage and aggressive driving. The report was a follow up on measures enacted in state and municipal governments throughout the mid to late 1990’s. Road rage, in this and similar studies, is uncontrolled anger that results in violence or threatened violence on the road; it is criminal behaviour. Aggressive driving is potentially dangerous behaviour which is a traffic offence, but not criminal. Attacking some car/driver with one’s own car, weapon, or with one’s fist is road rage. Aggressive driving is on the order of, though not limited to, ‘tail-gating, abrupt lane-changes, and speeding’ (Rathbone & Huckabee: 1999).⁴

‘Aggressive driving’ is a curious concept, because the operating definition the AAA study uses is, ‘potentially dangerous behaviour’, a rather vague definition which in

⁴ <http://www.aaafoundation.org/resources/index.cfm?button=roadrage>, last accessed 21.01.2007.

the practice of the study tends to correspond to ticket-able moving violations. As will be seen, this definition does not always correspond to the definitions used by drivers. At any rate, the consensus of such study is road rage is an extreme, unhinged and untreated form of chronic aggressive driving (Rathbone & Huckabee: 1999).⁵

Even more categorical than the AAA studies, the psycho-social research, which dominates the academic discussion, concludes that aggressive driving is explained by people with “less control of hostility and anger, less tolerance of tension, less maturity, less conformity, more difficulty with authority, more hyperactivity, more belligerence, and a tendency to take risks” (Galovski & Blanchard: 120), (Sharkin: 2004). The main split in the psycho-social discourse is whether to stress the environmental factors, like the correlations of class and aggressive driving; work/home stress and negative behaviours on the road, or to be a naturalist and say: “a man drives as he lives” (Van Rooy, Rotton, & Burns: 97). To their credit, Asbridge, Smart & Mann (2006) suggest long term societal changes that emphasize structural modifications to be the cause and cure.

2. Halls of Congress

Invited for testimony before the House of Representatives Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure to discuss ‘road rage: causes and dangers of aggressive driving’ are police officers from the DC metro area assigned to the newly minted ‘Smooth Operator’ program. Also present are elements of the government’s executive branch and civil society groups: the National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration (FHWA), the AAA Foundation for Traffic Safety, mental health administrators, traffic psychologists, and traffic safety program administrators from various municipalities. The excerpts below, from four Representatives and one highway safety expert, offer a summary representation of the proceedings:

Thomas E. PETRI, Wisconsin: A recent AAA study reported that incidents of aggressive driving have increased by 51 percent since 1991 and that nearly 90 percent of motorists have experienced an aggressive driving incident within the past year.

⁵ According to the AAA report, reported incidents of road rage in 1999 were, on average, between 250 and 300 per year. This figure has not changed.

We know we have a serious problem when drivers in the Washington, D.C. metropolitan area rank aggressive driving at the top of their concerns. Although there are many causes of aggressive driving, a leading factor is the problem of congestion. While we're driving more—up by 35 percent since 1987 in the United States—the number of miles of roads has increased by just 1 percent. Congestion for a motorist is often the match that lights an already short fuse.'

Nick J. Rahall II, West Virginia: The first recorded car accident in this country occurred on May 30, 1896. It took place in New York City when a car hit a bicyclist. History does not tell us whether or not the automobile driver was operating in an aggressive manner or not, but being New York City there's every good reason to believe that that was the case.

I believe the weapons employed to combat drunk driving are some of the very same tools that we need to use against the threat aggressive driving poses to the health and safety of the travelling public.'

Chairman Bud Shuster, Pennsylvania: Statistics I've seen are really frightening. DOT [Department of Transportation] estimates that aggressive driving has played a role in at least two-thirds of the 250,000 traffic fatalities that have occurred since 1990.

This committee does not have the capacity to change the emotions and the aggressive feelings of people out on the highway, but we do have a responsibility and the jurisdiction to try to change the environment which causes that aggression... The evidence is absolutely overwhelming. When you build modern highways you relieve congestion, you save lives, you reduce injuries.

Earl Blumenauer, Oregon: One of the real culprits might be our laissez-faire attitude towards a driver's responsibility when he or she gets behind the wheel.

We could simply build more and wider roads in an attempt to control drivers' tempers, but that's the equivalent of giving wife beaters more room to swing.

We must raise our expectations for people's behaviour, not make it easier for them to act with impunity.

First—and I will be proposing some legislation to this subcommittee later—is to disarm wanton, reckless, and drunk drivers. Simply confiscate vehicles from people who have repeat patterns of behaviour for drunk or reckless driving. And that's a solution that has been used far too infrequently around the country, and it's a power that judges have that I think we could find ways to strengthen.

The slippage from accident, aggressive, to drunk driving is candid. Even the 'first automobile accident' is humorously reconstructed to suit the subject which is not 'how safe are America's cars and roadways?', as the accident statistics *want* the discussion to be, but 'how civilized are the people?' which is the conversation imposed by the frame; the conversation the Representatives *believe* they want to be having.

A set of experts set about constructing the 'normal citizen', 'normal mother', 'normal child', 'normal worker' through education, counselling, and allied techniques

that were monitored by doctors, social workers, and other experts (Purvus & Hunt: 468) – or in this case, the ‘normal driver’. What follows is part of the testimony of Dr. Martinez, Administrator of the NHTSA. His data, as data tends to in lobby politics, corresponds neatly with the policy frame already in operation:

Dr, Martinez, ‘We estimate that about one-third of these crashes and two-thirds of the resulting fatalities can be attributed to behaviour associated with aggressive driving. The more serious the crash, the more likely aggressive behaviour is involved.

Though the causes of aggressive driving are complex, three factors in particular are associated with it.

First, we are seeing a lack of responsible driving behaviour. The problem does begin with the individual driver. Driving is a privilege that demands responsibility, not a "me first" philosophy. Driving is a cooperative venture and not a competitive sport.

Second, we are seeing reduced levels of traffic enforcement. Simply put, people tend to respect what we inspect.

Third, we are seeing increased congestion and travel, especially in urban areas. Aggressive driving countermeasures include education, enforcement, and engineering.’

The framing of the problem for political discussion in pursuit of a cure both begins and ends with the civil society scientist-expert representing the dominant lobby; offering the legitimate diagnosis and legitimate cure aimed, as governmentality by its very definition aims, at the population (Foucault: 1991).

Auto-death and accident is not just a matter of traffic engineering –it is here above all else a matter of the uncivil mind and the need for education. To redress the ‘me firsts’ and ‘wife-beaters’ come more rules, more cameras, more cops (marked and in disguise), more penalties, more mass media campaigns, and more public education. In all cases, the aim is to inculcate notions of the courteous, responsible, and above all *passive* driver - ‘making up’ citizens capable of bearing a sort of regulated freedom (Morrison: 121).

3. The Civility of Codes

Nikolas Rose (1999) uses the term ethopolitics to describe how things like sentiments, values, and beliefs have come to provide the means through which the self-government of the individual can be driven by good government. ‘With ethopolitics, it is a host of previously less tangible things – the civility, the level of trust in society, the intensity of community feeling, the extent of voluntary endeavour – that become important (Walters:

390). Being a good driver means not simply avoiding accidents, it means driving according to a bodily inscribed notion of civility which imagines always a cop in the mirror. In the spirit of Dr. Martinez, a flood of driver educational and self-help literature emerges in the form of books and websites. A representative concentration of this is found at websites like ‘DrDriving.org’:

“Reporter Michelle Malkin, in an article on road rage, reminds us of George Washington's cardinal Rule of Civility as the cement that binds a nation together. Malkin believes that following these rules can cure road rage and aggressive driving:

The problem isn't absence of self-esteem - but an utter lack of self-restraint. Two-and-a-half centuries ago, our Founding Father, George Washington, subscribed to a more cost-effective and time-tested program for reining in one's inner dragons. He carried a hand-copied list of self-improvement rules, originally set out by 16th-century Jesuit priests, wherever he went—from Valley Forge to Yorktown and throughout his presidency.”

Readers of *Road Rage and Aggressive Driving: steering clear of highway warfare*, are encouraged to take a test to measure their ‘anger theory’, ‘driving philosophy’, ‘compulsive and competitive habits’, and ‘oversensitivity to pressure by motorists’:

“...most people choose 8, 9, or 10 when asked to rate their excellence as a driver. Clearly, most drivers are not that excellent or there wouldn't be 6 million **collisions** each year and billions of hostile incidents. The following chapters describe various convenient methods you can use to make objective observations about yourself as driver. Accuracy in self-assessment is essential for identifying and modifying unsafe components in your driving habits.”

‘Thus, unlike many of the moral panics portrayed in the news media, the road rage phenomenon features villains who are not necessarily portrayed as the deviant Other, but rather as the potentially deviant Self, the Self who may be goaded into incivility because of an overload of stress and frustration’ (Lupton 2002: 289).

The campaigns against ‘aggressive driving’ are well-intentioned, and the statistical correlations presented by Dr. Martinez have the rich aroma of common sense. Yet, like keeping pornography and gore away from children, this is the type of affair where it is not clear what the colour would be on an opposing side, so that criticism runs risk of sounding either ‘uncivilized’ or dismissive. However, there are some questions to be raised. First, the outcome of all this carceral and concern does not demonstrate the intended effects. Accidents are not down, they are up. Congestion is not better, it is

worse. Second, what do ‘road ragers’ have to say? Third, where is the rest of civil society on the issue of safety and surface transportation?

4. Words on the Street

Dewey (1954 [1927]: 33) suggests we need a criterion by which to demarcate the organized public from other modes of community life. To describe the place of this demarcation I use Beck’s (1999) term, ‘(sub)politics’ as a space where discussion or action is an unofficial politics of daily practice. Websites like www.roadragers.com, a number of which sprung up in the decade since the Congressional discussion, are (sub)political in that they informally bring together drivers from different cities to discuss the traffic issues that concern them most; and in the unofficial context of an online discussion forum. The three longest discussion threads at the roadrager.com forum are, ‘left lane “hogs” – another perspective’ (12), ‘aggressive cop’ (7), and ‘why there is road rage’ (6). The three most visited threads are, ‘horny driver flashes me’⁶ (1277), ‘bad drivers feel the need to “teach” others a lesson’ (1130), and ‘flipping me off’ (792).⁷

Left lane hogs

whitecollar: I think that the frustration with left lane “hogs” stems from the self-appointed entitlement to drive unimpeded with which many drivers cloak themselves.

If someone isn’t speeding enough for you in the left lane, just back off, count to ten or something, slip in a good CD and enjoy the ride.

nattie: it’s those who pop in their favorite CD and “enjoy the ride” that cause most of the accidents and problems because they’re simply too busy thinking about everything else under the sun other than their driving.

transporter1: My take on this is that “speeding” can save your life. Lets say the speed limit is 65 mph. The LLH (and his right hand buddy) in front of me drives 68 mph, holding up unlimited miles of free highway. If I pass them at 75 mph and will be out of the cluster of cars, and having a free choice of any travel lane at any speed above 68. So while driving 75mph for half a minute or so in the

⁶ This thread is actually about, to the disappointment of some no doubt, a particularly annoying driver’s use of horn and headlights.

⁷ <http://roadragers.com/forums/index.php?s=018c3f32067e8c164479b48a1319dce1&act=SF&f=3>, last accessed 22.01.2007. My assumption in including this data here is that it is representative of a type of individual agent ‘driven’ to talk about traffic. To determine the degree to which views dominant in a forum discussion like this are representative of the national population a survey would need to be performed, and even then it would be subordinate to the limitations of quantitative data. For now it is enough just to have an alternative source of accounts provided by an unofficial group of concerned drivers. I bring these accounts, then, for the insights they offer on the daily business of concerned commuters negotiating the road, and not as a pretension of a representation of the opinions of ‘the people’.

leftmost lane, I become a true outlaw in the eyes of policy makers -- but the benefits are greater, because then I can choose to drive for instance 69.5 mph if I feel so inclined. So maybe my car just quits vibrating at a certain speed, and everything becomes perfect: no stress, less road noise, more visibility of road ahead, no tailgating, no clowns in front of me causing accidents -- just safe and sound.

whitecollar: If you break the rules, you have committed an ACTUAL violation, not an “artificial” violation. If those rules are the law, then you’re a criminal. If you don’t like that, change the law or obey it, but don’t delude yourself into being some kind of highway hero. You can make up whatever justification you want for your driving, but, according to the NHTSB, speeding reduces a driver’s ability to steer safely around curves or objects in the roadway, extends the distance necessary to stop a vehicle, and increases the distance a vehicle travels while a driver reacts to a dangerous situation.

transporter1: I agree fully with the NHTSB statement as quoted. However all above are compensated with longer lookahead of the road, and having an exceptionally generous following distance to the car driving in front - that’s how I roll.

Why there is road rage

Road Warrior: I wish I could get a cop to drive around with me for a week, and I would explain to him/her why road rage exists....

My personal pet peeve, the person who uses the right turn only or left turn only lane to pass the rest of us that have been sitting in traffic at a light. Do you think I have been sitting there for my enjoyment? If that person even DARES to try to cut in front of me after trying that maneuver, he better have a faster car or more guts because I will do everything in my power short of smashing my new vehicle to keep him behind me. And I will boast, I always win.

transporter1: ... and cops with their speedtraps. People rather drive in clusters than standing out in empty lanes, in the fear of getting a ticket. The police collects a lot of money, but I think in the end they are one of the reasons why people drive like sh_t. Some people may avoid the speeding ticket, but will die when the junk hits the fan, and one of the cars in the cluster does the spin around, due to some unexpected disturbance in the flow.

Though he never says so, it is probable transporter1 is a member of the National Motorists Association. Speed traps and cop clusters are their favourite policy targets.

Regardless which advocate uses the ‘right’ statistics and sack of common sense – transporter1 or Dr. Martinez, there are a few points of interest when the discussions are brought together. First, the political discussion was comfortable with taking a concept like ‘aggressive driving’ as a broad term to describe, in effect, almost any moving violation in the abstract. However, among ‘road ragers’, there is an important distinction to be made between things like ‘speeding’ and ‘passing’. Second, in both discourses the

focus is on an ideal typed uncivil driver. In congress this is the aggressive, ‘me first’ driver. At the road rager forum it is, mainly, the inattentive, passive, or lane inefficient ‘idiot’ or ‘jerk’. The ‘left lane hog’ is not violent. They are negligent. Third, the ideal road situation is one of solitude, a lot of ‘lookahead’ and ‘following distance’; the need to avoid the dangers immanent in clusters, which might be said to represent ‘a major disjunction between the discourses of freedom and convenience and those of stress and hardship in talking about driving’ (Lupton 2002: 280). Finally, at the heart of both discussions is the concern for accident aversion. Even Road Warrior’s vigilante act stops at the body of his car. However, despite the blood at the core, accidents are never given as a narratives, but as abstract points of blame for some category of driver- ‘aggressive drivers’, or ‘left lane hogs’.

5. Car/Drivers and the Hidden Account

Deborah Lupton makes some helpful observations as a result of her cultural anthropological research into road rage –one of the very few sources of sociological study on the subject. She suggests, the driver needs to be understood as a car/driver with a cyborg body –a super-powered and tacitly weaponized being (Lupton: 1999). The car is an extension of our flesh; an extension to which our brain adapts –an observation supported by Road Warrior’s point of restraint. Also, she observes, very few people in her interviews⁸ mention the dangerous aspects of driving as a negative feature, even though several people had experienced major accidents and most had experienced near accidents that could have been serious (Lupton: 280). Why this is Lupton does not guess, although she paints a compelling consequence.

Lupton suggests road rage may be, in part, a combination of the car/driver cyborg as a weaponized body and the chronic suppression of immanent violence that this regular transformation demands. “When we perceive other car/drivers as posing a risk to ourselves in engaging in what we consider to be dangerous actions, our notion of the car (and driver) as ‘bad object’ emerges. Our repressed anxieties about the perils of the car and driving may be projected on to the other car/driver –an image of the car therefore provides a psychic point around which can gather constellations of destructiveness and

⁸ Her population is drivers in the Sydney, Australia metropolitan area.

guilt, and will have then abundant meaning as a bad, persecuting object” (Lupton 1999: 65). I am sympathetic to this explanation, but I am more interested in the why.

An accident scene is, after the letting go or saving of lives, a reference for the attribution of blame. The scene demands accountability from among the actors present, and a whole mechanism of accident reports, witness accounts, driver statements, insurance forms, etc. is put into process. Whether it be lapse, error, negligence, anger, ‘a stupid mistake’, or ‘freak accident’, a driver incivility is, in all but the most exceptional circumstances, sought after as the matter’s heart. The apparent purpose of this is to make incivility transparent so that appropriate justice, whether it is a moving violation or vehicular manslaughter, can be done.

However, the hidden purpose of all this transparency is not simply justice, or the eviction of pathological drivers from the road. It is also, and more important, a system through which blame is deflected from the structural violence of the auto-centric roadway upon which people are driven to drive. As Neyland (2006) says, with calculation tools ‘things are no longer measured by indicators, but rather indicators establish targets to aim toward’ (Neyland: 16). The target of an accident is the criminal, and the goal of investigation is to move from ‘accident’ to citation/crime, i.e. to negate the ‘accident’ by attributing the causal blame to an agent. I strongly suspect there is, at the heart of most official accident accounts, an arbitrary core:⁹

Niles22: I live on a college campus where there are designated street crossing areas for students every so often. I generally take the back way to my apartment but I drove through campus last night coming back and noticed how dangerous these crossing areas are. They are poorly lit, if at all, and it is very difficult to see people especially if they are wearing dark clothing. Most of the students assume that you are going to stop and will cross without making sure you see them first.

It got me thinking about what, if any, criminal charges a driver could get for hitting a pedestrian here. I was told (not by anyone in law enforcement) you could get a serious charge, especially if the individual got hurt or killed, because you are required to stop for people crossing, and by driving here you assume responsibility for knowing the crossing areas. Would you still be at fault though considering you are driving safely, obeying speed limits and other traffic laws, and there were conditions that prevented you from seeing the person (no lighting, dark clothing)?

⁹ <http://forums.realpolice.net/showthread.php?t=63554>, last accessed 22.01.2007. This is a forum designed for questions from citizens to police enforcement officials.

mobrien316: Pedestrians have responsibilities when it comes to using the road as well. If a pedestrian jumps out into the road, not at a crosswalk, and is struck by a vehicle the driver of the vehicle is not automatically at fault.

Pedestrians, bicycles, skateboards, and motor vehicles are all considered traffic units in accident investigations. Any of them can be found at fault and can have enforcement action taken against them.

mcsap: The person who can cause the most damage has the responsibility to use the utmost care when approaching a marked pedestrian crossing. As was said, this does not give a ped license to blindly walk out in front of a car but you as the motorist need to be just plain careful at such crossings.

shugs: Like they said, if you hit a ped you can get nothing, in the way of criminal charges all they way up to manslaughter. This will do little to help you civilly depending on that state. Even with contributory negligence statues, you could lose your shirt.

None of the answers take actual account of the question's context. The message: there is no telling until the deed is processed. Even if it is not your fault, it still might be your fault. But, one thing is certain. The crosswalk *is* another stage for *somebody's* perpetration. The deepest condition of access to the American transit system is not driving skill, a car, or the money to buy one, but the ability to believe that auto accidents are simply the result of stupidity and that you are, in fact, not stupid because you know it is not the system that kills –only stupid others and an imaginary, potential stupid you. Driving, like the modernity it helps manifest, hinges upon the myth of rational agents.

The focus of traffic safety on aggressive driving provides a means through which the vast majority of automobile accidents not accounted for by drunk drivers, mechanical failure, or road rage can be attributed to driver delinquency. One consequence of this blame attribution is to normalize the structural regularity of flesh and oxygen consumed by the nationally dominant mode of daily commute. When drivers believe each other is to blame, the system functions as it should.

Road rage is similarly misrecognized as driver to driver violence, but it is, in addition to this, a sadly misdirected attack against the inflexible and concrete sovereignty of a dysfunctional form of 'public transit'. It is the dark face of (post)modernity and the American class war –discrete disempowerment, dependence on domination, and the silent sublimation of violence as condition of access, all of which manifest in a short-lived and tragic resistance to the various social pressures all sucked, for that individual, into the

gravity of the disjuncture of the car; for which there is, in the end, nobody to blame but their Self.

6. Passengers to Democracy

There is much in the way of discussion on things like ‘deliberation’, ‘consensus’, ‘civil society’, ‘conflict resolution’, ‘civic engagement’, ‘democracy’, and ‘good governance’. Where there is conflict there must be made consensus. Where there is deliberative civil society there is good. However, as this paper demonstrates, it is not only conflict but also consensus that kills; the complex transportation consensus the US inherited has produced a noteworthy volume of normal blood. However, accidents *do* happen; in the end I am not an anti-car ideologue. The real tragedy of US transportation policy is the metaphor within. Discussions in government and civil society which determine the long and short term transportation policies continue to recreate a closed consensus with dysfunctional outcome; accountability for the many layers of structural violence of this system is not claimed by the many organizations who built it and which it keeps employed in the name of (its) safety, development, and now memorialization.

While consensus and democratic institutions have their place, an honest commitment to things like ‘good governance’, which is fond of driving metaphors, demands honest assessments of the democratic institutions which sanction said governance. US democratic institutions and their corresponding governance networks, I suggest, tend to operate rather similar to America’s museum of roads. Like ‘road rage re-education’, which teaches drivers to sublimate the very real rages of the road; to ‘keep one’s head down’, bear the civic burden, and be a safe, ‘consensual’, and unproblematic driver for the sake of everybody getting to and from work (the economy), an American education in democracy asks of its citizens a similar form of ‘engagement’. In America, political participation is only encouraged so long as it violates no speed limits and remains a passenger to ‘democracy’ –vote, talk, volunteer, adopt a highway, but do not protest, and do not seriously question the order of things even if it means to remain entangled in the violent clusters of cop and car:

Road Warrior: I recently got a ticket from a cop with a real attitude. Whatever peeved him off that day, he took it out on me. The speed limit is 65

on the highway. For the record, I was doing 70. And I admitted it to him. What did he write me up for? 85/90.

As I hand him the registration, he asks me the stupid question and I answered him honestly and said I was going about 70 and he goes off on a tirade. His face got beet red and he starts screaming and yelling at me and spitting all over my truck saying "The hell you were! You were flying back there in the fast lane." I said "I was not flying. I saw you and rather than pass you, I got back in the traffic" He said "You took off when I got off the highway" and I said "I did not take off, I passed the slower traffic" at this point, I knew it was stupid to argue.

I appealed and went before the clerk magistrate who happened to be a royal bitch and the whole time I tried to tell my story, she just rolled her eyes and didn't even look up, like she didn't give a shoot. Then she tells me that she found enough evidence to find me guilty of speeding. I said "What evidence, the officer's report? So it's his word against mine then. Officer's always right." She said "You can appeal it before a judge but if you lose, you'll have to pay the full price".

“It should not depend on the formal spaces that those in power agree to open up. Nor should it be about institutional practice alone. Democracy is how the debate about what kind of society we want to live in and build takes place” (Howell & Pearce: 55). Civic America did not disappear from this debate, it is institutionally dispossessed.

Conclusion; Counter-Hegemony

In the end the issue is not speeding or aggressive driving. It is about structural over-consumption and hegemony of the automobile; the lack of formal political spaces to make alternatives relevant. Hegemony both incorporates significant elements of opposition (as is the case with ‘highway safety’) ‘whilst seeking to marginalize or depoliticize political, cultural, or strategic alternatives’ (Gill: 13). However, the surest sign of hegemony is a naturalization of the order of things; a dominance obscured by the appearance of consensus. It is assumed that Americans drive to work because they consent to. However, this overlooks the fact that this consent exists among a dearth of ‘real’ alternatives, or that people who live a mile from work ‘choose’ to drive because the ‘neighbourhood is bad’, or ‘walking over the bridge is scary with all the trucks’. Recent data shows, in fact, that cycle use is up, and mass-transit use is on the rise at the rate of 15% where infrastructure permits.¹⁰

¹⁰ <http://www.transact.org/>, last accessed 25.01.2007

Professionals and volunteers working within civil society can and should be increasingly concerned with and aware of the extent to which their organizational outcomes are stitches and band-aids when what is needed are a series of life-saving operations. In addition to upgrading the function, safety, and aesthetics of America's roads, civil society groups like those mentioned in this paper should be actively engaged in building momentum for radical redesign of American mass-transit. The surest way to reduce congestion, automobile accidents, and related fatalities is to reduce daily reliance on the car, and certainly there is bright highway engineering talent capable of imagining a practicable re-mantling of the auto-centric road.

Projects which seek to rearticulate the elements of hegemony, supplanting some, supplementing others, are counter-hegemonic (Purvus & Hunt: 474). There are, in fact, a number of groups working at different levels on a counter-hegemonic transit agenda. The Surface Transportation Policy Partnership (STPP), the Carfree network, and the Chicagoland Bicycle Federation (CBF) are but a sample. Yet, how much support is there between the transnational actors like Carfree and the metropolitan CBF? More important, how much contact does the CBF, which has successfully lobbied and continues to lobby the city of Chicago for improved cycling conditions, have with similar organizations in other metropolitan areas of the US? Certainly other groups could benefit from this experience. Finally, given that 'the most basic requirement for a hegemonic project to become dominant is that it must address and incorporate, if only partially, some aspects of the aspirations, interests, and projects of not only its own constituents but also other groups whose alliance is possible' (Purvus & Hunt: 473), how actively are organizations like these seeking to coerce and incorporate elements of the highway lobby or the (sub)political transporter1s and Road Warriors? Dr. Martinez himself, as he applied the band-aids in Congress, made a passing courtesy comment on driving alternatives; and certainly the 'road ragers' have an interest in fewer 'idiots' on the street.

Imagine if, when people called AAA for a tow or jump start, the service provider came equipped, in addition to their tools, with their own educational materials on cars and alternatives. What if, instead of or in addition to defensive driving classes for moving violations there was volunteer work for public transit groups? What if, instead of suing each other in civil accident suits, Americans began clogging the courts with lawsuits

against their respective departments of transportation? What if the compulsion to destroy the system embodied in road rage were redirected toward the classic radical tool-kit of occupation of public space (roadways?) and pranks? As activist Jello Biafra pointed out, it only took one ‘mysterious’ barrel of white powder to close the Golden Gate for a day in 1982¹¹ as officials investigated and ran tests on what, as it turned out, was flour. What if, instead of research money spent on determining the role of ‘aggressive driving’ in auto-death, and the associated educational programs, money was directed to find out what might encourage people to simply use their cars less?

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¹¹ I need to corroborate the exact date.

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