

Introduction to the 2007 reprint

by Howard Peel

Following the end of the Second World War many hoped that the future would see the creation of a safer, less divided and more equitable world. Included in this sense of optimism was the hope that, as part of the greater social change, a way could be found to end the 'toll of the roads'.

The slaughter on the roads, which reached a peace-time peak of 7,343 deaths in 1934, had long been regarded as a form of social tyranny, one largely imposed by the wealthy on the working man whether walking or riding his bicycle, on children - especially those from a poor background - and on the elderly. J.S. Dean's 1947 book *Murder Most Foul: a Study of the Road Deaths Problem* attempted to give a systematic account of the nature and politics of this problem and called for a revolution in the way it was conceived and addressed. "The first thing that has to be learned about the motor slaughter", Dean wrote, "is that, practically everything in it is exactly the opposite to what is commonly supposed." Sixty years later *Murder Most Foul* is still highly relevant and continues to present a bold challenge to the orthodoxies of the 'road safety' debate.

In his conclusion to *Murder Most Foul* Dean stated:

If then, the Labour Government and the Trades Unions fail, now that power is in their hands, to take genuine action to end the motor slaughter, they will be failing in their duty to their own class; to their historic professions and, to some extent, at least, to the political future of the country...But there is no reason for failure. As in every other direction, the opportunity is ready at hand. All that is needed is the will to act.

As is now apparent, such a will to act never materialised, or at least proved to be impotent when confronted by the determination of powerful vested interests to maintain the status quo. Whilst it is true that the number of road deaths is now lower than in Dean's time, that fewer pedestrians and cyclists are killed in no way proves that our roads have become 'safer'. Rather, the statistics reflect the fact that risk posed to vulnerable road users is so high that they have largely abandoned the

public road to the private car. Children have also suffered from a dramatic reduction in their levels of independent mobility as, rather than removing the danger from the child, an attempt has been made to remove the child from the unabated danger. Even so, UK road casualty rates for pedestrians, cyclists and children are still amongst the highest in Europe. Also, whilst vehicle occupant mortality rates have fallen, in part due to improved vehicle designs and post-crash care, UK vehicle occupant injury rates are still well above the European average. Ironically, it seems that the single biggest reason for the fall in vehicle occupant deaths in recent decades has been the growth in traffic itself, with more congested roads deterring extravagant speeding and so in turn reducing the number of fatal crashes. (For example, see "*Death and injury from motor vehicle crashes: a public health failure, not an achievement*". Richter et al *Injury Prevention* 2001).

Richter's conclusion is entirely in accordance with Dean's views on what has come to be known as "Risk Compensation Theory". Dean wrote:

More generally it will be seen that everything that is supposed to produce more danger in fact produces more safety and that everything that is supposed to produce more safety produces more danger... Better roads, better sight lines, fewer bends and blind corners, less traffic, better lighting, better visibility, better weather conditions- all these that are supposed to make for greater safety, in fact, make for greater danger. Worse roads, worse surfaces, worse sight lines, more bends and blind corners, dense traffic, worse lighting, worse visibility - all these that are supposed to make for greater danger, in fact, make for greater safety... this is, of course, because every "nonrestrictive" safety measure, however admirable in itself, is treated by the drivers as an opportunity for more speeding, so, that the net amount of danger is increased and the latter state is worse than the first.

Dean's comments on risk compensation highlight the fact that the road deaths problem is not a mere 'technical' problem which can be wholly solved by measures such as road 'improvements'. The problem is also a product of human psychology and the type of society we live in and as such is also a problem which is inescapably political in nature.

At the time of writing *Murder Most Foul* J.S. Dean was Chairman of The Pedestrians' Association, an organisation established in 1929. (It was

rebranded as Living Streets in 2001). Its aim was "the defence of public rights, especially of pedestrians" in response to "the serious danger of motor traffic today". The Association, although naturally focused on the particular problems the growth in motor traffic caused for pedestrians, recognised that they had common cause with organisations such as CTC- the UK's national cyclists' organisation, with the two organisations working closely together throughout the 1930s and 1940s. This was especially so in relation to the organisation of mass-protest meetings against "the motor slaughter" and the bias shown by magistrates and coroners in favour of the 'Gentleman motorist' when a pedestrian, child or cyclist had been killed on the road. Dean was Chairman from 1941 until 1965 and worked as a journalist. Beyond this, few personal details are known. The lack of information on Dean the man is perhaps not too great a loss, however, when *Murder Most Foul* itself stands as such a worthy tribute to its writer.

Current attitudes towards road casualties and car use were established during the early decades of the 20th century. In effect a propaganda-based war was waged over the 'ownership' of the roads and the issue of whose freedoms it was most important to assert and protect. On the one hand was the freedom of the motorist who wished to drive with as little regulation as possible (and very often as fast as was possible). On the other was the freedom of others to use the public road in safety and without fear (and not just for the purposes of transportation, as before the coming of the motor vehicle the streets were communal areas, used for socialising and children's games, a point emphasised by today's 'Reclaim the Streets' movement).

For many pioneer motorists the whole 'raison d'etre' of car ownership was speed. Consequently, from the earliest days of motoring drivers have fought to protect their 'right' to drive at whatever speed they saw fit. As early as 1907 Lord Montagu of Beaulieu argued that "the tactics of setting traps on roads where there is no danger in speed must be discouraged by the authorities."

Then, as now, every attempt was made to undermine the idea that anyone other than motorists should have a say in how fast motorists should drive. Then, as now, in a sham display of concern about 'road safety' the

only tolerated exceptions to the rule that 'the motorist must be free to decide his own speed' were locations proven to be crash 'black spots'. (In addition to crash 'black spots' it is currently fashionable to add "and outside schools" as though it were acceptable for a child to be run down in the street where they live, or on the way to school, as long as they are not killed actually outside the school gates). Beaulieu's argument that there should be no speed "traps" (that is enforcement) "where there is no danger in speed" is still used today, with motoring organisations arguing that only 'high visibility' speed enforcement at crash 'black spots' is justifiable (and often not even then), a policy which all-but abolishes the legal speed limit anywhere where there isn't a bright yellow box by the side of the road.

In *Murder Most Foul* Dean highlights what is perhaps the most central issue in 'the speed debate':

It does indeed stand to reason that fast-moving objects should inflict more damage than slow-moving, objects, and future times will wonder at the imbecility of an age that needed to point it out. But, unfortunately, this is necessary because the motor propagandists throw doubts on it and even deny it. In other circumstances this would be comic. With the lives and safety of millions at stake it is tragic- and criminal.'

Sixty years on it is still claimed that "speed is not dangerous". In order to try to 'prove' such a claim, the various meanings of terms such as 'speed', 'speeding', and 'excessive speed for the conditions', are frequently conflated. This is done in the hope that a reasonable argument relating to the application of speed in one context will somehow add weight to a fallacious argument relating to the use of speed in an entirely different context, all with the ultimate intent of 'proving' that "speed is not dangerous". For example, an attempt might be made to 'prove' that "speed is not dangerous" by referring to the supposed 'safety' of driving at high speed on a deserted motorway. This 'proof' will then be applied to a completely different situation, such as driving down a residential street, in the hope that the naive listener will accept that speed must still be held to be 'not dangerous' in this new context.

Such tactics were also well known to Dean, who likened them to the 'Big Lie' propaganda techniques employed in Hitler's Germany:

One might invite the motor propagandists to submit to the simple experiment of trying to avoid a bullet, or, more suitably, a shell, discharged at close range. But when the Big Lie is sharply challenged in this way, or when some especially revolting result of it has disturbed public opinion, the motor propagandists... temporarily modify it, usually to "speed is dangerous only according to the circumstances"- incidentally, itself, past a certain point, an equally Big Lie- only when the challenge or the danger is past, to re-establish it again as their main theme, the idea being that even if it is not completely believed, it will always "leave traces" and cause ordinary people to "doubt" and "waver."

Dean's repeated references to Fascism in relation to the politics of 'the motor slaughter' is both one of the more interesting aspects of *Murder Most Foul* and the one which, 60 years on, probably needs most qualification. However, especially if care is taken to consider the context in which *Murder Most Foul* was written, it is clear that Dean was hardly overstating his case.

Dean was apparently well justified when he made the claim that: "So far as road safety is concerned, the spiritual home of the British motor interests is Nazi Germany" and noted "the deep admiration" British motor correspondents had for Hitler's vision of Germany, where, in Dean's words, "all good little Nazis were to have at least a Volkswagen". For example, the *Motor* of June 29, 1937 argued that "Germany today is the nearest approach to Utopia, with a single political creed, whole-hearted worship of the Fatherland." The *Motor* went on to note that "cycle tracks (only 2 ft. wide) are to be found alongside the main roads and are used instead of the roadway by cyclists", concluding that "Germany was a motoring paradise".

That the hierarchism, which was so central to Hitler's Germany, was also applied to its highways and 'road safety' methods was one of its greatest attractions to 'motor-minded' persons in Britain. Dean writes:

Here, then, are some of the Nazis' "road-safety" methods: fines for "careless walking," collectable on the spot; "endangering traffic" and "crossing against the amber" made punishable offences; special tracks

for cyclists; riding with one hand on the handle bars and riding two abreast made offences.

These were exactly the sort of 'road safety' methods that the 'motor-minded' in Britain had been demanding for decades. To such individuals Germany's worship of motoring speed and power, its system of fines for pedestrians and "strict discipline" for cyclists, along with a rigidly enforced 'hierarchy of the road' where cyclists were to be exiled to their own two feet wide ghettos was indeed a vision of a (motoring) paradise.

Dean's most basic tenet was that, as roads are only 'dangerous' by virtue of being filled with heavy, fast-moving motor vehicles, by far the greatest burden of responsibility for avoiding crashes and deaths and injury on the roads, should lie with the motorist. This is especially the case given that those most likely to be killed or injured as a result of being 'run down' were (and remain) the very young and the very old (i.e. those least likely to perceive the dangers they face or able to 'get out of the way'). Conversely, the operators of motor vehicles tend to be the young and alert and so those most able to avoid collisions, should they choose to do so. Dean was also very critical that for the most part attempts at 'education' tended to focus not on drivers, but their victims.

... education" is the worst possible training for the children as the drivers of the future since it teaches them to believe that the driver is the master of the road and that the only role for the other road-users, including the youngest children and the oldest and most infirm persons, is to keep out of his way and that if they are killed or maimed through not doing so this is something they deserve. Much of the motor slaughter may, indeed, be traced directly to the yearly appearance on the roads of young drivers brought up in this evil and destructive belief. Secondly, it is the worst possible training for the children as the citizens of the future, i.e. that they should be taught to accept the spectacle of the motor slaughter, with all its implications, as normal and as something to which they must submit without question.

Unfortunately, it appears that the publication of *Murder Most Foul* did little to change the attitudes of those who believed that the best way to make the roads 'safer' was not to make them safer at all, and instead to make children frightened and to "keep them frightened". To this day the view has persisted that 'education' should focus not on the need for

drivers to take into account the limited cognitive, motor and risk-evaluation skills of children but rather on telling parents never to let their children out of sight, and teaching children themselves that they must simply learn to 'keep out of the way'.

In early 1949, the West Bromwich coroner, one Mr. Lyon Clark, declared that "children must be taught, as adults are beginning to learn, that motorists are the masters of the road today, and pedestrians have got to give way to them; to try conclusions with them only ends in fatality". Lyon Clark's declarations were perhaps not that unexpected given the attitudes of coroners at the time. However, much more surprising were the findings of a report titled *The Child on the Road* which was published by the Economic Research Council in 1953. This report was based on the findings of a 1951 survey which gathered the views of the members of all UK Women's Institutes on the subject of the safety of children on the road. The report stated:

The most important conclusion, and perhaps a startling one to come from a body consisting largely of mothers, is that the child is his or her own worst enemy on the roads. Practically all the reports made the same point in one form or another. It was put most emphatically by the full meeting of an Institute in a village situated on a main traffic artery:

"Car and lorry drivers are normally blamed for accidents, but generally speaking they are the victims of the children's carelessness."

The report was harshest of all when it came to the child cyclist, concluding: "It is absolutely necessary to get away from the hopelessly out-of-date idea that the child cyclist may rely upon all other road- users for his safety." It seems that even in 1951 Dean's message was already being ignored and the responsibility of children and their parents for 'road safety' continued to be emphasised much more than the responsibilities of motor vehicle users.

Views similar to those contained in the National Federation of Women's Institutes' report of 1953 are still current. For example, in November 2005, Calderdale Council's road safety officer issued a press release entitled 'Killer Bikes'. This opened with the line: "Every Christmas it seems that there are stories of dangerous and defective toys, but can

there be any bigger killer andcrippler of children than the humble bicycle?" This is a statement which would probably come as a surprise to all those who thought that most children suffering crippling injuries and death sustained them as a consequence of being hit by a motor vehicle.

Underlying such comments is the view is that cars are 'safe', so where a potentially hazardous situation is perceived to exist, the perception is that the danger must arise from something external to the car, such as a child riding a bicycle. By another small adjustment of 'logic' the bicycle then becomes the *source* of the danger, the very opposite of the true situation.

It is clear from reading *Murder Most Foul* that the issues which were at the heart of the 'road safety' debate 60 years ago are still central today. In that time Dean's call for a greater emphasis to be placed on driver responsibility and the need for better control of the way vehicles are used has been repeated by others. One example is the book *Death on the Streets: Cars and the mythology of road safety* by Robert Davis, which called for road danger to be reduced 'at source', rather than adopting a policy of removing the vulnerable from the risk where possible, and adopting 'secondary' after-the-event 'safety' measures when this could not be done. Despite such calls, the orthodoxies of the road safety debate have remained more or less unchanged. This raises the question of whether they will remain unchanged for another 60 years.

On the positive side, there is a much greater recognition of the true nature of the problem. For example, it is widely accepted that in order to make the UK less car-centric there needs to be a large shift in the balance of power away from the private motorist in favour of vulnerable road users, effectively levelling out or even reversing the hierarchy which exists on our roads. For example, documents such as the Government's *Planning Policy Guidance Note 13* and the highway design manual *Cycle-Friendly Infrastructure: Guidelines for Planning and Design* advocate a reversal of the current hierarchy, with the needs of pedestrians and cyclists being given a higher priority than those of motorists. In practice, catering for the motorist and maximising traffic flows have remained the priorities. This is despite it being well understood that the current growth in motor vehicle use is unsustainable and that even the current level of car dependency has many negative

side-effects relating to pollution, climate change, health and obesity and social exclusion.

That an awareness of the problems arising from mass car use has not led to a substantial swing away from the 'car is king' culture can be attributed to a range of factors. Decades of car-centric planning has created a situation where it may be difficult to access shopping, work and leisure facilities without a car. However, even a car-dependent society does not have to be one where other road users are treated with contempt, traffic laws are habitually violated and road deaths are tolerated. More significant is the Government's reluctance to take any measures which would upset the 'motor voter'. However even here the real issue is why so many drivers are so resistant to policies which would help to reduce road casualties and improve the quality of life for everyone.

The determination to maintain the existing 'hierarchy of the roads' is underpinned by a range of political influences. Along with traditional hierarchism and elitism, 'libertarianism', individualism and economic liberalism have all helped to undermine collective values, instead promoting the idea that the individual has *only* a responsibility to themselves and their dependents. In turn they have tended to reinforce the orthodoxies of the 'road safety' debate. For example, by reinforcing the view that individuals must 'take responsibility for their own safety', the driver is encouraged to believe that they carry only a minimal responsibility for the safety of *others*. Such attitudes are further reinforced by a legal system, which holds that not only are drivers only minimally responsible for their own actions, in most cases they cannot be held to be at all responsible for the consequences of their actions. Hence a motorist whose driving is so wanting that they maim or kill another road-user, may well receive exactly the same penalty as if they had simply dented another vehicle.

In practice, 'taking responsibility for one's own safety' means, in the case of the motor vehicle user, buying a large '4x4' and deciding for oneself what speed one should drive at, at least on the 98% of the nation's roads not covered by safety-cameras. In the case of the vulnerable road user 'taking responsibility for one's own safety' means wearing a 'polystyrene hat' (regardless of how little protection a cycle helmet actually provides

should he/she be hit by a motor vehicle travelling at speed) and not using any road which is 'busy'. What's more, just as was the case 60 years ago, any failure on the part of the vulnerable road user to 'take responsibility' in this way may well see them being held to be responsible for their own injuries should they be run down by an errant driver.

What we might call 'motor-hierarchism' pervades every aspect of our lives. Cars are our primary status symbol; the standard view is that, rather than expecting drivers to slow and to take into account the possibility that others may make an error, pedestrians and cyclists and children must be taught to 'keep out of the way' of drivers; endless calls are made for pedestrians and cyclists to wear 'high visibility' clothing, and yet the need for drivers to take proper observations and slow down in conditions of poor visibility is rarely mentioned; the sentences handed down to those who cause harm to others when driving are often derisory, even when a driver has quite wilfully taken risks with the safety of another human being and a death has resulted; constant calls are made for the 'zero tolerance' policing of the offences of low-status groups such as beggars and 'pavement cyclists' whilst the enforcement of driving crimes is seen as the "persecution" of the "beleaguered" motorist, with many motorists believing that they should be free to ignore the law as they see fit, even objecting to the enforcement of the speed limit at proven crash 'black spots'; even the road itself reinforces the hierarchical order to ease the free flow of vehicles, whilst pedestrians are forced to negotiate discontinuous pavements and high kerbs.

Whatever the nature of the society we live in, we as individuals all carry a responsibility to challenge the norms of the car-culture which have helped to maintain the 'toll of the roads' for over 100 years. Every driver who truly cares about road deaths needs to put a higher priority on the lives of others, than on their own 'freedom' to drive with minimal restrictions. Every objection to speed enforcement, or against the use of Intelligent Speed Adaptation Systems, or the lowering of the blood alcohol level, or the use of random drink and drug testing, is a vote to maintain the existing hierarchy of the roads. Every time the speed limit is broken, or a mobile phone used, or the decision made to force one's way past a cyclist where space is limited, reinforces the social norms of driving which hold that the law is 'negotiable' once one gets behind the

wheel of a car and that it is acceptable to take minor, everyday risks with the safety of others. Making our roads safer will inevitably mean giving up some of the 'freedoms' currently associated with driving, and many would rather keep their 'freedoms' intact, even when this also means that the most anti-social and reckless in society are more able to continue in their ways. However, until we are prepared to make such minor sacrifices, we will continue to be a part of the continuing road deaths problem, not a part of its solution.

It is to be hoped that the re-publication of *Murder Most Foul* will lead to a wider questioning of the politics and orthodoxies of the 'road safety' debate and perhaps make it just a little more difficult to maintain, in Dean's words, "the wholesale lying and hypocrisy by means of which the slaughter is concealed or justified."

Howard Peel, April 2007