Traffic Culture: Law, Morality and Actual Behaviour

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Abstract

This paper is about culture of automobility and is based on a qualitative and quantitative enquiry carried out in Northern Jutland, Denmark 2005. The paper presents information about traffic culture in Denmark, theoretical and methodological reflections on traffic safety. The purpose of the paper is to present a sociological view of the Danish traffic culture and it is constructed around three basic issues. The first is how drivers relate to legal standards and moral norms in traffic. The second the possibilities and constraints of legal standards and moral norms to regulate the behaviour of drivers and the final issue is how this influence the risk of traffic accidents among drivers. Since most accidents occur with two or more drivers it is important to bring attention to social patterns of interaction and the ability of normative practises to regulate the behaviour of drivers. It is an almost absent perspective in current research concerning traffic safety.

Pronouncements about the Danish Traffic Culture

Since the mid-nineties there has been a fierce debate in the media and in the population about Danish drivers being egoistic, ruthless, and self-opinioned when interacting in traffic. Both representatives from rescuers, road menders and traffic police describe the traffic culture as a war of everyone against everyone else, where everyone demands one's rights and if someone tries to elbow past it is perceived as an intervention against the driver's personal freedom (Allingstrup 2002, 8; Jensen 2002).

Often the alleged increasing problem with drivers being egoistic, ruthless and self-opinioned is assumed to increase the probability of severe traffic accidents (Lang 2003). There is, however, no scientific evidence of a correlation between the increase in egoistic behaviour and the number of accidents because while the drivers are supposed to have become more egoistic, ruthless, and self-opinioned, the accident rate has decreased and has not been lower since the end of the forties. The argumentation in the media can therefore be seen as counter-factual morality with the objective to denounce deviants in order to maintain social order (Tonboe 1997, 68). But the question is what values and norms are regulating driver behaviour? Studies of interaction and moral norms in the

traffic cultures are almost nonexistent and it is therefore an interesting field to investigate from a sociological point of view.

Focus

The main purpose of this study is to present a sociological view of the Danish traffic culture by elucidating in what way morality can be used to regulate driver behaviour according to other ways of regulation. In order to do that, the relation between law, morality, and actual behaviour has been examined. More specifically the study answers the following questions:

1. *What moral norms do exist about interaction among drivers and how is the relation between law and morality?*

2. *What influence does law and morality have for the drivers individual strategies in interaction?*

3. *In case of drivers' deviance, do they legitimise their actions and if so – how do they legitimise it?*

In reference to the first question, I have examined the relation between law and morality. At first sight I expected a certain consistency between law and morality. For instance the drivers can agree that one ought to be considerate when interacting with others in traffic. But the perception of consideration can vary in different situations, different periods of time and according to whom is interacting. We are all equal in compliance to the law, but morally there can be a difference between the rights drivers have, take and are given in interaction.

In the case of the second question, I have examined whether drivers actual strategies for actions commensurate with moral interaction norms. Drivers do not necessarily maintain these norms when in traffic or consider it to be in their own interest to do so. Therefore, I presumed that drivers' deviances from law and morality takes place to higher or lesser extend and that their actions are more or less normatively regulated. However, deviance from the law would not necessarily be perceived as morally unacceptable.

This leads to the third question by which I have examined the drivers' strategies for legitimising deviance. I presumed that a deviation from the law could be morally acceptable and consequently it would not be exposed to condemnation unlike deviances from moral norms that are perceived as illegitimate egoistic action. I assumed that the illegitimate actions would take place due to the fact that interaction in traffic is mostly anonymous and the risk of being subjected to social sanctions in traffic is almost nonexistent. As a consequence the drivers can act in a more egoistic manner when interacting in traffic in difference to other social relationships.

Methodology

In order to illuminate the research questions I have used a triangulation of methods including filmic observation of actual driver behaviour, quantitative questionnaires to drivers, and focus group interviews with both drivers and driving instructors. The different data sources have supplemented and validated one another, whereby the relation between laws, moral, and actual behaviour in driving culture has been elucidated to best effect.

The questionnaire contains questions about how the respondent believes one ought to behave in interaction, how he/she perceives others actions and specifications about the respondents own typical actions when interacting in traffic. The questionnaire has been send to a stratified selection of 200 drivers in the age 18-73 years selected by the central register of motor vehicles – half of the respondents, where men and half of them women. First, the questionnaire has given an impression of driver's attitudes and actions. Secondly, the questionnaire has been used as criteria for selecting participants to the two following focus group interviews with eight drivers in each group. The drivers have been selected in a way that insured that the participants were as different as possible. Beside the two focus group interviews with drivers I have had one with the driving instructors.

In order to kick-start the discussion with the groups I made a six hour-long film with different traffic situations. On the basis of the raw film I have selected three different situations involving actions that in the media are described as egoistic, ruthless and self-opinionated. The advantage of using images of concrete interaction is that it makes it easier to avoid obvious statements such as; we should all be considerate towards one another. By discussing specific actions it has been possible to capture variations in the normative praxis and the justifications drivers use for their actual behaviour.

In regards to the practical use of the methods there are some issues worth mentioning – issues that affect the validity and reliability of the study. On the one hand, the triangulation of methods has contributed to an improvement of the validity because the different kind of data sources has made it possible to correct information. In many cases it has been possible to answer the research questions using several different sources so that the likelihood of accuracy in the findings is higher. Even though the triangulation of methods has been successful there are issues in relation to the questionnaire that reduces the validity of conclusions about background variables affecting drivers' actual actions.

First, the extent of the questionnaire is too limited to uncover all questions relevant to answering the research questions adequately. Secondly, the quantitative analyses are only based on 101 questionnaires. The drop-out rate is very significant and the representativity of the questionnaire analyses can therefore be called into question. Furthermore, the stratified selection of drivers has not subsequently been weighted with reference to the actual population because that possibility was not available. This creates further uncertainty about the representativity of the questionnaire survey.

The conclusions about background variables affecting differentiated strategies of action must therefore be considered as the Achilles heel of the inquiry because the tendencies in the questionnaire can deviate from reality. For this reason I am only referring to tendencies to differentiation in strategies of action in reference to drivers' actual behaviour. As distinct from the uncertainty about the differentiation of action strategies there is a solid empirical material documenting the drivers' moral norms and the relation between legal standards and moral obligations.

Theoretical Perspectives

In order to make the research questions more clear it has been helpful to include sociological theory about the structural conditions (macro) affecting drivers' norms and actions as well as specific theory about how individuals and groups interact (micro) and how they in their interaction chooses to adhere to common norms ore not. Only by including both levels of analysis the relation between norm and deviation in the traffic culture has been sufficiently illustrated.

In order to achieve an all-embracing theoretical framework that explains norm and deviance, I have employed an eclectic approach that inevitably encompasses classical sociological discussions of conflict and consensus, reproduction and change. Theories about change in the late modernity emphasise individuals' liberation from previous constraints. A liberation entailing that tradition is no longer accepted unless it makes sense to the individual. It does not mean that communities disappear. Instead norms are constantly developing on grounds of communicative action in which drivers negotiate meaning and agree on what norms should guide actions.

In contrast to the theories of change, the theories of reproduction stresses that even though late modernity is changing there is still classical structural constraints that affect individuals ability to determine what norms are legitimate and their ability to get their way when interacting with others. Both perspectives are represented in the theoretical framework, but the perspective of change is emphasised.

Late Modern Societies

Due to the fact that development trends in late modernity affect drivers' norms and actions, theories about late modernity constitute the theoretical framework of the study. According to Anthony Giddens the social actions is unlocked from earlier local constraints which include a separation of time and space. As regards to this separation of time and space, the demand for geographical mobility has increased (Juul 2002; Giddens 1994; Giddens 1996). This has also influenced the development of the modern city in terms of a range of measures to increase individual mobility (Hjorthol and Lian 2004, 1).

The creation of the automobile can be seen as an effect of the demand to increase mobility, that combined with an individualisation process in society and a technological development has established the automobile as a cultural, social and technological product. Usage of the automobile increases the speed of travel and makes it possible for humans to arrive at their destination faster than if they were walking (Beckmann 2001, 37). Hence, time is a central dimension when moving from one geographical space to another (Hjorthol and Lian 2004, 4). In addition to this, the development of an abstract, divisible and universally measurable time has become an important characteristic for industrialized capitalist societies (Urry 2000, 108).

With the introduction of time as regards to paid work, time has become a commodity which can be bought and sold (Hjorthol 2001, 39). Time is money and waste of time is a waste of money. Therefore individuals ought to be thrifty with time, not waste it, use it to the fullest and govern their own and others time with due diligence (Urry 2000, 109; Frönes 2001, 70). Furthermore, waiting time becomes a subjectively endured event in the automobile, which is an experience that primarily gives negative associations (Hjorthol 2001, 40; Hjorthol and Lian 2004, 4). Since time is both an individual and a common interest and the individual driver's use of time affect others in traffic interactions, the perception of time in late modernity play and important role influencing both norms and actions in the Danish traffic culture.

Automobility as a Risky Social Praxis

The symbolic meaning associated with the automobile also affects norm and action. Automobility as a phenomenon is usually associated with freedom; it is possible to go wherever you want, when you want (Zeitler 1998, 30). The automobile is even described as the mechanical embodiment of personal freedom (Hagman 2003, 3). However, this personal freedom is loaded with constraints. Physically – because the construction of the car limits the drivers' room for manoeuvre (Otnes 1994, 12). Morally – because almost everyone chooses individual transport, which creates a new institutionalised social praxis, where everyone is locked in a traffic jam and no one achieves the expected freedom (Beckmann 2001, 48-49, Beckmann 2002, 85). The freedom of the automobile and the promise of increased mobility can therefore be considered as an illusion. We try to obtain it, but it is unattainable.

Also the risk of road accidents constrains drivers' individual freedom of action. According to Ulrik Bech, risks in late modernity are human made and are unavoidable for all individuals no matter how much they try to avoid it – even if the responsibility is placed on individuals that challenge the moral and physical boundaries (Beck 1997). However risks can be changed, reduced, increased, dramatised or played down within the scope of the knowledge that exists about them. Besides being objectively measurable – risks are being used morally to define the boundaries for individual freedom of action as a way of maintaining an individualistic culture (Douglas 1985; Douglas 1992, 28). By the moral use of (objective) risks drivers constrain each others freedom because even though drivers pursue maximal individual freedom everyone are more or less aware that the road to

improving and securing their own conditions goes through regulating others actions, which also imply obligations towards others (Tonboe 1997, 74). The rights and obligations which exist in traffic are defined by means of law and morality.

Law and Morality

In the modern understanding of law individual rights play an important role. Within the boundaries of the law every individual has the same liberties and can use their own free will which makes the modern law well suited for social integration in differentiated societies (Habermas 1975, 95; Habermas 1996, 82-84). However the legal order is only legitimate if it does not contrast with basic moral principles (Habermas 1996, 106; Habermas 1997, 353). In consequence the legal norms depend upon gaining moral recognition among the drivers.

Additionally, individuals act on the basis of reflexivity in a modern society and thus the respect for legal and moral norms only exist, when individuals think the established norms are worthy of respect (Andersen 1998, 307). In principle, we can agree that one must play by the legal rules but in specific situations individuals act in view of reflexivity and negotiate the legal order morally (Andersen 1998, 395). Consequently, a number of moral arguments that legitimise so-called insignificant violations of legal norms are under development. On the one hand it can pose problems if drivers do not acknowledge and maintain legal order, but on the other hand it can also pose problems if drivers maintain legal order without considering moral obligations when interacting in traffic. That would be perceived as self-opinionated behaviour.

The Demarcation between Liberty of Action and Egocentrism

The fact that drivers' negotiate the law sometimes undermines the legitimacy of the law. Though in an individualised society there is a need for individual autonomy and liberty of action in order for the individual to remain capable of surviving and creating his or her own life, it does not necessarily result in the erosion of communities because it also includes cohesion and reciprocity. The modern man is trying to combine self-realization with being for others, so that individualism is not incompatible with altruism (Giddens 1994, 13; Knudsen 1999, 9). To act strategically is not necessarily incompatible with communicative action. One can strive for own purposes and interests within the boundaries of morally obligating norms and it would be considered as the individual freedom of action. As long as ones actions makes it possible for other drivers to obtain their interests and goal, the action will not be condemned. But if the individuals actions constrain the opportunity for development of others, the action will be perceived as egoistic. Hence, the line between egoistic behaviour and individual freedom of action is a delicate balance.

In order for everyone to obtain their own interests within the boundaries of moral norms, there is a set of coping strategies that gives guidance to drivers in order for their actions not to be at the expense of others. These techniques are established in order to avoid the risks associated with road traffic interaction and maintain social order. Erwin Goffman mentions several techniques such as

the first-served basis and the principle of equality (Goffman 2004, 168, 313-314). In traffic the first-served basis means that the one who arrives first has the right to pass first. The principle of equality stresses e.g. in the case of queue in traffic that one has the right to move forward right after the person in front and before the driver at the rear. In spite of principles of equality there can be exceptional circumstances, where this principle is disregarded. For example if and elderly person accidentally fail to observe that two roads narrow down to one and resultingly drives to far ahead, the other drivers can use more far-reaching strategies that involve a kind of "noblesse oblige" by which the elderly driver is let in (Goffman 2004, 318).

Communicative Action

The decision about how one ought to interact in traffic is made in the communicative action in which the boundaries for individual freedom of action are determined. Drivers make use of their reflexive approach to negotiate which whether or not actions can be considered legitimate. When drivers reach an agreement given the reflexive negotiation, the action will be considered morally acceptable. However, the reflexivity unfortunately can prove to pose problems for the communicative action because the boundary between reflexivity and anomie can be gradual. Reflexivity can lead us into slippery ground, so that it causes a sophisticated post-rationalisation and legitimising of quite cynical and egoistic behaviour without consideration for the community rather than greater responsibility (Andersen 1998, 59).

Additionally, the communicative action can not always be considered as a result of total agreement. In a complex modern society some groups or individuals can have the power to dictate the terms in shape of compromises (Habermas 1975, 116-118). According to Goffman, the will to accept a given order can be contingent upon the harsh fact about ones own position in the social structure (Goffman 2004, 292).

In traffic, the communicative action among drivers is primarily non-verbal, but it can be verbalised both in and out of the interaction in traffic. Two different perspectives exist about drivers' communication in traffic. One stresses the constrained communications options: drivers being distant from each other with few means to understand one another (Otnes 1994, 26-27; Featherstone 2004, 12; Thrift 2004, 47-48). The other one stresses that the automobile involves new ways of communicating, where the driver uses his/her own body as well as the automobile to communicate with. In that perspective the automobile establishes new ways of communicating by use of for example mirrors and windows (Featherstone 2004, 8, 12).

According to Thyra Uth Thomsen the automobile also contributes to the symbolic communication between drivers, so that the automobile does not just refer to the user of the car, but also to common meaning for the individual and the community (Thomsen 2003, 160, 240). Due to this view, it is possible to speak of communicative actions in traffic. At first sight the communicative action appears to be constructive, but unfortunately sometimes it can be a cover for systematically

distorted communication, if people give the impression of acting communicatively but in reality acts egoistically (Habermas 1997, 119, 264; Outhwaite 1997, 54). Even though it is in the individuals' interest that others maintain moral norms, it is not necessarily in their own interest to maintain all details themselves (Goffman 2004, 292). Ulli Zeitler describes this as the commuter's dilemma (Zeitler 1998).

Deviance and Legitimising Strategies

Whether an action is considered to be egoistic also depends on how the community of drivers reacts to a deviance. It is only if other persons perceive an action as problematic and condemn it that it is perceived as an egocentric behaviour (Becker 1973, 22-25).

Different kinds of deviance exist. Some of them can be defined as secret, which refers to deviance that does not result in condemnation from other drivers, either because the deviance is not discovered or because the driver uses neutralisation techniques to legitimise his or her actions. Neutralisation techniques use specific situations as a starting point and the explanation of the situation serve to contribute to the legitimatising of the act (Frönes 2001, 93). On the basis of neutralising techniques the definition of norm and deviance in traffic becomes a reflexive negotiation about what is right and wrong. In an individualised society there is a relatively large grey area, where deviance under certain conditions and in specific situations can be justified reflexively and therefore be considered legitimate. It is in the negotiations of right and wrong that the moral norms develop and changes, as the boundaries for legitimate actions in traffic convert.

Conclusion and Discussion

At a basic level the most important moral norm in traffic is maximal mobility for the community. The perception among drivers are that time is limited and therefore time must be used with due diligence, so that one's own and others time is not wasted. One shall not cause inconvenience for other drivers and restrain their mobility. In order to maximise the efficiency of traffic interactions one ought to show one's intentions to others, so that they can allow for one's action strategies in the transient interaction.

Another basic moral norm is that one should be considerate towards others. But this is a moral norm that can be disregarded if some drivers detain others in their pass-ability. In these cases the mobility of the community is more important than the consideration towards the drivers whom are less mobile than the community. The individual driver's mobility shall not cause inconvenience to the community in any way. Nor is it acceptable to try to maximise one's mobility at the expense of others.

Beside these basic norms the drivers also construct specific situational dependent moral norms that to a greater or lesser extend is tied to the highway code. It is actually difficult to conclude without ambiguity because the relation between legal and moral norms is complex. When the moral norms

are interconnected with the law, both sets of standards are regulating behaviour. This is the case when it comes to violations of traffic safety distances on the motorway. If this highway code is not followed, the drivers perceive it as being a risk to the community of drivers. In this case the highway code functions as codified morality that constrains drivers' actions in view of objective risks. The objective risks are embedded in the highway code and is used morally to legitimise constraints in the individual driver's freedom of action.

However, when there is a conflict between moral norms and legal norms because the legal norms can be used for egoistic purposes, the legal norms loses their legitimacy and do no longer serve as a guide for drivers' actions. For instance when two traffic lanes narrows down to one. In these situations drivers disregard the highway code to a greater or lesser extend because the highway code conflicts with some of the drivers coping strategies such as the principle of equality and the first-served basis. The reason why drivers disregard the highway code is that it can be used for egocentric purposes when some drivers utilise the law to jump the queue in order to achieve own mobility at the expense of others.

The situation where two traffic lanes narrows down to one is also interesting from another perspective. Qua the law all drivers have equal rights and obligations, but morally the drivers differentiate rights and obligations in traffic interaction. Some distinct drivers and drivers in distinct automobiles are in spite of the moral unacceptability not attributed egoistic attentions when jumping the queue. If emergency vehicles, police vehicles, a trainer car or elderly drivers jumps the queue, other drivers believe one ought to let them in as a kind of "noblesse obligé".

The Potential Situational Egocentrism

Even though drivers in general have high moral standards and are very conscious of how they should and ought to behave in interaction, most drivers deviate from intersubjectively recognised norms to a greater or lesser extent. Almost all drivers disregard collective norms from time to time, most often for example when driving from home to work or when picking up children from school, which in both cases take place in rush hour traffic. This is a situation that the drivers associate with stress and time pressure. Even the consideration for particular groups can be disregarded in the rush-hour traffic. The consequence is that almost every driver is potentially behaving in a situation-specifically egoistic manner, in the period of time, where most accidents occur.

The Universe of Legitimised Deviance

Beside the deviations that are characterised as egocentric there is a great part of deviations that is legitimised in the communicative action by use of legitimising techniques. The lack of condemnation is a result of reflexive negotiation with which drivers use excuses to neutralize their deviant behaviour in a way that is acceptable to the community of drivers. For instance when it comes to driving in the emergency lane; morally it is not acceptable. Even so some drivers negotiate this constraint reflexively and succeed in legitimising emergency lane driving in specific situations.

For instance if the queue occurs because of bad weather instead of a traffic accident, if another one shows the way or if there is only 50 metres to the motorway spur it is acceptable to drive in the emergency lane.

It is not only in association with emergency lanes that drivers legitimise deviations. It is a general tendency. Most of the time drivers agree on what constitute legitimate and illegitimate deviations, but in one case the participants disagree. If one drives in the fast lane on the freeway with the speed required by law, men and women have different attitudes as to whether it is acceptable or not to violate the safety distance in order to sanction the driver for keeping the others from passing at a higher speed. Among the female drivers it is perceived as unacceptable to violate the safety distances required by law, but they have difficulties getting their way with the male participants. If the driver (often a woman) will not drive faster, she should (according to the male participants) resign to the nearside lane so that the drivers who want to drive faster can proceed. If the slow driver is not resigning to the nearside lane, it can be acceptable to sanction this behaviour by violating traffic safety distances. The disagreement also reflect itself in the actual interaction, where women to a greater extend than men endures others driving to close behind them in the fast lane and men as well as women believe that it is men who practice this sanctioning. It seems that there are differentiations in power due to gender, where men have a greater success in dictating the moral standard in the traffic culture than women. Whatever the circumstances are; when the violation of safety distances required by law is legitimised, it is a safety problem in an objective sense.

Reflexivity or anomie

Positively, the reflexive orientation is a way of developing culture in an individualised society so that the moral norms adapt to modern individualistic ways of living, but on the other hand, it can also be used to legitimise true egoistic behaviour so instead of developing moral standards, it is weakening it. A good example of this is intersections controlled by traffic lights when the traffic light shifts from green to yellow. According to the highway code one must leave the intersection before it shifts to green from the crossing side. In case of a yellow light one must brake if possible unless it is associated with danger to do so. Morally, the drivers negotiate the law and agree that it is acceptable to speed up at yellow light if it is a late night with full overview of the intersection and there is no other road users nearby, if the light has just shifted from green to yellow, if the light at the pedestrian crossing has just shifted to red, if a driver from behind is too close and braking would result in a collision or if it as a herd mentality. As long as ones actions do not disregard the consideration for others mobility and safety, drivers agree that it is morally acceptable. Unfortunately, some of the legitimised deviations can be a cover for egocentric behaviour. According to the driving instructors speeding up because of a driver behind being to close is a poor excuse drivers use in order to maximise their own mobility at the expense of other road users in their presence.

Even though the reflexive negotiation tendency is prevalent, some drivers use negotiations more than others. Male drivers have a tendency to negotiate legal standards more than women, just as young people have a tendency to negotiate more than elders. The negotiation can also be affected by the drivers' education, but it is only a vague tendency. It is surprising that the effect of education is weak. One explanation could be that education has less effect in traffic. But it is also possible that the reason should be found in the uncertainty of the questionnaire survey that only contribute with conclusions on a flimsy ground. Further studies are needed in order to achieve a sufficient knowledge of the background variables affecting both moral and strategies for actions in traffic.

Even though there is a great deal of the drivers' actions which can be legitimised in the communicative action as mentioned before there are deviations impossible to legitimise. Drivers are very conscious about these deviations as proven by their concealment of own illegitimate deviations in social relationships. The concealments can be seen as an expression of a systematically distorted communication that complicates the conditions of the communicative action.

Moral Norms as a Regulator in Traffic Interactions

Moral norms ability to regulate actions in traffic depends on drivers' use of communicative action to explicate and enforce established norms. If the moral norms should be able to serve as a regulating factor in the traffic culture, the conditions of the communicative action must be favourable. At first sight I expected that the conditions for communication in traffic would be complicated by the anonymous relations and the transient interaction. There is actually a certain ambiguity in the communication in traffic due to the fact that often drivers who use legitimising techniques in reference to their own actions perceive others similar actions as motivated by egocentrism.

In spite of the fact that the communication in traffic can be ambiguous, the automobile communication of moral norms seems to be very well developed in late modernity. The drivers have achieved skills in communicating through windows and mirrors, using brakes and lights as well as their own body to communicate with. Consequently, the car has become a material communication devise. It finds its expression when drivers use their own body and the lights of the automobile to apologize for illegitimate deviations and also in the case when other drivers violate moral standards. If this happens drivers use breaks, lights or sounds one's horn slightly. The driver's own body is used as well in the communication which in the case of others attempt to jump the queue can be done by putting blinkers on and ignoring the drivers request to get ahead or even make an angry stare at the driver to tell the person concerned that his or her actions is unacceptable. These types of automobile communications are used to explicate the moral standards in the traffic culture and are a way of maintaining social order.

However, the drivers' use of automobile communication is not necessarily a benefit for traffic safety: sometimes drivers legitimise actions morally that in an objective sense increases the risk of

traffic accidents. This is the case when sanctioning others slow driving by violating the safety distances required by law is legitimised (primarily by male drivers). The violation might be legitimised morally, but it can not rescue the drivers involved from the objective risk.

What Regulates What?

As mentioned above, the relation between law and morality is quite complex and the question is: what is actually regulating drivers' behaviour – the highway traffic code or the moral norms? In 2006, a driving licence point demerit system was introduced in Denmark, and according to the Danish police it has decreased reckless driving. This system is an example of how intensified legal sanctions can be instrumental in changing drivers' behaviour. But does the intensification of legal sanctions function due to the intensification of sanctions or is it because the sanctions conform to drivers moral standards?

In order to answer that question it is necessary to distinguish between different kinds of drivers because the change in behaviour for some drivers can be a result of the fact that the driving licence point demerit system in its outermost consequence removes the driver's opportunity for mobility and even the threat of that is enough to make drivers behave. For other drivers it can also be the intense moral debate in the media and population that followed in the wake of the change in legislation that has served as a reminder of how one ought to act according to moral standards, because many of the actions that release a strike in the driver's license is also morally unacceptable among drivers. The fierce moral debate about the driving licence point demerit system can easily be as plausible a reason for drivers changing their behaviour as the intensification of legal sanctions in itself.

Surely, if the highway traffic code should be able to effect drivers' behaviour it is necessary that there is a power of cohesion with drivers' moral praxis. This is brought into focus in the light of the raise of legal speed limits on freeways in Denmark, where the drivers' moral praxis deviated too much from the legal standards. In order to accommodate the actual traffic culture the speed limits were raised. The raise resulted in a lot of criticism, because it was expected to increase the probability of accidents occurring because of higher speed. The actual result was the opposite. The average speed has decreased, car traffic glides better and the statistics show that the number of accidents has been decreased.

Another example is the legal standards related to two lanes narrowing down to one, where the legal standards conflict with basic coping strategies such as the principle of equality and the first-served basis. Because of that the law cannot regulate drivers' behaviour adequately. One conclusion could be that in order for the highway code to regulate driver behaviour, the law must be consistent with the drivers' moral norms. But allowing the traffic culture to rule in this particular case is insufficient, because the drivers disregard of legal standards result in very long queues that constrain every one's mobility. It seems that we have to choose between cholera and the plague.

The optimal solution would probably be to abolish the existing legal standard and seek out other ways of legal regulation that does not conflict with basic moral coping strategies.

The trouble is that it is not possible to conclude definitely what regulate different drivers' strategies for action. Therefore, further studies are needed so that it becomes evident what really regulates driver behaviour. This can be done by identifying more clearly what and who is determining the regulating norms in traffic and how drivers actually act in traffic interactions. The ones who determine the moral standard is not necessarily the one's capable of getting their way in the actual interaction. Maybe the illegitimate deviants are more successful in getting their way due to the fact that other drivers yield to the illegitimate deviant driver in order to avoid an accident? Further research has to provide more detailed answers to that question.

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