

Street Rivals

Jaywalking and the Invention of the Motor Age Street

PETER D. NORTON

The obvious solution . . . lies only in a radical revision of our conception of what a city street is for.

—*Engineering News-Record*¹

Bessie Buckley was distressed. Street accidents were maiming and killing city residents—especially children. The Milwaukee schoolteacher wrote a letter to the editor of her newspaper. “Are streets for commercial and pleasure traffic alone?” she asked. In the American cities of 1920, the question was far from settled. Who belongs in city streets? Who does not belong? What are streets for?²

To Buckley and many others, children at play belonged in streets. Most city people viewed streets as the proper setting for many others as well, from pedestrians to streetcar riders. They regarded the city street as a public space, open to anyone who did not endanger or obstruct other users. Yet in Buckley’s time, the competition for street space was intense. To win and preserve a claim to it, competing users flung epithets at one another. By choosing the term “pleasure traffic,” Buckley cast doubt on automo-

This article is adapted from the author’s forthcoming book, *Fighting Traffic: The Dawn of the Motor Age in the American City*. The author thanks MIT Press and the Social Science Research Council of Canada for their help. He also thanks John Staudenmaier, David Lucsko, Keith Walden, Dimitry Anastakis, Steve Penfold, Jamey Wetmore, Brian Balogh, W. Bernard Carlson, Edmund P. Russell, and the anonymous readers for *Technology and Culture*, whose help made this article possible, whose thoughts made it better, and whose friendship made its writing a pleasure. The author also wishes to thank Felipe Fernandez-Armesto and Kevin Leonpacher for demonstrating jaywalking’s utility in the study of technology and culture.

©2007 by the Society for the History of Technology. All rights reserved.
0040-165X/07/4802-0004\$8.00

1. “Motor Killings and the Engineer,” *Engineering News-Record* 89 (9 November 1922), 775.

2. Bessie Buckley to editor, in “Where Can the Kiddies Play? Send Views to Journal,” *Milwaukee Journal*, 29 September 1920, 15.

APRIL
2007
VOL. 48

biles' claim to street space.³ Others, staking a claim for cars in streets, discovered, reinvented, and promoted an obscure midwestern colloquialism, *jay walker*.⁴

By the turn of the nineteenth century, streets were already shared by several sociotechnical systems.⁵ Private, horse-drawn vehicles and city services (such as streetcars, telephones, and water supply) depended on them. Pedestrians, pushcart vendors, and children at play used them as well. The balance was always delicate and sometimes unstable, and crowds of automobiles soon disrupted it. During the 1910s and 1920s competitors fought to retain, or establish, legitimate title to the streets. Language was a weapon in this battle.

Of the many street rivalries, the feud between pedestrians and motorists was the most relentless—and the deadliest. Blood on the pavement often marked their clashing perspectives,⁶ as did new words, especially epithets. Their success or failure reflected not only the opinions but the fortunes of those who used them. Pedestrians forced from the street by aggressive motorists blamed the problem on spoiled “joy riders,” and were in turn dismissed as boorish “jay walkers” by irritated drivers.

To most of those who even recognized the word, *jay walker* seemed coarse and offensive. But by 1930, in the new street equilibrium based on the supremacy of automobiles, *jaywalker* (by then normally condensed into one word) was a conventional term routinely applied to pedestrians engaging in street uses once beyond reproach. By then most agreed, readily or

3. In the 1920s, the use of *pleasure car* to designate a passenger automobile declined, partly through the efforts of automotive interest groups. See, for example, Ernest Greenwood to Harold Phelps Stokes, 8 May 1925, “Automobiles,” box 39 (Commerce Papers), Hoover Library, West Branch, Iowa; R. H. Harper, quoted in “Auto Overcomes Expensive Toy Idea,” *Washington Post*, 3 December 1922, 4:11.

4. *Oxford English Dictionary*, 2nd ed. (1989), cites a 1917 Boston reference as the first known use of the term, but I have found seven earlier uses from 1909 to 1916, the earliest coming from the Midwest (cf. n. 56 below).

5. By “city streets,” streets in densely built-up areas are meant. Low-density residential streets (those in streetcar suburbs, for example) did not escape the trends described here, but their history is distinct in important ways.

6. Probably well over 210,000 Americans were killed in traffic accidents between the years 1920 and 1929, three or four times the death toll of the previous decade (itself much bloodier than the decade before). See Committee on Public Accident Statistics, “Public Accidents in the United States,” *Proceedings of the National Safety Council* 13 (1924), 840ff.; Bureau of the Census, *Historical Statistics of the United States, Colonial Times to 1970*, pt. 2 (Washington, D.C., 1975), 720. For a careful analysis of the problem of estimating accident figures, see H. P. Stellwagen, “Automobile Accidents in the United States,” *Safety Engineering* 51 (1926): 71–74. In cities, about three out of four traffic fatalities were pedestrians; see Mitten Management, Inc., “Accidents and the Street Traffic Situation,” *Philadelphia Traffic Survey Report* 4 (July 1929): 10, 18–19, in Philadelphia Rapid Transit Company, box 1, John F. Tucker Collection, accession 2046, Hagley Museum and Library, Wilmington, Del.; and “Automobile Fatalities Becoming One of Our Deadliest Scourges,” *American City* 35 (1926): 341–42.

grudgingly, that streets were chiefly motor thoroughfares, open to others only under carefully defined restrictions.

The motor age marked its arrival in the American city with asphalt parking lots and concrete highways. But before the city street could be physically reconstructed to accommodate motor vehicles, it had first to be socially reconstructed as a motor thoroughfare. Only then could engineers build new urban highways, designed for automotive speeds and the nearly exclusive use of motorists.

To explain the origin of the automotive city in America, most historians have examined the transition “from streetcar to superhighway.”⁷ This interest in vehicles (electric railways and automobiles) and motor highways has tended to obscure the earlier clash between pedestrians and automobiles. To some historians, the city’s transition to automotive transportation was a kind of Darwinian evolution by technological selection, in which the fitter automobile drove the outmoded streetcar to extinction. Instead of nature, city people selected (more or less rationally) the winning species in the struggle for survival. In short, Americans rebuilt their cities because of their “love affair” with the automobile.⁸ In a study of Los Angeles, for example, Scott Bottles concluded that “the public decided” to “facilitate automobile usage as an alternative to mass transportation.” According to this interpretation, urban transportation evolved in response to consumer preferences, much like other consumer goods in a free market. Americans preferred to drive, and therefore “in a society that celebrates individual choice and free-market economics,” city transportation had to be primarily automotive.⁹

Others have seen the problem differently. In crowded cities, mass demand for automobiles could not automatically transform transportation; instead, such places would have to be rebuilt to accommodate cars. In this view, those promoting reconstruction were a social elite, not the mass of transportation consumers. Such advocates of the motor city pulled up street rails and planned the deconcentration of urban populations. When there were no more streetcars to ride and cities were replanned around motor transportation, city people rode buses or bought cars. Mass preferences were relatively unimportant. Clay McShane, for example, docu-

7. Mark S. Foster, *From Streetcar to Superhighway: American City Planners and Urban Transportation, 1900–1940* (Philadelphia, 1981). For more recent scholarship on street railways, buses, and highways and their place in the origins of the automotive city, see Zachary M. Schrag, “‘The Bus Is Young and Honest’: Transportation Politics, Technical Choice, and the Motorization of Manhattan Surface Transit, 1919–1936,” *Technology and Culture* 41 (2000): 51–79, and Matthew W. Roth, “Mulholland Highway and the Engineering Culture of Los Angeles in the 1920s,” *Technology and Culture* 40 (1999): 545–75.

8. John B. Rae, dean of historians of the automobile in America, assigns an important role to Americans’ “love affair with the motor vehicle,” which was “welcomed in American life” (*The American Automobile Industry* [Boston, 1984], 59, 69).

9. Scott L. Bottles, *Los Angeles and the Automobile: The Making of the Modern City* (Berkeley, Calif., 1987), 253–54.

APRIL

2007

VOL. 48

mented an early affinity of interest between automotive groups and city planners. Automotive interest groups wanted to rebuild cities for cars; planners regarded cars as the basis of the new and better city they would design.¹⁰ Like Daniel Burnham, whose celebrated 1909 plan of Chicago was a blueprint for “providing roads for automobility,” leading city planners were “fantasists” who “in effect declared traditional cities obsolete by calling for rebuilding downtown around the car.”¹¹

A few historians have begun to redirect attention to pedestrians. McShane documented clashes in New York City between motorists and pedestrians that reveal deeper disagreements about who belongs in the streets. In a study of Hartford, Connecticut, Peter Baldwin found that pedestrians, pressured by new traffic regulations and safety measures, relinquished the streets.¹² These findings suggest the possibility that the chief obstacles to the automotive city were not street railways or pre-automotive city plans, but prevailing conceptions of the city street.

Those who wanted a brighter future for cars in cities recognized this obstacle and worked to overcome it. To uncover this struggle to determine what streets were for, we must look beyond groups with recognized interests in city streets (such as street railways and automobile manufacturers) and recover the voices of pedestrians and ordinary motorists. Recent theoretical work on the relationship between society and its technological systems will help as well.

Jaywalking as a Tool in the Social Reconstruction of a Technology

Social-constructivist scholars have offered a framework that can help us understand how the motor age came to the American city.¹³ Today we tend not only to regard streets as vehicular thoroughfares, but to project this construction backward in time. In retrospect, therefore, the use of streets for children’s play can seem obviously wrong, and children’s departure

10. Clay McShane, *Down the Asphalt Path: The Automobile and the American City* (New York, 1994). Foster also gave substantial credit for the automotive city to city planners.

11. McShane, 203, 212.

12. *Ibid.*, 176–77; Peter C. Baldwin, *Domesticating the Street: The Reform of Public Space in Hartford, 1850–1930* (Columbus, Ohio, 1999), 214–25. McShane emphasizes the clash between pedestrians (especially children) and motorists. Baldwin traces changing conceptions of city streets, finding that in the 1920s “major thoroughfares” in Hartford, Conn., became “more exclusively the property of the automobile,” and that “the confinement of pedestrians to sidewalks was constantly reinforced” (p. 224).

13. This discussion is derived from a school of scholarship called the “social construction of technology,” promulgated originally in Trevor J. Pinch and Wiebe E. Bijker, “The Social Construction of Facts and Artefacts: or How the Sociology of Science and the Sociology of Technology Might Benefit Each Other,” *Social Studies of Science* 14 (1984): 399–441.



FIG. 1 Who belongs in the street? When this photograph of Detroit was taken in 1917, different street users would have answered this question differently. Some would have called these pedestrians “jay walkers,” but most still would not. (Source: *Detroit News* photo archive.)

from streets with the arrival of automobiles seems natural. Only when we can view the prevailing social construction of the street from the perspective of its own time can we also see the car as the intruder.

What is a street for? In 1910, the answers would have varied with the affected social group, including parents, pedestrians, streetcar riders, and motorists. But most—including many motorists—would have agreed that streets were not for fast driving, and that motorists who drove faster than pre-automotive vehicles were alone responsible for any harmful consequences. But what made cars worth buying? Precisely their advantages over pre-automotive alternatives. To those who bought and sold them, cars were vehicles capable of higher sustained speeds than horses and more versatile than crowded and track-bound streetcars. Thus the automobile’s essential attributes put it at odds with prevailing perceptions of legitimate street use. Used as intended, the car was a *misuser* of streets (fig. 1).

Whatever the legitimacy of their claim to street space, the motoring minority had the power to drive pedestrians from the pavements. Fearful for their safety, nonmotorists learned to limit their own access to streets and to caution their children to look both ways before crossing. But regarding the car as intruder, they also sought long-term solutions in the strict regulation of automobile traffic. When such rules started appearing, and

with more oppressive proposals on the horizon, automotive interests (or “motordom,” as they called themselves) discovered that their greatest danger lay in the prevailing social construction of the street. To secure an urban future for the car, they would have to win a legitimate place for it in the street and cast doubt on the legitimacy of those who stood in the way.

APRIL
2007
VOL. 48

Jaywalker was a tool in this reconstruction effort. It implied a new answer to the question, What is a street for?—an answer that carried a sting. The history of this word before 1930 has something to add to our understanding of how perceptions of sociotechnical systems develop. Social constructivists have shown that users are “agents of technological change.”¹⁴ The evolution of *jaywalking* confirms findings already implicit in earlier studies of technologies and users: like *use*, *misuse* shapes artifacts, and struggles to fix the meaning of an artifact often take the form of struggles to define these terms. Pedestrians deprecated fast motorists with epithets such as *joyrider*. To turn the tables, motorists appropriated the term *jaywalker*, using it in a larger struggle to redraw the boundary between street use and misuse.¹⁵

The Epithet in the Struggle for the Street

Who is entitled to shout, “You don’t belong in the street!”? In 1910, pulp publisher Edward Stratemeyer introduced his best-selling Tom Swift series of stories for boys with *Tom Swift and His Motor-Cycle*. As the book opens, young Swift is riding a bicycle along a country road. His archrival, spoiled bad-boy Andy Foger, comes speeding along in an automobile. A quarrel over road rights ensues.

Foger makes the first move. By maintaining speed and sounding his horn, he makes a claim by right of conquest. But Swift cannot evade him, so the bluff is exposed. Foger swerves, landing the car in a ditch. The exchange continues in words. Foger blames the accident on Swift. Swift replies by painting motorists as usurpers and tyrants. “You automobilists take too much for granted!” he declares. “I guess I’ve got some rights on the road!”

Foger then questions the relevance of old ways in a new age: “Aw, go on!” he says. “Bicycles are a back number, anyhow.”¹⁶

Real variations of this fictional battle were fought again and again over

14. Ronald Kline and Trevor Pinch, “Users as Agents of Technological Change: The Social Construction of the Automobile in the Rural United States,” *Technology and Culture* 37 (1996): 763–95.

15. Efforts to control definitions of use and misuse as a “closure mechanism” (or means of controlling the construction of a system) are implicit in much social constructivist research; see, for example, the reference to misuse in John Law and Wiebe E. Bijker, “Technology, Stability, and Social Theory,” in *Shaping Technology, Building Society* (Cambridge, 1992), 295.

16. Victor Appleton, *Tom Swift and His Motor-Cycle* (New York, 1910), 3–4.

the next two decades.¹⁷ Pedestrians (and bicyclists) cited custom to claim prior rights, but custom could rarely withstand motorists' superior power and speed. Like Andy Foger, drivers replied with their own rhetorical weapons and claimed that old ways no longer suited the new motor age.

Language is a component in sociotechnical systems, and like other components it plays a role in the success or failure of the larger system. Words assume particular importance when the system's future is uncertain or contested. Near the end of the Vietnam War, for example, an air force colonel facing tough questions from reporters snapped back: "You always write it's bombing, bombing, bombing. It's not bombing. It's air support."¹⁸ Words such as *air support* or *jaywalker* are easily coined, but to support the coiners' cause they must enter circulation as accepted currency. *Jaywalker's* successful entry into the English language did not come easily.

Preserving Pedestrians' Rights by Restricting Automobiles

Most judges defended pedestrians' rights to the pavement. New York City traffic-court magistrate Bruce Cobb called for "the rights of the foot passengers, on account of their numbers" to be "reasserted and preserved," and for motorists to be "forced into a decent recognition of the pedestrians' rights."¹⁹ Although crosswalks were customary safe zones for pedestrians, efforts to forbid crossing elsewhere nearly always failed. In 1913 a municipal judge ruled that "the streets of Chicago belong to the city, not to the automobilists."²⁰ Eight years later, despite the revolution in street traffic, an Illinois judge struck down a city's requirement that pedestrians cross streets at right angles or on crosswalks and that pedestrians follow other traffic rules.²¹ Juries also tended to favor pedestrians. "Juries in accident cases involving a motorist and a pedestrian almost invariably give the pedestrian the benefit of the doubt," a safety expert explained in 1923; "the policy of the average jurymen is to make the automobile owner pay, irrespective of responsibility for the particular accident."²²

17. For a remarkably similar example, see the dispatch from the *Cincinnati Enquirer* printed in the *Washington Post*, 11 December 1915, 6.

18. Air force colonel David Opfer, quoted in "Inoperative," *Washington Post*, 29 November 1974, B7.

19. W. Bruce Cobb, in "Nation Roused against Motor Killings," *New York Times*, 23 November 1924, 5.

20. "Speeder Wants All Street," *Chicago Tribune*, 6 May 1913, 5.

21. *Benison v. Dembinsky* (1926), 241 Illinois Court of Appeals 530 (accessible through Lexis-Nexis); see also Myron M. Stearns, "Your Right to Cross the Street," *Outlook and Independent* 155 (14 May 1930): 50–53, 80.

22. C. W. Price, "Automotive Industry Should Lead in Safety Movement," *Automotive Industries* 49 (13 December 1923): 1189.

APRIL
2007
VOL. 48

When cars first threatened children's use of the streets, many sided with the children against the motorists. The *Chicago Tribune* lamented that children had regarded the street "as part of their premises," but could no longer do so in safety.²³ Some police and judicial authorities defended children's right to the roadway. Instead of urging parents to keep their children out of the streets, a Philadelphia judge lectured drivers in his courtroom, complaining, "It won't be long before children won't have any rights at all in the streets." As the usurper, the motorist, not the child, should be restricted: "Something drastic must be done to end this menace to pedestrians and to children in particular."²⁴ When police did try to limit street play, many parents objected. For a time, New York City police arrested "small boys who have recklessly defied the perils of crowded thoroughfares," but they soon desisted because "it frightened and shamed the child and angered his parents and guardians."²⁵ "Children must play," a St. Louis resident wrote in 1918, "and even in the more exclusive residence sections it is difficult to always keep a child out of the street. In other and more crowded sections, it is practically impossible."²⁶

To most parents, pedestrians, and police, the way to make streets safe was to restrict the newcomers. Most such measures were intended to limit automobiles to pre-motor age speeds, in effect negating the advantages of the automobile. Police-imposed speed limits were always low, sometimes extremely so. In 1906 the median state-designated limit in cities was ten miles per hour, and local authorities often set limits still lower. States were slow to raise them; Indiana, which limited city speeds to eight miles per hour in 1906, had raised the limit to only ten by 1919.²⁷ But because such low speed limits were almost unenforceable, some city people demanded that more be done.

Many called for a technological solution: mandatory governors to limit maximum speed. One letter writer to the *St. Louis Star* suggested this: "Gear them down to fifteen or twenty miles per hour and quit joking about speed limit laws"; another proposed "equipping" cars "with some sort of governor" to limit them to "fifteen miles per hour."²⁸ Police departments were sympa-

23. "Automobile Ethics" (editorial), *Chicago Tribune*, 7 September 1905, 8.

24. Magistrate Costello, Philadelphia, 8 November 1924, quoted in "City-Wide War Is Declared on Death Drivers," *Philadelphia Public Ledger*, 9 November 1924, 4.

25. "Street Accidents," *New York Times*, 2 December 1915, 10.

26. C. C. White to editor, "Safety First Rules," *St. Louis Star*, 23 September 1918, 10.

27. Median speed limit based on state codes reproduced in Xenophon P. Huddy, *The Law of Automobiles* (Albany, N.Y., 1906), 116–325. South Bend Police Department, "Automobile Drivers Attention," *South Bend Tribune*, 23 October 1919, 11; facsimile in Peter Kline, "Newspaper Publicity for Traffic Rules," *American City* 22 (1920): 127.

28. H. J. Schneider to editor, "Gear Down the Autos," *St. Louis Star*, 24 November 1923, 6; R. F. to editor, "Governors on Autos," *St. Louis Star*, 19 November 1923, 16. For an earlier example, see "What Shall Be the Cure for Automobile Speed Mania?" *Illustrated World* 34 (1920): 85–86.

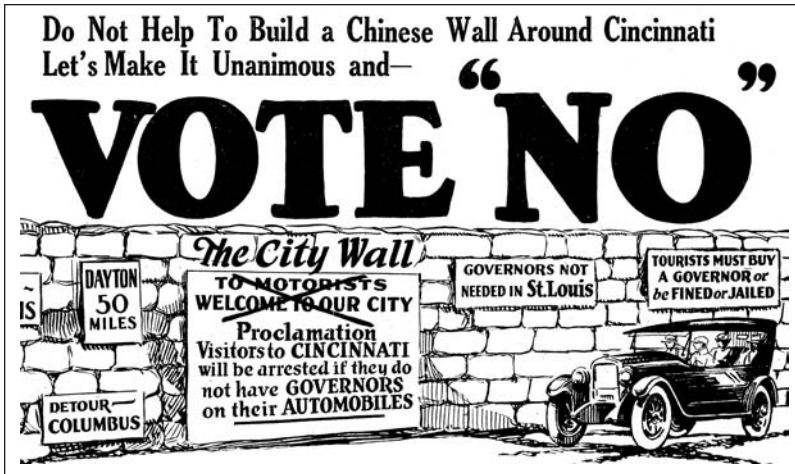


FIG. 2 The Cincinnati speed governor referendum frightened motordom into organizing to reshape the traffic safety problem. This advertisement appeared the day before the vote. (Source: *Cincinnati Post*, 5 November 1923. Courtesy of the *Cincinnati Post*.)

thetic. In a survey, two of every three police chiefs agreed that their cities should require governors on automobiles.²⁹ Such a plan won mass support in Cincinnati, where 42,000 people—more than 10 percent of the population—signed petitions in 1923 for a local ordinance requiring governors that would shut off automobile engines at twenty-five miles per hour. Terrified city automotive interests organized a massive and well-funded “vote no” campaign, and on election day, voters crushed the plan (fig. 2).³⁰ This experience, more than any other, taught motordom that it would have to fight for the car’s rightful place in the city. Long-term success would require streets that were redefined as places where motorists belonged and where pedestrians were responsible for their own safety.

The Elusiveness of Pedestrian Control

Through local safety councils (local affiliates of the National Safety Council), defenders of pedestrians’ rights influenced the terms of the safety

29. “Causes of Traffic Accidents—as Seen by Chiefs of Police,” *American City* 34 (1926): 542. The survey was conducted by *American City*; 318 chiefs favored governors (speed limit was not designated), 161 opposed. The chiefs suggested limits from 20 to 55 miles per hour, 35 being the approximate average.

30. “If You Do Not Help Regulate Traffic, Mr. Dealer, Some Day Traffic Will Regulate Your Bank Account,” *Motor Age*, 1 November 1923, 58; “Ordinance Defeated 7 to 1,” *Cincinnati Enquirer*, 7 November 1923, 8.

APRIL

2007

VOL. 48

debate. Seeing traffic casualties as a threat, local promoters of the automobile usually backed city public safety campaigns through the early 1920s. But these “safety weeks,” shaped by prevailing conceptions of what a street is for, also featured displays that directed blame at automobiles. Parade floats carried cars depicted as death-dealing demons. Posters showed mothers holding limp children who were accident victims, and bereaved parents dedicated public monuments to children killed in the streets. Left unchallenged, such blame would threaten the automobile’s future in the city.³¹

Before others in motordom, Charles M. Hayes recognized that industry leaders had to reshape the traffic safety debate. As president of the Chicago Motor Club, Hayes warned his colleagues that bad publicity over traffic casualties could soon lead to “legislation that will hedge the operation of automobiles with almost unbearable restrictions.” The solution was to persuade city people that “the streets are made for vehicles to run upon.”³² Pedestrians would have to assume more responsibility for their own safety.

But how? Where they had been tried, legal regulations alone proved ineffective. From 1915 on (and especially after 1920), cities tried marking crosswalks with painted lines, but most pedestrians ignored them.³³ A Kansas City safety expert reported that when police tried to keep them out of the roadway, “pedestrians, many of them women” would “demand that police stand aside.” In one case, he reported, “women used their parasols on the policemen.” Police relaxed enforcement.³⁴

Because pedestrians had long defined the street as a place where they belonged, their critics placed little hope in outlawing their habits (fig. 3). Their problem was more a matter of custom than of law. Most judges were against pedestrian control, and city dwellers resented fines or arrests for what was a near-universal practice. Any successful plan would therefore require pedestrians’ cooperation. Change, said one safety reformer, would

31. Peter D. Norton, *Fighting Traffic: The Dawn of the Motor Age in the American City* (Cambridge, Mass., forthcoming 2008).

32. Charles Hayes, “Auto Accidents Are Not Always Due to Drivers,” *Chicago Tribune*, 11 January 1920, F11.

33. “Regulation of Street Traffic” (editorial), *American City* 13 (1915), 174; John P. Fox, “Traffic Regulation in Detroit and Toronto,” *American City* 13 (1915), 176; Thomas Adams and Harland Bartholomew, “City Planning as Related to Public Safety,” *Proceedings of the National Safety Council* 7 (1918): 363; Peter Kline, “Newspaper Publicity for Traffic Rules,” *American City* 22 (1920): 126–27; “Marking Traffic Zones,” *American City* 25 (1921): 531, 533; R. D. Ballew, “Solving the Parking Problem in a Small City,” *American City* 27 (1922): 31; A. R. Hirst, “You Can Say ‘Danger’ Once Too Often,” *American City* 27 (1922): 122; William M. Myers, “Traffic Lights and Zone Markers in Richmond,” *American City* 28 (1923): 454; Miller McClintock, *Street Traffic Control* (New York, 1925), 212–13; “Autoists Must Drive Chalk Line in Loop District,” *Chicago Tribune*, 28 April 1923, 4; George Earl Wallis, “Teaching Father Knickerbocker To Watch His Step,” *National Safety News* 8 (October 1923): 11.

34. L. J. Smyth, “The Jay Walker Problem,” *National Safety News* 2 (11 October 1920): 11.



FIG. 3 New York City, 1923. Pedestrians did not readily relinquish their customary rights to the street; regulation alone would not suffice. (Source: George Earl Wallis, "Teaching Father Knickerbocker to Watch His Step," *National Safety News* 8 [October 1923]: 11. Courtesy of the National Safety Council.)

require "education instead of prosecution or persecution."³⁵ "We want to educate the people rather than arrest them," said a deputy police chief.³⁶

The Discovery and Reinvention of Jaywalking

The industrial safety movement offered motordom a model for successful public education. Through safety publicity, industries gave workers responsibility for their own safety by directing ridicule at careless workers. "Otto Nobetter," a fictional factory worker and boob who maimed himself weekly in industrial safety posters, made reckless factory hands look like fools.³⁷ New state workmen's compensation laws directed responsibility for

35. A. J. Driscoll (Safety First Association of Washington, D.C.), quoted in "'Jay-Walking' Banned," *Washington Post*, 21 October 1917, 8.

36. J. A. McRell, quoted in "Fines for Jay Walkers Help Safety in Newark," *New York Times*, 12 August 1923.

37. See posters in *National Safety News* and figures in Dianne Bennett and William Graebner, "Safety First: Slogan and Symbol of the Industrial Safety Movement," *Journal of the Illinois State Historical Society* 68 (1975): 252–53.

APRIL
2007
VOL. 48

industrial accidents at business owners. Nobetter's job was to redirect some of the responsibility back to workers. Motordom needed an Otto Nobetter for traffic safety. They found it in epithets that evoked his simple-minded carelessness.

Joy rider and *speed maniac*—terms connoting irresponsibility and reckless disregard for others—were among the early insults pedestrians hurled at aggressive motorists.³⁸ In 1909, for example, “joy riders” were motorists who abused their “power of life and death” over “pedestrians . . . the aged and infirm . . . children playing in the streets”; in 1912, they were “automobilists” whose “aggressions” intruded upon the rights of pedestrians “to the very great danger of children and aged people.”³⁹ Both views reflected the unspoken assumptions of their time: that people on foot, including children at play, had a rightful claim to street space.

Motorists counterattacked with *jaywalker*. “Chauffeurs assert with some bitterness,” noted the *Chicago Tribune* in 1909, “that their ‘joy riding’ would harm nobody if there were not so much jay walking.”⁴⁰ A *jay* was a country hayseed out of place in the city. By extension, a *jaywalker* was someone who did not know how to walk in the city.⁴¹ Pedestrians had assailed motorists as a privileged class; *jaywalker* was similarly a broad-brush condemnation of willful pedestrians as boors. Originally, even pedestrians applied the term to fellow strollers—those who obstructed the walkway by failing to keep to the right, for example (fig. 4).⁴² By 1913 *jaywalkers* were more often pedestrians oblivious to the dangers of motor traffic: “men who are so accustomed to cutting across fields and village lots that they zigzag across city streets, scorning to keep to the crossings, ignoring their own safety” and “impeding traffic.”⁴³

38. Ira C. Judson, “In the Wake of the Automobile Joy Rider,” *Wilmington (Del.) Sunday Morning Star*, 2 May 1909, 13; “Publicity and Penalty” (editorial), *Providence (R.I.) Journal*, 2 July 1921, 12 (“speed maniacs”). “Road hogs” was often favored; in 1925, a British M.P. defined them as those who “run down pedestrians and attempt to escape detection by driving on.” See J. M. Kenworthy, *Daily Mail*, quoted in “The Dangerous Art of Crossing the Road,” *Public Opinion* 128 (1925): 152.

39. Judson, 13; Allan Hoben, “The City Street,” in *The Child in the City*, ed. Sophonisba P. Breckinridge (New York, 1970 [1912]), 453. The term *joy rider* gained sudden prominence in 1908; by 1909, it was featured in a Chicago stage comedy, “The Joy Rider” (“In the Theaters,” *Chicago Tribune*, 23 September 1909, 12). See also “Joy Riding” (editorial), *Chicago Tribune*, 5 April 1909, 8, which classifies the term as “Gothamese.”

40. Untitled one-sentence item in the *Chicago Tribune*, 7 April 1909, 12.

41. On class “overtones” in conflicts between pedestrians and motorists, see Baldwin (n. 12 above), 219–20, and McShane (n. 10 above), 177.

42. “In Simple, Child-Like New York,” *Kansas City Star*, 30 April 1911, 1D (4:1). A 1921 definition retained this early sense: a *jaywalker* was “one who ‘shortcuts’ from the regular traffic routes, pedestrian or motor” (B. H. Lehman, “A Word-List from California,” *Dialect Notes* 5 [1921]: 109). See also “City Craft and Jay Walkers,” *Chicago Tribune*, 9 October 1921, 8.

43. “‘Jay’ Walkers,” *Washington Post*, 18 May 1913, 7:4. See also “Joy Rider and Jay



FIG. 4 The first known illustration of “jay walkers.” This 1911 cartoon precedes the earliest *Oxford English Dictionary* citation for the word by six years. In its early definition, jaywalkers obstructed other pedestrians by their irregular paths and their susceptibility to distraction by sidewalk vendors (such as the strop oil salesman depicted here). Jaywalkers were a nuisance more to others afoot than to motorists, depicted here as rare, peripheral, and aristocratic. (Source: “In Simple, Child-Like New York,” *Kansas City Star*, 30 April 1911, sec. 4, p. 1.)

To overcome long-standing traditions of street use, motordom appealed to modernity. “We are living in a motor age,” explained John Hertz of Chicago’s Yellow Cab Company. “And we must have not only motor age education, but a motor age sense of responsibility.” According to an industry trade journal, “this is a changing world and we have to adapt ourselves to the changes.” A car dealer told city people to get with the times. “The automobile is here to stay,” he wrote. “The streets are for vehicle traffic, the sidewalks for pedestrians.”⁴⁴ Because *jaywalker* bore the right connotation

Walker” (editorial), *Post-Standard*, 25 November 1913, 4, which placed most of the blame for pedestrian casualties on motorists.

44. John Hertz, quoted in “Agree on Code of Sane Speed for Speedy U.S.,” *Chicago Tribune*, 25 March 1926, 6; J. L. Jenkins, “New Police Order Bars Jay Walkers at Busy Crossing,” *Chicago Tribune*, 28 October 1923, A12; Thomas J. Hay, “Carelessness, Not Speed, Cause of Auto Mishaps,” *Chicago Tribune*, 25 January 1920, 15.

of rural backwardness, it was just the tool for this reeducation effort. Advocates of pedestrian control tried to define a *jaywalker* as anyone who entered the roadway at a place other than an intersection; anything else was “crossing the street in the rube fashion.”⁴⁵

In its early years, *jaywalker* meant different things to different users. Overworked police “cornermen” at intersections used it to target pedestrians who ignored their signals. By the middle teens, it was a feature of “police parlance.”⁴⁶ But such use sparked controversy. In 1915, when New York City’s police commissioner Arthur Woods sought to apply the word to anyone who crossed the street at mid-block, the *New York Times* protested, calling it “highly opprobrious” and “a truly shocking name.” Any attempt to arrest pedestrians would be “silly and intolerable.”⁴⁷ Others, however, promoted the term as a legitimate tool of public safety publicity, and its use spread.

Pedestrian Reeducation: *Jaywalking* in City Safety Weeks

Motordom found opportunities in the city safety campaigns of the late teens and early twenties to promote the new term and influence its connotations. In 1920 Chicago’s Charles Hayes asked for less attention to “speeders and reckless drivers” and more to “Jay Walkers.”⁴⁸ Two years later John Hertz, the president of the city’s Yellow Cab Company, also adopted the term. “We fear the ‘jay walker’ worse than the anarchist,” he declared, “and Chicago is his native home.”⁴⁹ By the autumn of 1923, Hayes’s Chicago Motor Club was using *jaywalker* in an offensive against prevailing notions of traffic safety.⁵⁰

When Hayes and the Chicago Motor Club persisted in such claims, city coroner Oscar Wolff retorted that accidents were due to speeding cars, not pedestrians, and in 1924 he joined police chief Morgan Collins in a “war on speed” to “save the children” and “give the pedestrians a chance.”⁵¹ Hayes fought back. Heated exchanges enlivened newspapers; the club pronounced Wolff “derelict in his duty.”

Similar controversies erupted in city safety weeks elsewhere. Through

45. Cornerman Walter H. Douglas, quoted in Nick Woltjer, “Jay-Walking Campaign Is a Big Success,” *Grand Rapids Herald*, 12 June 1921, 5:3.

46. “Police Department,” *Washington Post*, 20 February 1916, A2.

47. “Middle-Block Crossing Is Defended,” *New York Times*, 2 December 1915, 10; “Crossing at the Corners,” *New York Times*, 11 November 1915, 12.

48. Hayes (n. 32 above).

49. John Hertz, quoted in J. L. Jenkins, “Sees Big Cut in Taxi Rate with Traffic Relief,” *Chicago Tribune*, 29 March 1922, 4; see also “‘Jay-Walker’ Blamed by Hertz for Most Auto Mishaps,” *Chicago Tribune*, 6 February 1922, 5.

50. Chicago Motor Club, “Who Is to Blame for Accidents?” (Traffic Talks no. 2), *Chicago Tribune*, 27 September 1923, 18.

51. “Keep the Children Off the Streets, Coroner Urges,” *Chicago Tribune*, 22 July 1924, 7; “Urge Children Sign Pledge to Beware Traffic,” *Chicago Tribune*, 24 July 1924, 7.

the influence of local motordom and the more pragmatic reformers, adults on foot were subjected to intense sloganeering against “reckless pedestrians.”⁵² In Syracuse’s pioneering safety campaign of December 1913, a man in a Santa suit used a megaphone to denounce careless pedestrians as “jay walkers.” According to one safety reformer, those singled out for this treatment “never forgot it.”⁵³

By the late teens, safety campaigns were spreading the term quickly and shaping its connotations.⁵⁴ In 1917, a *jaywalker* in Boston was “a pedestrian who crosses the streets in disregard of traffic signals.”⁵⁵ The following year in St. Louis, leaflets distributed during the first public safety week organized by the National Safety Council taught pedestrians that the “jay walker” is “the man who refuses to use the crossings and cuts the corners.”⁵⁶ Other cities went further. In a 1920 safety campaign in San Francisco, pedestrians found themselves pulled into mocked-up outdoor courtrooms where crowds of onlookers watched as they were lectured on the perils of jaywalking. The idea was to “kid the people into taking care of themselves,” though surely many defendants didn’t appreciate the joke.⁵⁷ A year later, Boy Scouts in Providence, Rhode Island, summoned jaywalkers to a “school for careless pedestrians” for reeducation.⁵⁸

By then, Boy Scouts were a mainstay of public safety campaigns, where they introduced thousands to the word *jaywalker* and its motor-age definition.⁵⁹ During a 1921 safety week in Grand Rapids, Michigan, for example, the safety council posted Boy Scouts to issue cards to offenders, teaching them that they were “jay-walking” (fig. 5). To justify the curtailment of pedestrians’ customary rights, the cards explained that cutting corners was “permissible when traffic was horse-drawn,” but “today it is dangerous—conditions have changed!” As a local newspaper put it, “thousands of people who never knew what jaywalking meant have learned the meaning of the word.”⁶⁰

52. “Judge Assails Talk of ‘Reckless Pedestrians,’” *Detroit News*, 24 August 1922, 10.

53. Ivan H. Wise, “How a ‘Safety First’ Campaign Was Conducted,” *American City* 10 (1914): 322–26, quote on 326.

54. Lehman found it “not common” (n. 42 above), 109.

55. Robert P. Utter, “Our Upstart Speech,” *Harper’s Magazine* 135 (1917): 66–72, quote on 70, cited in *Oxford English Dictionary*, 2nd ed. (1989), as the first known use of *jaywalker* (cf. n. 4 above).

56. “Convention of National Safety Council Opens,” *St. Louis Post-Dispatch*, 16 September 1918, 3.

57. A. McKie Donnan, “The Human-Interest Safety First Campaign in San Francisco,” *American City* 23 (1920): 154.

58. “Jay-Walkers Will Be Curbed To-Day,” *Providence (R.I.) Journal*, 1 July 1921, 13; “Safety Week Still Leads 1920 Record,” *Providence (R.I.) Journal*, 2 July 1921, 11.

59. Perhaps the earliest example occurred in Cleveland during its 1919 safety week; see “Make Final Plans for ‘Safety Week,’” *Cleveland Plain Dealer*, 26 September 1919, 16.

60. “Did You Get One of These?” *Grand Rapids Herald*, 7 June 1921, 3; “Jaywalkers Scarce as Safety First Crusade Makes Its Impression,” *Grand Rapids Herald*, 10 June 1921, 3.

APRIL
2007
VOL. 48

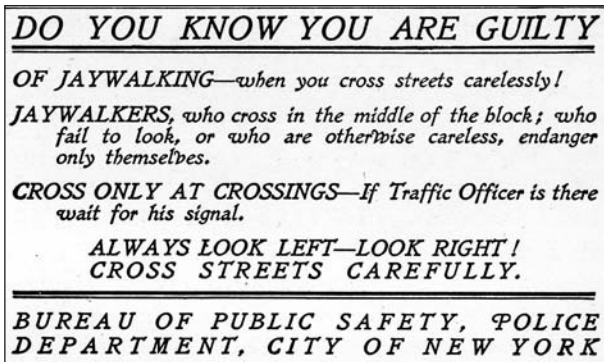


FIG. 5 With cards, Boy Scouts taught pedestrians to relinquish their customary rights to the street. *Top*: This 1921 card, distributed to pedestrians in Hartford, Connecticut, promoted the redefinition of “jay walking.” (Source: “Boy Scouts and Kiwanis Club of Hartford Put on Anti-Jay Walking Campaign,” *National Safety News* 3 [7 February 1921], 4. Courtesy of the National Safety Council.) *Bottom*: Two years later, 600,000 of these cards were distributed in New York City. (Source: Barron Collier, *Stopping Street Accidents: A History of New York City’s Bureau of Public Safety* [New York, 1925], 76. Courtesy of the Barron Collier Company.)

During safety weeks, unwanted attention—whether from department-store Santas, judge impersonators in mock hearings, or street-corner Boy Scouts—was intended to discourage old pedestrian practices (figs. 6 and 7). In some safety campaigns, however, clowns took the ridicule publicly, as examples to others. In Cleveland, “crowds of ‘jay walkers’” (recruited for the purpose) taught parade-goers to disapprove of the practice.⁶¹ Onlookers in New York City laughed as a buffoon allowed himself to be repeatedly rear-

61. “Safety Gospel Will Permeate City This Week,” *Cleveland Plain Dealer*, 28 September 1919, 1, 11.



FIG. 6 At a safety parade in New York City, circa 1924, a clown played the role of a jaywalker while a Model T repeatedly struck him. (Source: Barron Collier, *Stopping Street Accidents: A History of New York City's Bureau of Public Safety* [New York, 1925], 76. Courtesy of the Barron Collier Company.)

ended by a slow-moving Model T.⁶² In Philadelphia, a pair of “Country Cousins” dressed “as rubes” distributed “Cautious Crossing Crosser” buttons to pedestrians.⁶³

Repayment in Kind: The Invention of *Jay Driving*

Many pedestrians resented and resisted antijaywalking campaigns. In Grand Rapids, the chief of the local safety council admitted that “some of the people were very indignant over it, as they naturally are when their personal liberty is interfered with.”⁶⁴ A New Yorker objected to the distribution of “rebuke cards.” A Michigan couple took resistance almost to the point of a civil disobedience campaign, “collecting about 15 blue warning cards” from Boy Scout enforcers as they deliberately crossed streets “in every place but the crosswalks.”⁶⁵ A Detroit judge courted such dissenters in a reelec-

62. Barron Collier, *Stopping Street Accidents: A History of New York City's Bureau of Public Safety* (New York, 1925), 114.

63. “‘Make April Safe’ Was Philadelphia’s Slogan,” *Electric Railway Journal* 69 (1927): 809, 811. See also National Safety Council, *Seven Days for Safety* (Chicago, 1930), 14–15.

64. J. C. Townsend, quoted in “Discussion on Traffic Hazards,” in *Proceedings of the National Safety Council, Tenth Annual Safety Congress, Boston, 26–30 September 1921*, 593.

65. Nick Woltjer, “Jay-Walking Campaign Is a Big Success,” *Grand Rapids Herald*, 12 June 1921, 5:3; Philip Vyle to editor, “Pedestrians’ Rights Ignored,” *New York Times*, 6 July 1925, 10.

APRIL
2007
VOL. 48

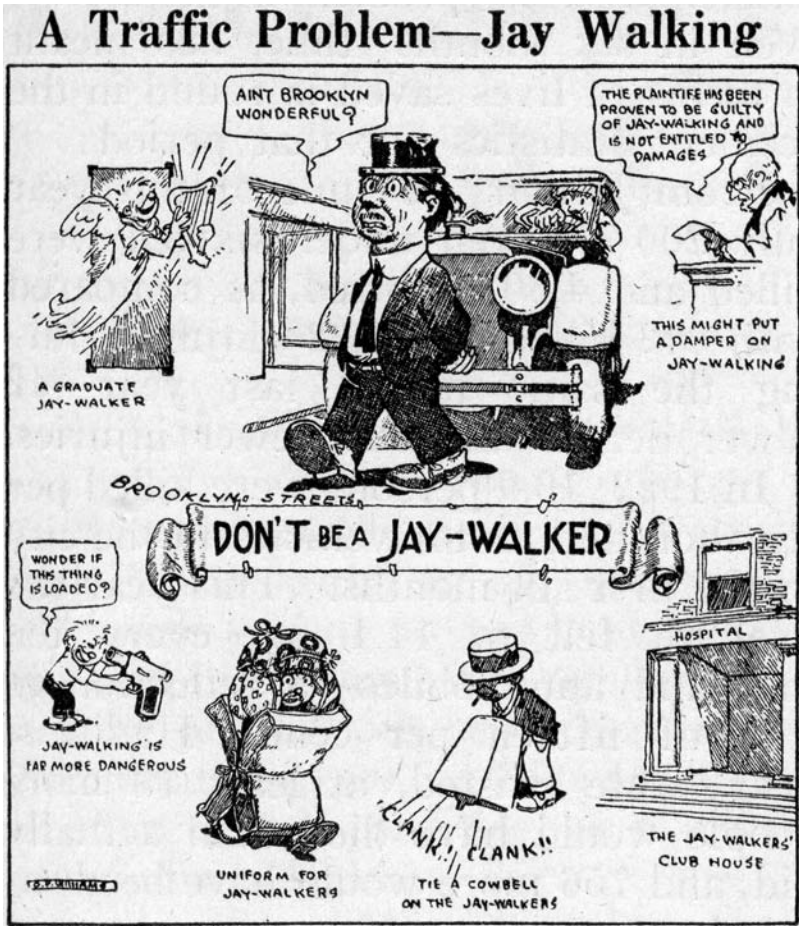


FIG. 7 Ridicule of jaywalkers featured prominently in traffic safety campaigns by the early 1920s. (Source: *New York Evening Journal*, 1923; reprinted in George Earl Wallis, "Teaching Father Knickerbocker to Watch His Step," *National Safety News* 8 [October 1923]: 11. Courtesy of the National Safety Council.)

tion campaign: "The pedestrians," he said, "have a right in the street, however much reckless drivers insist to the contrary."⁶⁶

Critics of pedestrian control fought to regain the rhetorical high ground. A Chicago editor proposed that a pedestrian condemned as a "jay

66. Charles L. Bartlett, speech to the Vortex Club, Detroit, 23 August 1922, quoted in "Judge Assails Talk of 'Reckless Pedestrians,'" *Detroit News*, 24 August 1922, 10; see also "Saving Women, Children Bartlett's Idea of Justice," *Detroit News*, 31 August 1922, 33.

walker” was instead likely to be “a fairly alert frontiersman trusting to his instincts.”⁶⁷ In a 1922 letter to his newspaper, a St. Louis man turned the “jaywalking” label against those who promoted it. “We hear the shameful complaint of *jay walkers*, to console *jay drivers*,” he wrote. “It is the self-conceited individual who thinks people are cattle and run upon them tooting a horn.” Instead, cities should “give precedent to people who are walking. The streets belong to the people and not to any one class, and we have an equal right, in fact, more right than the automobile.”⁶⁸

Within a year, *jay driver* was gaining more conspicuous use. In 1923 the *Washington Post* argued that “the jay driver is even a greater menace to the public than the jay walker.” Washington, D.C.’s deputy traffic director, I. C. Moller, later endorsed the term.⁶⁹ In 1925 a stage sketch called “The Jay Driver” amused audiences at Chicago variety houses.⁷⁰

To a point, motordom was prepared to join pedestrians in ridiculing reckless drivers, fearing that the worst among them would provoke rules prejudicial to everyone else. In 1922 the American Automobile Association (AAA) even offered twenty-five dollars to the person who suggested the best new epithet for the motoring equivalent of a *jaywalker*. The winner was *flivverboob*, a term that, like *jaywalker*, cast class aspersions (it could hardly apply to drivers of Pierce Arrows, for example). But the AAA did little to promote *flivverboob*, and there is no evidence that it ever caught on.⁷¹

But even *jay driver* failed, despite its more natural origins.⁷² It lacked the

67. “A Jay Walker Law” (editorial), *Chicago Tribune*, 14 July 1927, 8.

68. George A. Davies to editor, “Auto Traffic,” *St. Louis Star*, 31 October 1922, 14 (emphasis added). For a rebuttal, see E. A. M. to editor, “Traffic a Two-Sided Question,” *St. Louis Star*, 3 November 1922, 14. As early as 1915, the *Kansas City Star* urged its readers “Don’t Be a Jay Driver,” but the term did not catch on; see reprint in the *Washington Post*, 10 October 1915, M3.

69. “Make the Streets Safe” (editorial), *Washington Post*, 31 July 1923, 6. Just as reckless motorists were sometimes called “jay drivers,” “joy rider” was at least once reversed and applied to a pedestrian. In 1919, a policeman stopped champion boxer Jack Dempsey on a Chicago street for crossing against the signal. The *Tribune* described Dempsey’s violation as a “joy walk” (“Champion Jack Dempsey ‘Stopped’—by Traffic Cop,” *Chicago Tribune*, 8 July 1919, 16).

70. “Theater,” *Chicago Tribune*, 2 March 1925, 17 (cf. n. 39 above); and H. B. H., letter to editor, “Jay Driving,” *Chicago Tribune*, 10 November 1926, 10.

71. “The Motor ‘Flivverboob,’” *New York Times*, 9 July 1922; “Consider the ‘Flivverboob,’ a Horrible Example,” *Chicago Tribune*, 17 September 1922, A11. The National Safety Council used the word for some months in safety posters; see the posters included in *National Safety News* 8 (August and September 1923). The term was coined by F. B. Simpson of Cedar Rapids, Iowa. David Blanke of Texas A&M University and the author independently brought this term to light again in 2004.

72. The term (and variants) did persist (through survival or reinvention). In 1929, a Chicago resident fingered the “jay-autoist” as “the real traffic offender” (letter to editor, “The ‘Jay-Autoist’ Menace,” *Chicago Tribune*, 25 August 1929, A7); in 1936, a New Yorker complained that “jay drivers are more of a menace than the jay-walker” (William Floyd to editor, *New York Times*, 13 July 1936, 14).

support of a power comparable to motordom, and it was not quite apt. A *jay* is foolish or gullible. Critics of motorists could call them cold-hearted, tyrannical, or selfish, but a motor car conferred too much power, modernity, and worldly sophistication to be the possession of a simpleton. Pedestrians who risked their lives to cross busy streets without the protection of a cornerman or signal could indeed run foolish risks, however, and “reckless exposure to danger” became part of the first dictionary definitions of *jaywalker*.⁷³ Motorists’ most persuasive claim to roadway priority thus lay in the physical threat they represented to others.

Los Angeles: Pedestrian Education as Precursor to Pedestrian Control

Pedestrian control began to work better when cities learned to precede it with intense publicity that questioned customary pedestrian practices, while making enough concessions so that the more compliant would not be tempted to jaywalk. Los Angeles led the way, while other cities watched and learned. Los Angeles showed them that legal measures and technical devices (such as automatic signals) were only adjuncts to more effective methods.

Los Angeles proved that successful pedestrian control depended as much on publicity efforts as on rules. City police had tried issuing rules that ordered pedestrians not to “walk in the roadway, except to cross the street,” and not to “cross the intersections diagonally”—to no apparent effect. The Automobile Club of Southern California tried to help the police. At its own expense it painted crossings and posted signs warning that “jay walking” was prohibited, even though the term did not appear in the traffic code (fig. 8). These, too, were largely ignored.⁷⁴ In 1922 groups with a stake in the city’s traffic problem joined the automobile club in a coalition calling itself the Los Angeles Traffic Commission. The group included representatives of the electric railways, but it was dominated by automotive interest groups (its president, Paul Hoffman, was Studebaker’s top regional salesman). Finally, in July 1924, the commission hired Miller McClintock to find a way to solve the problem.

McClintock, just twenty-nine, was a former college English teacher completing a doctorate in municipal government at Harvard University. For his dissertation research, he spent the summer of 1924 observing traffic in cities. When McClintock visited Los Angeles he met Hoffman and his

73. *Webster’s New International Dictionary of the English Language*, 2nd ed. (Springfield, Mass., 1936), 1331.

74. “Eldridge to Ask Law Controlling Walking Traffic,” *Washington Post*, 22 July 1925, 20; Robbins B. Stoekel, “Our Rights on the Highway,” *National Safety News* (1923): 19.



FIG. 8 With motordom’s help, Los Angeles, like Washington, elevated “jay walking” from an offensive epithet to a term with legal standing. In 1923 signs notified L.A. pedestrians: “Jay Walking Prohibited by Order—Police Department.” The Automobile Club of Southern California paid for the signs. (Source: Robbins B. Stoeckel, “Our Rights on the Highway,” *National Safety News* 8 [December 1923], 19. Courtesy of the National Safety Council.)

colleagues on the commission, who put him to work. The result was a proposed traffic ordinance that McClintock hoped could serve as a model for cities nationwide.⁷⁵ The L.A. City Council approved the ordinance in November; it went into effect in January 1925.⁷⁶

McClintock—like Tom Swift’s rival Andy Foger—said a new age justified new ways. “The old common law rule that every person, whether on

75. Miller McClintock, “Simple Rule Code Needed for Traffic,” *Los Angeles Times*, 16 November 1924, 6:1, 3.

76. Thomas Sugrue, “Miller McClintock,” *Scribner’s Magazine* 102 (1937): 9–13, 99.

APRIL
2007
VOL. 48

foot or driving, has equal rights in all parts of the roadway must give way before the requirements of modern transportation," he told the press.⁷⁷ His ordinance included strict pedestrian control measures, with fines for jaywalkers. On downtown streets pedestrians had to keep within crosswalks and obey traffic signals; where there were none, they would have to raise a hand to halt oncoming motorists.⁷⁸ But backers of the new code had learned the hard way that rules alone would not suffice. Led by the automobile club, they therefore persuaded the city to delay enforcement, using the interval to "educate" Angelenos to regard streets as motor thoroughfares.⁷⁹

In E. B. Lefferts, the Automobile Club of Southern California had a diplomatic leader who could package the threat to the car's urban future as a community safety issue and cultivate good relations with the city's police department. While admitting that "it is not particularly difficult to sell" pedestrian control to "a population which is 'motor-minded,'" he nonetheless orchestrated a meticulous sales campaign for the new rules. The auto club distributed some printed publicity itself, and more through local oil companies and the police. In the week before enforcement began, every radio station in the city broadcast nightly "informative talks" on pedestrian control so that "the radio audience had no escape." The club also initiated a bond-issue proposal to finance pedestrian tunnels that would protect children on their walk to school. When voters approved it, the club surveyed school neighborhoods and selected the first forty tunnel sites. These passageways protected children and, according to Lefferts, "expedited vehicular movement" on streets, promoting a new proposition: that pedestrians do not belong in streets.⁸⁰

Like others before him, Lefferts found that to ensure compliance, "the ridicule of their fellow citizens is far more effective than any other means which might be adopted."⁸¹ Rather than fine jaywalkers, police blew their whistles at them, attracting unwanted attention from passersby. At least two

77. McClintock, "Simple Rule Code Needed," 3.

78. "Traffic Law Explained," *Los Angeles Times*, 23 January 1925, 2:2; *Los Angeles Times*, 24 January 1925, 1:1.

79. "Jaywalkers Given Grace," *Los Angeles Times*, 24 January 1925, 2:1, 2; E. B. Lefferts, "Regulation of Pedestrians" (address to the National Safety Council, 28 September 1927), in *Transactions of the National Safety Council, Sixteenth Annual Safety Congress*, vol. 3 (Chicago, 1927), 19–24. See also E. B. Lefferts, "Effective Regulation of Pedestrians," *American City* 37 (1927): 434–36. The most defiant pedestrians were arrested immediately, however; see "New Law on Jaywalking Is in Force," *Los Angeles Times*, 25 January 1925, 1:7.

80. Lefferts, "Regulation of Pedestrians," 20–21; Lefferts, "Effective Regulation of Pedestrians," 434–35; "School Tunnel Action Urged," *Los Angeles Times*, 25 October 1925, 1:14.

81. Lefferts, "Regulation of Pedestrians," 21; Lefferts, "Effective Regulation of Pedestrians," 436. Baldwin (n. 12 above), 224, reports a similar use of unwelcome public attention directed at violators arrested in Hartford in 1929.

pedestrians, angered by this treatment, fought back physically and were promptly arrested. At the sound of a whistle and “an admonition to return to the sidewalk,” however, most “violators grinned sheepishly and scuttled back to the curb.”⁸² There, Lefferts said, the wrongdoer “shamefacedly” found himself “facing a large gallery of amused people.” By refraining from arrests, the police avoided antagonizing pedestrians and sidestepped the risk that judges might use common-law precedents to cast doubts on the legality of pedestrian control. Above all, however, the technique turned enforcement into another form of “pedestrian education” not just for the violator, but also for those witnessing the violation. After months of warnings, police stepped up enforcement. By the winter of 1925–26, a reporter found that pedestrians had “learned to obey the stop and go signals the same as vehicles” and that “jaywalkers are arrested.”⁸³

Lefferts promoted the Los Angeles way to national audiences. To explain his city’s relative success, he noted the importance of the social element in technical problems. To a Chicago convention of the National Safety Council in 1927 he explained: “We have recognized that in controlling traffic we must take into consideration the study of human psychology, rather than approach it solely as an engineering problem.” In pedestrian control, this meant extending “ridicule” to pedestrian practices that were incompatible with the motor age street.⁸⁴ Through Lefferts’s promotion and the backing of national motordom, the Los Angeles Traffic Code of 1925 became—as McClintock had hoped—a model for cities across the country.⁸⁵

As Chicago’s attempts at pedestrian control had shown, pedestrians were unable or unwilling to negotiate streets within the narrow limits of official regulations. Each side had power. Motorists, through superior horsepower, could drive people off the street wherever police were not there to stop them. This brute fact negated pedestrians’ legal right to signal automobiles to stop at crossings. The *Los Angeles Times* noted that because “no pedestrian believed” cars would stop, this right went unexercised and “nobody was hurt.”⁸⁶ Yet pedestrians could fight back with their superior agility, entering streets anywhere they could manage. By granting pedestrians certain rights, the Los Angeles way of pedestrian control attempted a compromise between these extremes. On all busy city streets, however—

82. “Jaywalking Leads to Jail,” *Los Angeles Times*, 27 January 1925, 2:1.

83. Oscar Hewitt, “Motor Toll Cut, Traffic Speeded—in Los Angeles,” *Chicago Tribune*, 10 January 1926, 22.

84. Lefferts, “Regulation of Pedestrians”; Lefferts, “Effective Regulation of Pedestrians.”

85. In the late 1920s, under the aegis of the U.S. Department of Commerce, automotive interests spread pedestrian-control techniques pioneered in Los Angeles. See Norton (n. 31 above).

86. “Jaywalker Law Works; No Injuries,” *Los Angeles Times*, 26 January 1925, 2:1. See also “Confessions by a Jaywalker,” *Los Angeles Times*, 28 January 1925, 1:2.

even in Los Angeles—practice did not live up to principle. As streets became motor thoroughfares, most pedestrians conceded their rights wherever motorists showed the least inclination to violate them, and most continued to cross the street wherever they thought they could safely do so—law or no law.

APRIL

2007

VOL. 48

The Legitimation of *Jaywalking* as a Word

Meanwhile, changing newspaper coverage was undermining old assumptions about who belonged in the streets. Reflecting prevailing perceptions of the streets, most city newspapers had demonized automobiles for accidents, routinely blaming motorists and giving little or no responsibility to pedestrians (fig. 9). The threat of a speed-governor ordinance in Cincinnati convinced motordom that it had to challenge these assumptions. A month after the successful fight against speed governors, safety expert Charles W. Price gave the auto industry grounds for hope: “The whole problem of the accident situation is still in the formative stage, awaiting the leadership of some group of interests—such as the automotive industries.”⁸⁷ Success, however, would require a transformation of newspaper accident coverage.

Auto manufacturer George M. Graham of the National Automobile Chamber of Commerce (NACC) accepted Price’s challenge. Somehow, he told his colleagues, “pedestrians must be educated to know that automobiles have rights.” Graham explained that NACC, an industry group representing all major manufacturers except Ford, could reconstruct the safety problem through the press. Newspapers, he said, sometimes reported accident fatalities as “‘Automobile Deaths’ . . . whether the driver be responsible or not.” It was time to challenge such practices. “To my mind,” Graham said, “it is a fair question if the driver is actually responsible for more than half the cases.” He objected to the depiction of pedestrians as innocent victims, claiming that “in many cases the driver is a much-to-be-pitied victim.”⁸⁸

But what could NACC do about it? In some cities, local motordom had long known how to influence coverage. Roy D. Chapin, a founder and chair-

87. Price (n. 22 above), 1187–1190.

88. Graham, address to the Society of Automotive Engineers, Washington, D.C., 15 December 1924, published as “Cause and Prevention of Accidents,” *Journal of the Society of Automotive Engineers* 16 (January 1925): 12–13 (quote on 12). Graham, “Education, Punishment, and Traffic Safety” (address, 14 February 1924), 2–3, in bound collection marked “Pamphlets” (New York: National Automobile Chamber of Commerce, 1919–1933), Library, United States Department of Transportation, Washington, D.C.; reprinted as Graham, “Stern Action Is Urged to Banish Death from Highways,” *Automotive Industries* 50 (28 February 1924): 495–98, 511 (quotes on 496 and 497). See also Graham, “Safeguarding Traffic: A Nation’s Problem—a Nation’s Duty” (address, 23 September 1924), *Annals* 116 (November 1924): 179.



FIG. 9 "Right of Might," 1925. To many pedestrians, loss of access to the streets was not a rational adaptation to new conditions but an unjust theft perpetrated with superior horsepower. (Source: Winsor McCay, *New York Herald Tribune*, 1925; reprinted in *The Outlook* 140 [29 July 1925], 445.)

man of the Hudson Motor Company and later President Hoover's secretary of commerce, remembered one such case. Sometime around 1910 "the *Chicago Tribune* would not mention the name of any motor car in its columns. The dealers in Chicago simultaneously withdrew their advertising from the *Chicago Tribune*. In a mighty short space of time that paper woke up and promised to do almost anything if they could get the advertising, and since that time they have been very decent in their attitude."⁸⁹ Other papers with big Sunday automobile sections became newsprint cheerleaders for their sponsors.⁹⁰ The *Washington Star* was on very friendly terms with the

89. Chapin to Hugh Chalmers, quoted in J.C. Long, *Roy D. Chapin* (privately published presentation copy, 1945), 95.

90. The *Cincinnati Enquirer* and *Los Angeles Times* are cases in point. To the *Los Angeles Times*, for example, a jaywalker was merely a person lacking "thrift enough to own a car" (editorial, "Jaywalkers," 1 April 1926, 4). In neither case, however, can a definitive relationship between sponsorship by auto interests and editorial policy be proved, and in

APRIL

2007

VOL. 48

American Automobile Association, which often used the paper, through press releases, as a publicity agent. The paper frequently reprinted, verbatim, articles written at AAA, without comment and under the names of *Star* reporters.⁹¹ In 1923 the Chicago Motor Club began buying space in the *Chicago Tribune* for periodic “Traffic Talks,” where it publicized findings reporting to show that the “reckless pedestrian” caused “almost 90%” of the collisions between automobiles and people. The solution? “Don’t jay walk.” It soon organized its own “accident prevention department” to collect and interpret accident statistics for itself. In newspapers and on the radio, the club used its findings for “berating the careless pedestrian.”⁹²

To reshape coverage coast to coast, Graham proposed a variation on these techniques. Instead of purchasing space in dozens or hundreds of newspapers, NACC launched a central accident news service. To “make sure that the reporter gets and records the essential facts,” newspapers reported accidents on blank forms NACC supplied.⁹³ NACC assembled completed forms, drawing its own conclusions about where blame lay. It then reported its statistics back to the papers, together with proposals for accident prevention.

Graham explained that motordom would thus “make the newspaper a clearing house” for the industry’s “safety suggestions.” NACC hoped that participating newspapers would “be influenced . . . to give greater publicity to the *real* causes of traffic accidents.”⁹⁴ If it worked, the plan would put NACC ahead of the National Safety Council as the most influential national authority on traffic accidents. Even before the first filled-out accident forms came back to NACC, Graham knew what they would prove: “In a majority of automobile accidents the fault is with the pedestrian rather than with the automobile driver.”⁹⁵

Those who carefully followed newspaper coverage of accident statistics

Los Angeles, pro-automobile coverage might plausibly have been a fair reflection of readers’ sympathies.

91. See Alfred G. Seiler, “Scrap Book,” catalogue no. A200 Am35s 1920–29, Headquarters Library, American Automobile Association, Heathrow, Florida. The author gratefully acknowledges AAA for granting him free access to the AAA library in 1994; in a 2005 visit, however, the author’s request for access was denied and the library’s existence was questioned.

92. Chicago Motor Club, “Who Is to Blame for Accidents?” (n. 50 above), and “The Passing of Jay Walking” (“Traffic Talks no. 50”), *Chicago Tribune*, 18 September 1924, 22.

93. Graham, “Education, Punishment, and Traffic Safety,” 5; Graham, “Stern Action is Urged,” 497.

94. “Trying to Get Newspapers to Tell Accident Causes,” *Automotive Industries* 50 (17 January 1924): 125 (emphasis added); Graham, “Education, Punishment, and Traffic Safety” (n. 88 above), 6. According to *Automotive Industries*, “The real purpose . . . is to get the press to treat automobile accidents more fairly than in the past.”

95. Graham, “Education, Punishment, and Traffic Safety,” 2–3.

perceived a change in tone within months. By November 1924, Bruce Cobb, magistrate of New York City's Traffic Court, noticed that "it is now the fashion to ascribe from 70 to 90 per cent of all accidents to jaywalking." Newspapers' use of the word in 1924 alone seems to have matched or exceeded their total use of it in all years prior to 1923.⁹⁶ Cobb suspected the auto industry's influence was behind the new trend. "I am not sure," he wrote, "but that much of the blame heaped upon so-called 'jaywalkers' is but a smoke screen, to hide motordom's own shortcomings as well as to abridge the now existing legal rights of the foot travelers on our streets." Cobb was not easily misled—accident figures, he knew, were "a matter of the viewpoint of the statistician"—but to others statistics bore almost scriptural authority.⁹⁷

Months later, events in Washington, D.C., lent support to Cobb's suspicions. District commissioners appointed by Congress named AAA executive M. O. Eldridge the city's traffic director, despite controversy over "the danger of filling the new post with a person who might see only the automobile driver's side of the question."⁹⁸ The aggressive Eldridge wanted police to force stubborn pedestrians back to the curb so that "the ridicule of passing motorists and bystanders" would reform them. He elevated *jaywalker* from slang to a word dignified by edict, defining it broadly as "any pedestrian who undertakes to cross the stream of vehicular traffic on his own responsibility when there is a signal or a policeman at the corner to start and stop automobiles, or one who crosses in the middle of a block under any circumstances not involving an emergency."⁹⁹

But when Eldridge left Washington for a short vacation, his deputy I. C. Moller changed course. "I think it is an unfortunate mistake to call pedestrians 'jay walkers,'" he said. "Neither motorists, policemen, nor anyone else should ridicule pedestrians. Our job is to protect persons using the streets, not humiliate them. Traffic can be regulated without demeaning citizens." Moller did not consider the motorist's claim to the street superior to the pedestrian's, and feared that Eldridge's campaign against jaywalkers would

96. A search of the *New York Times*, *Wall Street Journal*, *Chicago Tribune*, *Los Angeles Times*, and *Washington Post* at <http://proquest.umi.com> results in 119 articles in which any form of the word was used through 1922, and 124 uses in 1924 alone. Thus *jaywalker* and its cognates remained rare in these newspapers even in 1924, but the rise in its frequency reflects comparable growth in a much larger class of articles that assigned responsibility to pedestrians without using the word.

97. Cobb, in "Nation Roused against Motor Killings," *New York Times*, 23 November 1924, 5.

98. "M. O. Eldridge Named Director of Traffic by Commissioners," *Washington Post*, 21 March 1925, 1; "4 New Candidates for Traffic Chief Entered in Field," *Washington Post*, 11 March 1925, 16.

99. "Eldridge to Ban 'Jaywalkers' Here; Backed by Chiefs," *Washington Post*, 4 August 1925, 20; "83 Men and Women Pedestrians Seized in Drive by Police," *Washington Post*, 31 December 1925, 1–2.

APRIL

2007

VOL. 48

give pedestrians “the idea that we are trying to slow them down in order to speed up motor vehicle traffic at their expense.”¹⁰⁰ In a later compromise between the two men (presumably after a tense but unrecorded clash), Eldridge dropped official use of “jaywalker,” but ordered that offenders be arrested. “I hope they land in jail,” he told reporters. Police soon arrested eighty-three pedestrians; forty-five showed up in court. The judge found all of them guilty, but released them on condition that they join the “Careful Walkers’ Club” he formed on the spot. After their solemn membership oath to obey pedestrian regulations, the judge let them go.¹⁰¹

But Eldridge’s tactical retreat did not slow the advance of *jaywalker* as a term. By then, safety weeks had introduced the word to the millions. Frequent use blunted its once-sharp edge, and it was passing into acceptable usage as a term for renegade pedestrians who would not concede their old rights to the street, even in the dawning motor age. In 1924, soon after the boisterous publicity of city safety weeks, *jaywalker* first appeared in a standard American dictionary. The entry officially conferred upon the word its new, motor age definition: “One who crosses a street without observing the traffic regulations for pedestrians.”¹⁰²

By sponsoring safety education in schools, motordom made the next generation enemies of jaywalking. By the late 1920s AAA led the field in classroom safety instruction. A feature of the new safety education during these years was orchestrated peer pressure.¹⁰³ In 1925 1,300 Detroit school children gathered to witness the public trial of a twelve-year-old accused of “jay walking”; the student jury convicted the defendant, sentencing him to wash school blackboards for a week.¹⁰⁴ In 1930 a Texas junior high school pupil convicted of jaywalking by his young peers was ordered to write an essay titled “Why I Should Not Jay Walk,” in which he had to explain that jaywalking “is aginst the rules of the city and the school.”¹⁰⁵

100. “Moller Opposes ‘Jay Walker’ Term for Pedestrians,” *Washington Post*, 19 August 1925, 20.

101. “Walkers Ignoring Traffic Rule, Say Police Officials,” *Washington Post*, 29 December 1925, 22; “83 Men and Women Pedestrians Seized in Drive by Police,” 2.

102. *The Practical Standard Dictionary of the English Language* (New York, 1924), 620. The editors did not classify the word as slang or colloquial, though some later dictionaries did. In 1936, in the first new edition of its unabridged dictionary since 1895, *Webster’s* classified *jaywalk* as colloquial and defined it as: “To cross a street carelessly or at an unusual or inappropriate place, or in a dangerous, or illegal, direction, so as to be endangered by the traffic” (*Webster’s New International Dictionary of the English Language* [n. 75 above], 1331). Variations of the new, restricted definition appeared in other American English dictionaries during the 1930s.

103. On the transformation of school safety education during the middle and late 1920s, see Norton (n. 31 above), chap. 8.

104. “School Kids Sit in Judgment on Jay Walking Companions,” *Chicago Tribune*, 8 March 1925, A11.

105. A. L. Morgan, “Pupil Participation in School Control,” *Peabody Journal of Education* 7 (1930): 268.

Many continued to cross streets on foot where and how they pleased, but by 1930 most agreed that pedestrians who obstructed vehicles were *jaywalkers*. Bessie Buckley's question had been answered: except at crosswalks, most busy streets were for vehicles only. Because jaywalker condemned the action it described, its admission to official and unofficial lexicons meant that perceptions of streets had changed. As some misuses became newly legitimate uses, old customs became new misuses. Former ways persisted, especially in residential neighborhoods; about 1960, the vitality of pedestrian life in the streets of Boston's North End impressed Jane Jacobs. But in the typical city street, Jacobs observed that "all but the most minimum pedestrian needs are gradually and steadily sacrificed."¹⁰⁶ The legitimation of *jaywalking* as a term corresponded to its fall into disrepute as a practice. This crucial step toward the reconstruction of city streets as motor thoroughfares marked the dawn of the motor age in the American city.

106. Jane Jacobs, *The Death and Life of Great American Cities* (New York, 1961), 33, 346.