

CULTURAL CONTEXT AND THE IMPACT OF TRAFFIC SAFETY LEGISLATION: THE RECEPTION OF MANDATORY SEATBELT LAWS IN YUGOSLAVIA AND ILLINOIS

ROBERT M. HAYDEN

In 1985, laws mandating the wearing of automobile seatbelts went into effect in Illinois and in Yugoslavia. Although the form of the legislation was similar in both jurisdictions, the public response to the laws was very different in the two societies. In Illinois, there was public opposition, a protracted legal challenge to the law, and minimal enforcement by the police. In Yugoslavia, there was no public or legal challenge to the law yet strict enforcement. Compliance, however, was much greater in America than in Yugoslavia. Since previous studies of the impact of seatbelt laws in the United States and in other countries had found patterns of compliance that were similar to those in Illinois, the Yugoslav situation is anomalous. This unexpected finding raises questions concerning the importance of cultural context on the effectiveness of seatbelt laws, on the basic views of law in the two societies, on problems in testing deterrence theory cross-culturally, and on the problems and benefits of comparative research on the impact of legislation.

I. INTRODUCTION

Laws that mandate the wearing of seatbelts in automobiles have become common in the United States and in other countries, and are generally seen as among the most promising means of reducing traffic fatalities and serious injuries (Legge, 1987).¹ De-

The data reported in this paper were gathered while I was engaged in other research on law in Yugoslavia, which was sponsored at various times by the Fulbright Program, the National Science Foundation Law and Social Science Program, the International Research and Exchanges Board (IREX), the American Council of Learned Societies, and the American Bar Foundation. The usual disclaimer of institutional agreement with the views expressed in this paper is particularly important in this case because the agencies did not explicitly fund this research.

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¹ There is some evidence that seatbelt use may actually increase minor injuries in traffic accidents while reducing fatalities and serious incidents (Cameron, 1981).

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spite their clear benefits, however, such laws are controversial in America. They are opposed by civil libertarians and other political actors as an unwarranted intrusion on personal freedom and by many drivers on the grounds that seatbelts are uncomfortable or in some other way undesirable. Still, both American data and those from other countries indicate that laws requiring the use of seatbelts in automobiles do lead to the increased use of the belts in the short run. Moreover, while compliance with such laws tends to erode through time, it stabilizes at a rate of seatbelt use that is higher than that observed before the implementation of the mandatory use law (see Watson, 1986: 293; Legge, 1987: 19).

This paper discusses a contrary case in which a mandatory seatbelt law has not increased use of the belts in even the short term observed by earlier researchers. The paper derives from the serendipitous circumstance that in the mid-1980s the State of Illinois, where I was then living, and the Socialist Federal Republic of Yugoslavia, where I was engaged in research, both put into effect laws mandating the use of seatbelts. It quickly became apparent that the reactions to these laws in the two societies were strikingly different and that the differences warranted exploration.² The dissimilar reactions throw an unusual perspective on the basic attitudes toward law in the two societies. They also point toward a likely difference in compliance with the laws in the two countries that is tinged with irony: The country where opposition was most vocal (the United States) probably exhibits greater compliance than the country where dissent was not publicly voiced (Yugoslavia).

² Since I was not originally interested in seatbelt laws, the data reported here were not collected through systematic research on the impact of these laws in either country. Since the dominant Yugoslav response to the seatbelt law has been to feign compliance, as described below, observational research other than participant observation would not be fruitful. Instead, I am essentially treating myself as an informant for both societies, backing my personal observations with other available materials. In the case of Illinois, substantial secondary materials exist; a search of the *Chicago Tribune* alone turned up 80 stories, editorials, or other items on seatbelts or the seatbelt law published between January 8, 1985, and September 16, 1987.

Less secondary material is available for Yugoslavia, since the seatbelt law never became a public issue, as will be explained below. In this case, I have had to rely on my own observations, supplemented by the responses to the questions I asked a variety of Yugoslavs. In general, reliability of ethnographic data is enhanced when the researcher spends more than a year in the field, is fluent in the native language, and participates in many aspects of local life (Naroll, 1962). By these indices the data I report should be reasonably reliable, as I have lived for over 3 of the last 8 years in Yugoslavia, am passably fluent in Serbo-Croatian, and, having married into a Yugoslav family, live much like a Yugoslav when I am in the country.

Finally, it should be noted that most of my time in Yugoslavia has been spent in only 1 of the federal units in the country, the Socialist Republic of Serbia. Since Yugoslavia is a multi-ethnic and hence a multi-cultural federation, the reactions that I noted in Serbia may not be similar to those in other parts of the country. Nevertheless, since the statute involved was a federal one, I refer to Yugoslavia unless I am reporting my own observational data.

In addition to their intrinsic interest and their revelations about the two societies, these differences have implications for comparative research on the impact of the laws, particularly in the measurement of their deterrent effect. While it has recently been argued, on the basis of a Canadian study (Watson, 1986), that seatbelt use can be increased by greater police enforcement of such laws, the present study indicates that compliance may be strongly influenced by cultural factors. This conclusion in turn raises general questions about the feasibility of comparative research on some kinds of problems. These points will be discussed following a description of the reception afforded the mandatory seatbelt laws in the two jurisdictions.

II. ILLINOIS: PUBLIC DEFIANCE AND STATE BACKTRACKING

The Illinois statute requiring automobile drivers and front-seat passengers to wear seatbelts became effective on July 1, 1985 (ILL. ANN. STAT. ch. 95, 1/2, § 12-603.1 [Smith-Hurd 1987]). A violation of the statute is a petty offense, punishable by a fine not to exceed twenty-five dollars. The minimal nature of the penalty was in itself an indication of how little emphasis was likely to be placed on enforcement of the statute, but if anyone was concerned about the (presumably remote) possibility that the police could use the statute to harass motorists, the police themselves announced that they would not issue citations for violation of the law unless there was some other offense as well. Taken together, the low fine and the police announcement could be seen as indications that the statute was not going to have much effect. And lest anyone still be tempted to read unwarranted importance into the law, the statute also provided that its violation could not be considered to constitute negligence, limit the liability of an insurer, or diminish any recovery for damages. This last provision, which was inserted into the legislation just before its final passage, reversed case law that had established that juries could consider the failure to use an available seatbelt on the issue of damages if testimony indicated a causal relationship between the failure to use the belt and the injury (*Dudanas v. Plate*, 3 Ill. Dec. 486 (1976)).

The state could thus hardly be described as trying to make a strenuous effort to get its citizens to wear seatbelts, and there was little chance that citizens would be cited for failure to wear the belts (although a few were, as shown below). Indeed, the posture of the legislature and of the police could be seen as one of minimizing the importance of the law and backtracking from its strict enforcement. Nevertheless, four people who were charged under the statute challenged its constitutionality in the courts, alleging that it violated the due process guarantees of the state and federal constitutions and the right to privacy protected by the federal due

process clause. These people were probably encouraged by the fact that in 1969 the Illinois Supreme Court had ruled that a statute requiring motorcycle riders to wear helmets was an impermissible restriction on personal liberty, beyond the proper power of the state (*People v. Fries*, 42 Ill. 2d 446 (1969)).³ Relying on that decision, the charges against all four had been dismissed by lower courts. The State then appealed to the Illinois Supreme Court, which decided that the seatbelt law was *not* unconstitutional and reversed the decisions of the lower courts (*People v. Kohrig*, 113 Ill. 2d 384 (1986)). The court found that the State's interest in reducing both traffic accidents and the likely financial and other costs of injuries and fatalities justified the law's minimal intrusions on privacy. When the United States Supreme Court refused to hear an appeal from this decision, the legal fight was over. Nevertheless, opposition to the seatbelt law continues, and repeated attempts have been made to have it repealed by the legislature.

III. SERBIA, YUGOSLAVIA: NON-COMPLIANCE, STERN ENFORCEMENT, AND ITS AVOIDANCE

From the point of view of traffic safety, the seatbelt law was badly needed in Serbia, where drivers travel along bad roads at high speeds in cars that are underweight and underpowered. Yugoslavia has one of the highest rates of traffic deaths in Europe (Hawthorne, 1988),⁴ and Yugoslav guest workers in West Germany say that they have to pay a "Balkans premium" for automobile insurance. After three years of driving in Yugoslavia, I can report that it is difficult for an American driver to become accustomed to the higher speeds, aggressiveness, and sheer recklessness of Yugoslav drivers.

The use of seatbelts by drivers and passengers in automobiles was mandated by a statute passed in 1980,⁵ with enforcement stayed for five years. The penalty for not using the belts in cars that are equipped with them is a substantial but not overwhelming fine (the rough equivalent of \$75).⁶

Front seatbelts are mandatory equipment in Yugoslavia in

³ As the Illinois Supreme Court itself noted, the *Fries* decision was the only one in the country that had held a motorcycle helmet law unconstitutional (*People v. Kohrig*, 113 Ill. 2d 384, 398 (1986)).

⁴ Yugoslavia reports 12 deaths per 10,000 vehicles per year, the highest rate in Europe. In contrast, the same ratio in the United States is 2.6 deaths per 10,000 vehicles (Hawthorne, 1988).

⁵ *Zakon o osnovama bezbednosti saobraćaja na putovima* [Law on the fundamentals of safety of road traffic], *Službeni list SFRJ br. 63/80* [Official Gazette of Yugoslavia no. 63/80], Art. 35 (1980).

⁶ Specific amounts in Yugoslav dinars would not be informative, as Yugoslavia suffers from inflation running at an annual rate of 300% as of December 1988 and the values thus change with great frequency. It is for this reason that I make the estimate given in the text.

cars produced since 1977,⁷ and thus most cars have them. However, before the mandatory seatbelt law went into effect, virtually nobody used them. As an American who had grown accustomed to wearing a seatbelt and who in fact feels uncomfortable without one, I found that my searching for the belt and putting it on elicited comments from drivers such as, "You don't need to wear that in Yugoslavia." In fact, I soon learned that it was best to make a small apology for putting on a seatbelt, saying something along the lines of, "I know that you're a good driver, but I got used to wearing it in America." In the two years I lived in Yugoslavia before the law was passed, I do not recall having seen a single Yugoslav driver wear a seatbelt. This personal observation was echoed by the spontaneous declaration of a passenger in a car that I was driving in 1984, a Yugoslav doctor on a visit to Belgrade from her home in Sweden, who saw me fasten my seatbelt and said that I was the first person she had seen fasten a seatbelt in Yugoslavia. Indeed, the frequent comment about not needing to wear a seatbelt in Yugoslavia suggested that the speakers were contrasting Yugoslavia with other countries where seatbelt use *was* required. Clearly, in the absence of legal compulsion, the Yugoslavs did not seem to regard seatbelt use as desirable in itself.

And the legal compulsion did soon come, when the law mandating seatbelt use went into effect. The reaction to the new law by both the general public and the police was strikingly different from that seen in Illinois. Whereas law enforcement officials in Illinois backed away from enforcing the seatbelt law, the Yugoslav police enforced it to the hilt. The police would look to see who was wearing a shoulder strap, and drivers who were not were frequently stopped and fined. The police also stopped and fined front-seat passengers who did not wear a seatbelt even when the driver was wearing one. Enforcement was so strict as to extend to front-seat passengers in taxis; after passage of the law, taxi drivers always made sure that I at least made it look as if I were wearing a belt.

I say that they wanted to make it *look* as if I were wearing a belt because the general practice of Yugoslav drivers has not been actually to *wear* the seatbelts. Instead, the overwhelming response to the law has been to avoid both enforcement and compliance by simply draping the shoulder strap across one's shoulder without fastening it or perhaps fastening it behind the driver. Passengers often hold the belt in place, again without actually fastening it.

⁷ *Pravilnik o dimenzijama, ukupnim masama i osovinskom opterećenju vozila i o osnovnim uslovima koje moraju da ispunjavaju uredjaji i oprema na vozila u saobraćaju na putovima* [Regulations concerning dimensions, gross weight, and axle load of vehicles and the basic conditions that installations and equipment on vehicles in traffic must fulfill], *Službeni list SFRJ* br. 50/82, C1.65 [Official Gazette of Yugoslavia no. 50/82], Art. 65 (1977).

Thus arrayed, the driver or passenger seems to be complying with the law without actually doing so and thus thwarts enforcement.

Such simple acts of non-compliance were the dominant response to the new law. When I rode in the front seat of someone's car, I was almost always told just to drape the belt over my shoulder and that I did not have to buckle it. Again, it never occurred to anyone that I might actually want to *wear* the belt. For example, one driver of an old Mercedes, seeing me searching for the belt, said that a car as old as his was exempted from the requirement; he assumed that I was only trying to avoid trouble with the police, not that I truly wanted to wear the belt. Thus even following the passage of the mandatory seatbelt law, I found myself apologizing for seeming to have so little faith in the skills of the drivers with whom I traveled as actually to fasten the seatbelt.

This non-compliance while avoiding enforcement was the only opposition manifested to the new law. The Yugoslavs quite frequently use the courts (see, e.g., Hayden, 1986: 233–234), but no legal attacks were mounted against the legislation or its enforcement, nor were adverse comments made in the press. The matter was never consciously one of principle, but instead was treated as an issue that merely raised a pragmatic question: how to avoid an encounter with the police. The contrast with the Illinois situation was made most clear to me when I tried to explain the legal challenges to the Illinois law to Yugoslavs. The idea that mandatory seatbelt use could be seen as a challenge to individual autonomy seemed ludicrous to the people I talked to, and they could not believe that such an issue could be taken to a court.⁸

⁸ Several readers of earlier drafts of this paper have suggested that Yugoslavs do not go to court for issues like this because they do not perceive the state as malleable in this way; in other words, they believe the cause would be inevitably lost, so why fight it? It has also been suggested that the lack of similar cases in the past—that is, of precedent—would make going to court on this issue an empty gesture. This second comment can be answered by the first, but both miss the point. While no one would suggest that Yugoslavs use the courts for politically symbolic campaigns as extensively as do Americans, the real question is *why* the Yugoslavs differ from the Americans in this way. Part of the reason, I believe, lies in the differences in the level of civic respect accorded the law by American and Yugoslav citizens (this is discussed below). From this perspective, the lack of use of the courts to challenge the seatbelt laws is more the result of a general mistrust of the government and its courts than of a lack of precedent. Or, to put it another way, general mistrust explains the lack of precedent better than the lack of precedent explains the dearth of current cases on a specific issue, such as seatbelts.

Of course, it may be that as the political climate of Yugoslavia changes, symbolic use of the courts may increase. In 1986, for example, the Yugoslav press reported that a man had sued the League of Communists of Yugoslavia (i.e., "The Party") for a refund of the dues he had paid since joining in 1964 on the grounds that the league had not delivered on its promises to bring about a more just and equal society (at last report, this case was still pending). Such a suit is still unusual, however.

IV. INTERPRETING AN UNEXPECTED RESULT

The differing reactions to the seatbelt laws in the two societies were unexpected for reasons both empirical and theoretical. On the empirical level, a number of studies have found that seatbelt use following the implementation of a mandatory seatbelt law follows what Sabatier and Mazmanian (1980) have called a "gradual erosion scenario": high initial success followed by a gradual decline in compliance in Canada (Watson, 1986; Jonah and Lawson, 1984), Britain, Australia, and New Zealand (see Legge, 1987: 20); Yugoslavia, however, lacks the initial high compliance. On the theoretical level, deterrence theory would lead one to expect that there would be greater compliance in Yugoslavia, where punishment for non-compliance was known to be a real possibility, than in Illinois, where punishment was known to be unlikely. In the context of seatbelt legislation, this theoretical prediction has been supported by Canadian data (Watson, 1986), yet the reverse situation was found in the present study. Of course, the Yugoslavs act in such a way as to minimize the chances of detection and therefore of punishment, thus undermining the deterrent effect of the law. Still, since their means to this end are probably at least as burdensome as actually wearing the belts would be, the question remains as to why the Yugoslavs go to the trouble of avoidance instead of simply complying in order to avoid punishment, as Americans seem to do in some numbers.

The Yugoslav anomaly can be explained in several ways. One is to posit a different basic attitude toward law in Yugoslavia compared with the other societies in which the impact of seatbelt laws has been examined. Yugoslavia is the only socialist society in this group, and it might be supposed that, as Markovits (1982: 589) has suggested in the East German context, citizens of socialist countries distrust official concepts of legality, which could make them averse to following the rules.⁹ When put so simply, this explanation is inadequate, since the courts in Yugoslavia, unlike those in East Germany, are heavily used. This theory may be refined, how-

⁹ Yugoslavs themselves seem to enjoy the image of the one who breaks the rules, as exemplified in the following popular (if apocryphal) story: In the late 1970s, the authorities in Belgrade painted white-striped crosswalks (popularly called *zebras*) in the appropriate places and cracked down on jaywalking. A Montenegrin (a people known in Yugoslavia for their stubbornness and straightforwardness, among other things) visiting the capital city crossed a main street in the middle of traffic and was fined a hundred dinars by the police (such fines are paid immediately, on the street), prompting the following exchange:

Montenegrin: What's this?

Cop: You have to cross at the zebra; it's the law.

Montenegrin: You mean if I cross the street in the middle I have to pay a hundred dinars?

Cop: That's right.

Montenegrin: Screw the zebra, screw the law, and screw you. Here's two hundred, because I'm going back across in the same place!

ever. First, the fact that individuals heavily use the courts does not of itself mean that the law is respected. Yugoslavs are quite willing to use the courts instrumentally, to obtain their own immediate goals (see Hayden, 1986: 223–234), but they do not have a tradition of using the courts symbolically or of pressing litigation as a means of pursuing a wider political or social agenda. Thus the fact that Yugoslavs will pursue some of their own goals through the invocation of the law does not mean that they view the law itself as being normatively binding, and hence they feel little compunction to obey it in the abstract.

From this perspective, the American situation appears to be the reverse of the Yugoslav one. Since the stakes to the named parties were so low, it seems likely that those who were protesting the Illinois law were not bringing their cases instrumentally to avoid punishment, since the costs of pursuing the suits must have been far greater than the fines imposed for violating the seatbelt law. Instead, the cases are probably best viewed as being concerned with the symbolism of the supposed governmental infringement of individual autonomy. Indeed, the symbolic statement was probably stronger because the stimulus was so minor. Thus the American challenge to such a minor infringement of individual rights could be interpreted as a sign of respect for the law and a belief that laws are to be taken so seriously that the validity of even minimal legal measures should be subject to verification by legal means.

The existence of a greater basic level of respect for the law in America than in Yugoslavia would explain the contrast between the reception of the seatbelt laws in the two countries: Americans, who basically respect the law, initially obey it because “it’s the law” but also challenge it in court as a matter of principle. The Yugoslavs, on the other hand, having less respect for the law, do not bother to obey it but certainly do not feel any urge to try to challenge or change it, thus exhibiting both little compliance and little protest.

This explanation may seem to be prejudiced in favor of “Western,” “bourgeois,” “capitalist,” or “liberal” concepts¹⁰ of law at the expense of socialist concepts.¹¹ On the other hand, the explana-

¹⁰ These terms are not, of course, interchangeable, but any of them might be applied to describe Western European and American legal traditions, depending on the critic (see Markovits, 1978: 612).

¹¹ One reader of an earlier version of this paper suggested that this argument might be rephrased in terms of Kohlberg’s stages of moral development, that is, that Americans exhibit higher moral development (principled obedience, Kohlberg’s stage 5) than Yugoslavs (avoidance of punishment, Kohlberg’s stage 2). I reject this interpretation for several reasons. First, the Kohlberg stage theory is open to the charge of ethnocentrism: It posits mid-1960s American liberal political values as standards for all cultures at all times (see Kidder, 1983: 252–254, 273), which is a prime example of orientalism (cf. Said, 1978). Further, while respect for the law has long been seen to be a basic tenet of American thought (see, e.g., Tocqueville, [1840] 1945: 256–258), it is clear

tion suggests dominant cultural attitudes toward law in America and Yugoslavia that are in accordance with the theories of major Anglo-American and Yugoslav legal scholars, respectively. Americans are seen as acting in congruity with Hart's (1961) theory of law as the union of primary rules of obligation (here, the seatbelt law) with secondary rules of recognition (here, the constitutional principles raised in opposition to the law), while Yugoslavs are seen as adopting the pure positivism expressed by Lukić (1985: 57): "*Law is the body of social norms sanctioned by the force of the state apparatus and which serve to support the form of production which is in the interest of the ruling class*" (emphasis added).¹² There is of course a philosophical difference underlying these views: In the Hart scheme, substantive laws can be invalidated if they do not meet the criteria of the secondary rules, while the pure positivist position views law in non-normative terms, to be followed not because it is right but simply because it is enforced.

A potentially more telling objection to this cultural explanation, however, is that it cannot necessarily be proved to the exclusion of other cultural explanations. Thus one response to an earlier version of this paper suggested that antipathy to seatbelts is a wider European phenomenon, shared by, for example, the Germans, Italians, and French, rather than a manifestation of specifically Yugoslav culture. Certainly, the attitudes toward safe driving in these countries differ from those in the United States, as shown by the lack of speed limits on many major continental European highways and by the sale of wine and beer at rest stops, for example. According to this view, it is the obedience of the Americans, British, Canadians, Australians, and New Zealanders to the seatbelt law that may need explanation (by, for example, the English heritage of respect for law, also exhibited by Hart's theory) in light of the European disinclination to buckle up and the ease with which enforcement of the law can be frustrated, as shown by the Yugoslavs.

Yet even in the absence of an unequivocal explanation for the different receptions of the seatbelt laws in Illinois and Yugoslavia, the phenomenon itself is instructive. Thus far, I have been treating the differing responses to similar legislation as interesting because they are apparently dissimilar reactions to similar stimuli. Yet it is also possible that the reactions indicate that the stimuli are in practice dissimilar, despite the commonalities of their form (cf. Hayden and Anderson, 1979: 33–35). In America, the issues

enough that Americans also frequently obey primarily to avoid punishment (see Macaulay, 1987).

¹² Lukić, a retired professor of law at Belgrade University, is one of the major Yugoslav theorists in law and society. The 1985 work cited is a textbook for first-year law students. In fairness, it should be noted that Lukić's theoretical work is much more complex than this harkening to pure positivism would indicate (see, e.g., Lukić, 1982). However, the image of law as command is common to European socialism (see Markovits, 1982: 516–519).

surrounding the seatbelt law are concerned with the proper role of even a benevolent government, with the desirability of seatbelts as items of safety equipment largely (but not completely) accepted. In Yugoslavia, however, there is little tradition of questioning the powers of the government to act, yet a long tradition of mistrusting what the government does and avoiding government dictates.¹³ In these differing contexts, the meanings of the formally similar laws are different: The Illinois law raised a question of the power of government to mandate the use of a safety device, but the Yugoslav situation effectively transformed seatbelts from safety devices into a means of avoiding encounters with the police. From this perspective, it may be that the two laws in their different cultural contexts are incommensurable, despite their common surface forms.

V. IMPLICATIONS AND CONCLUSION

The differing receptions of the seatbelt laws in Yugoslavia and Illinois have a number of implications. At the narrowest empirical level, the pronounced lack of compliance in Yugoslavia compared with both Illinois and other jurisdictions indicates that caution is necessary in predicting the effectiveness of seatbelt laws for improving traffic safety, despite their apparent success in some places (see, e.g., Legge, 1987). To be effective, seatbelts must be worn, and the Yugoslav resistance to compulsion in that regard indicates that members of particular cultures or subcultures may also resist implementation. This finding reinforces the need to look at compliance rates for members of different social groups, implied by Watson's (1986: 297) findings of higher levels of seatbelt usage in his Canadian study among, for example, females as opposed to males and older drivers as opposed to younger ones.

At a more theoretical level, the contrast between the responses of the people of Yugoslavia and those of Illinois to legal mandates to buckle up raises further questions concerning the adequacy of deterrence theory (already under broad attack; see Gibbs, 1986), despite Watson's (1986) recent findings that increased awareness of the threat of punishment substantially increased compliance with a mandatory seatbelt law. What is interesting here is not so much the low level of compliance in Yugoslavia, but rather the high level of *feigned* compliance there. No other study of seatbelt use has reported this phenomenon as widespread. Cer-

¹³ This attitude was graphically expressed in a political cartoon in one of the leading Yugoslav news magazines in August 1988: "Democracy is when they do what they want, and we don't get mad," as opposed to "totalitarianism, [which is] when they think that they rule, and we think that it's temporary," and "anarchy, [which is] when they really do rule, but we do what we want" (*Danas* [Zagreb], August 16, 1988: 2). Aphorisms such as these are blossoming in Yugoslav literature; for example, "It's pointless to cry 'Down with the government!' when the people govern. The people are already down" (Mihailovich, 1988: 703).

tainly this behavior is “rational”—it avoids enforcement with minimal effort and rejects the adoption of a mandated action that is for some reason not desired. Perhaps, as one commentator on this paper has suggested, the ease of faking compliance makes seatbelt laws unsuitable frameworks for studying deterrence theory (but see Watson, 1986). On the other hand, perhaps the ease with which compliance can be faked turns the question around: Why, when avoidance of enforcement could be so simple, do Americans, Canadians, and other citizens of common-law jurisdictions bother to comply?

Finally, the incommensurability of the seatbelt laws in Illinois and Yugoslavia raises a problem for those interested in doing comparative research on legal impact: If the local meaning of apparently similar laws differs in diverse cultural contexts, how can we safely essay comparisons? The answer depends on the purposes that the comparisons are thought to serve. In scientific terms, even inexact comparisons may be useful for refining theories or for disproving overly broad generalizations. But the greater value may lie elsewhere. Comparisons help us understand not only another society but also our own. In the present context, I have suggested that the combination in Illinois of vocal opposition to the law with substantial voluntary compliance indicates greater respect for the law as an institution than does the Yugoslav reaction of no public challenge but massive non-compliance. If this assessment is correct, then it indicates that the legal challenges to the seatbelt laws, derided by many as trivial wastes of time and judicial resources, are actually manifestations of an important principle of American political culture.

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