

## Brussels' glaring stupidity

By Matthew Engel

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To the conscientious motorist, there are few things more irritating than driving along a country road in murky autumnal weather and being confronted by some dangerous clot emerging from the gloom, having not bothered to switch on his lights.

Almost as bad, though, is the reverse problem: being distracted on a brilliantly sunny day by a car with its lights blazing. This, of course, is the particular province of the Volvo. "They don't radiate light," as the broadcaster Robert Robinson once put it, "they radiate a kind of smugness."

In Volvo-land, indeed the whole of Scandinavia, it is now compulsory to use these 'daytime running lights'. And this law has spread to Austria and even Italy, outside built-up areas. It may come as a surprise to readers elsewhere that it is likely to apply right across the European Union, from the peat bogs of Donegal to the baking shores of Cyprus, probably by 2011.

There has been discussion of this issue for some years now, but this is discussion of a very EU-ish kind, ie hardly anyone has heard about it. There has been consultation involving (Gawd, how I hate this word) 'stakeholders', usually meaning groups that can afford lobbyists. And there was a two-month period in 2006 when individuals could respond. Population of the EU: 495 million. Number of respondents: 117.

Brussels sources hint strongly that compulsion is coming. However, it is not clear yet whether it will be enforced by law or simply by 'voluntary agreement' with manufacturers, who will then fit the lights to all new cars. As with seatbelt warning alarms, there will be no facility to switch them off - so it comes to the same thing.

The case is not overwhelming. The European Commission claims that between 1,200 and 2,000 lives will be saved, but this is highly contentious. Fatality rates have been falling across Europe for decades, and there is no obvious correlation between compulsory lights and a steeper decline. There is a strong argument that they will endanger motor cyclists (who already light up) by making them less conspicuous. The law will increase dazzle and glare: in the real world, lamps are usually badly adjusted. And cars' CO2 usage will go up by between 0.3 and 1.5 per cent, just what the world needs.

"Probably the only time the lights will be of real benefit is in the twilight zone on a country road," said Edmund King, of the RAC Foundation for Motoring. "And you could deal with that by driver education: a poster campaign and a question in the driving test." But, as another motor industry expert put it: "This is somebody's hobbyhorse."

Actually, the concern here has nothing to do with driving, and everything to do with democracy. The headlights question is emblematic of how decisions are taken in Europe. Yes, there is debate, but it is so removed from the ordinary voter that 99 per cent of the population are likely to hear nothing until the law is passed - and maybe not even then.

The tradition of a democratic polity that dates back to Athens cannot include the European Union. It is too big and too diffuse. There is no common language, and no common media. (The FT is the nearest approach to a truly European newspaper, but there are rumours to be remote Estonian villages where not everyone reads this column.)

There are advantages to industry in having common standards for their products. But here is something that affects every road user. The 117 respondents were overwhelmingly opposed to the change, and, one suspects, mainly orchestrated by a motor-cycling magazine. They will be brushed aside, of course.

This is not the way successful democracies operate. In the US, driving laws of this kind emerge from the states. Long ago, the watchword for European officials was supposedly 'subsidiarity', decisions made at the lowest possible level. I haven't heard that in a while. Local-level American democracy is often corrupt and stupid, but it is responsive in a way that is impossible in modern Europe. New Hampshire (pop: 1.3 million) does not force drivers to wear seatbelts. The government of Britain (pop: 60 million) opposes the headlights plan, but is fatalistic about being forced to agree. Even the European Commission admits the idea is far less appropriate in the south than the north - so why pass a blanket law?

New Hampshire may be wrong; Britain may be wrong. This much is certain: as inappropriate, barely debated new regulations cover the continent, so alienation from the European project increases.

In such little ways, Europe sows the seeds of its own eventual collapse.

## How the 'California effect' forces manufacturers to seek higher product standards across the US

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From Prof Tim Buthe.

Sir, It is always interesting to see British europhobes approvingly invoke US democracy and government practices without actually understanding them. Matthew Engel's comments on a possible European Union daytime running lights regulation is a prime example ("Brussels' glaring stupidity", FT Magazine, October 6/7).

New Hampshire's lack of interest in seat belts is irrelevant. No US consumer can buy a new car without them. In what my Berkeley colleague David Vogel has dubbed the "California effect", if California (or one of the other very large states) passes a regulation that is more stringent than those in the rest of the country, manufacturers tend to find a way to comply, because they cannot afford to forgo the Californian market. The logic of economies of scale then ensures they usually change their entire production to comply with the higher standard.

These producers may then lobby for higher standards in other states across the US or in other countries, to ensure that competitors less focused on the Californian market face the same adjustment costs. But often there is not even such lobbying, since the competitors may all change their production for the same reason.

Consumers in the rest of the country and sometimes in the rest of the world may then simply have no option but to buy the item with the new features or parts if they want to have the item at all. So most new cars sold in the US today come with daytime running lights, and yes, there is no "off" switch for them, no matter how objectionable any one or even the vast majority of consumers may find that.

As far as I can tell, there has been no great legislative or popular debate about this anywhere in the US. It strikes me that the EU's approach is, if anything, more democratic - though it may simply be a sufficiently small, technical issue about which most people just don't care.

I actually agree with Mr Engel that daytime lights often unnecessarily waste energy. So I wish I could turn them off on our new Honda. But I can't. And road safety regulators in the US consider them a boost to road safety, even though virtually all of the US is well south of Scandinavia and thus by Mr Engel's account could not possibly be getting any benefit.

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