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Zoning laws for sale?

Wal-Mart backs a trade treaty that undercuts local authority

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Most of the attention by U.S. observers of the World Trade Organization talks in Hong Kong that will run through Sunday has been focused on America's trade deficit. It's at an all-time high, and unless it is reduced it will pose major problems for the U.S. economy.

But there's a side issue that hasn't been getting sufficient attention - one that, if critics are correct, bodes ill for Americans.

Call it the "Wal-Mart conquers the World" proposal.

Stripped to its essentials, here's what's up:

Wal-Mart is supporting a change in the General Agreement on Trade in Services that would make it easier for the retail giant to set up stores anywhere it wants. Wal-Mart officials say it wants to be able to compete better globally.

But a byproduct of the proposed change would make it easier for Wal-Mart to circumvent dozens of U.S. laws that restrict the growth of big-box retailers.

Local officials would not be able to limit the size and height of buildings, locations or operating hours - all of which various U.S. communities have set limits on.

Wal-Mart says it has no plans to try to circumvent local laws. But the issue garnered lots of talk - much of it negative - at recent meetings of the National Conference of State Legislatures in Chicago and the National League of Cities in Charlotte.

Television newscaster Lou Dobbs featured a segment on the issue on his program Wednesday. Dobbs, no bleeding-heart liberal, was visibly aghast at the prospect of local government being undermined by foreign

treaties. And he condemned the preaching of free-market purists who say only market forces should decide where Wal-Mart can put stores, how big they are and how many hours they can operate.

Alabamians know full well what's at stake in issues like this. They remember the, thankfully, ill-fated effort in 2003 to try to use eminent domain rights to build a Wal-Mart in Alabaster on a site where landowners didn't want to sell.

And they know about the June ruling by the U.S. Supreme Court that lets cities, unless state laws prevent them, use eminent domain to seize private land for private redevelopment. That issue so resonated with the public that the usually snail-paced Legislature was moved to put a constitutional amendment on the ballot to prevent such shenanigans.

If critics are right, though, and Wal-Mart prevails at the WTO talks, local and state efforts could be circumvented - thanks a foreign-trade treaty.

Local and state governmental leaders need to voice their opposition to any proposals that undermine the right of communities to establish the zoning and retail laws that the citizens support.

And the United States needs to be very careful about "foreign entanglements."

Free trade is often like free lunches - far from free. While encouraging trade, we need to be sure we don't give away the store - or let a big-box store like Wal-Mart call all the shots.

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