



Written by [Alex Newman](#) on March 12, 2014

Virginia Adopts Bipartisan Law Protecting Farms, Property Rights

Property owners and farmers in Virginia are celebrating after another victory in the battle against what critics said was oppressive government schemes infringing on private-property rights under various pretexts. Known as the “Boneta Bill,” SB 51 was quietly signed last week by Democrat Gov. Terry McAuliffe following a public uprising over draconian regulations and harassment targeting family farmers — and [Martha Boneta’s \(shown\) small farm in particular](#). In Virginia and nationwide, however, the battle continues.



Among other key elements, the new Virginia law reins in the power of state and local officials to violate the rights of property owners in agricultural areas. Farmers, for example, will generally no longer be required to have permits for a wide range of activities on their land: agritourism, food preparation, and more. The measure also protects farmers from incomprehensible mazes of red tape and regulation while allowing them to sell their products directly to consumers without bureaucratic permission in most cases.

While the measure is a good start, more still needs to be done to properly protect property rights in the state, supporters of the bill said. “Virginia’s SB 51 is a positive step in the right direction, freeing farm commerce and culture from some restrictive and needless red tape, thanks to Martha Boneta’s tireless efforts,” constitutional attorney Mark Fitzgibbons, who played a major role in the battle, told *The New American*. He was referring to the farmer whose struggle against local officials resulted in the new law.

Still, even with the victory, “more corrections are needed,” added Fitzgibbons, who helped organize “pitchfork rallies” on behalf of Boneta as local officials sought to trample her rights and fine her into oblivion. “The Virginia Code still gives too much subjective discretion to localities, which allows them to discriminate, and does not include penalties against counties that violate farmers’ rights.” Legislation to address some of those issues is already in the works.

The story behind the new law began on Martha Boneta’s little farm in Fauquier County, Virginia, which she purchased from the Piedmont Environmental Council (PEC). In addition to organic farming on the land, Boneta rescues animals and sells farm products she produces directly to local consumers. When she bought the farm from PEC, however, the organization slipped in a so-called “[conservation easement](#)” into the agreement purporting to severely limit her rights to the property.

In short order, county bureaucrats began doing what they so often do: threatening Boneta with fines and ordering her to obtain “permits” to do just about anything on her own property — even host private events. When the county obtained pictures of a private birthday party she hosted for a handful of young children taking place at her barn, Boneta was threatened with fines of \$5,000 per day for each alleged “violation.” Soon, the PEC was even demanding to look into her private closet in search of more



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supposed “violations,” according to reports.

The whole drama quickly escalated and snowballed out of control. Eventually, the battle began making headlines nationwide as powerful officials and their allies harassed and viciously persecuted Boneta over every trivial “violation” they could concoct. Faced with thousands of dollars in expenses and the perpetual threat of more fines, Boneta finally had to shut down her little store. Her farm was in serious jeopardy.

As the ordeal began attracting statewide and even national attention, rallies ensued, and an outraged public demanded an end to the abuses. Watchdog.org’s Virginia Bureau also poured fuel on the fire by digging into the case and shining the spotlight on the nightmare Boneta was being forced to endure. With support from citizens across the state, numerous grassroots organizations, the Virginia Farm Bureau, and more, lawmakers on both sides of the aisle joined together to pass the legislation by a landslide.

“I want to thank Gov. McAuliffe, the members of the General Assembly, the Farm Bureau and all those who have rallied to the defense of family farmers,” Boneta said in a statement after the legislation was signed into law. “After all my family and I have been through, it is a blessing that the rights of farmers as entrepreneurs can be upheld.” Speaking to Watchdog.org, she added: “Now farmers can farm without fear or fees.... It gives hope to farmers and landholders in the fight for property rights.”

Democrat and Republican lawmakers alike also praised the bill and its being signed into law, saying the measure would protect the rights of farmers. “I’m very pleased to see that the governor signed SB 51,” Democrat State Sen. Chap Petersen was quoted as saying. “This will guarantee that farmers can continue to use their farms and sell their wares without unnecessary state interference.” GOP legislators also celebrated the bipartisan effort.

The Farm-to-Consumer Legal Defense Fund, one of myriad organizations that actively supported the legislation, also praised the measure and its enactment. “This will keep more of Virginia food dollars in state, and keep the most environmentally conscious stewards on the land,” Fund President Pete Kennedy said in a statement.

Despite the new law, which takes effect on July 1, the saga is far from finished. “This county government has been absolutely out of control,” said Tom DeWeese, president of the pro-property rights American Policy Center, a national organization that also backed the measure and others like it. “They have been trying to control these farms and businesses, so this bill was designed to help farmers to not have to have permits for every little thing.”

DeWeese said that organizations like the PEC and the “[conservation easements](#)” they market represent a major danger to property rights, not just in Virginia, but across America. “Organizations like this and these self-proclaimed stakeholders are in every single community,” he told *The New American* in a phone interview. “The regulations they are pushing are the same everywhere and we’re seeing this in every corner of the country. This all ties in, of course, to [sustainable development](#) and [UN Agenda 21](#) programs.”

However, while the assault on property rights continues, efforts to stop it are accelerating as well. “What we’re doing across the country is helping local communities and state legislators protect private-property rights in their jurisdictions,” DeWeese continued. “We have to define what property rights are, and then we have to fight for these rights and pass legislation with strong property-rights language. These efforts are already having an effect.”



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DeWeese, whose organization has played a leading role in the national battle to protect Americans' unalienable rights to control their property, also had some advice for activists across America working on the issue in their own communities. "This seems so vast, and the other side seems so powerful, so our people get confused and down and they don't see a way around it," he explained. "We have to focus, and the property-rights issue is the place to focus."

Without being able to curtail property rights, the whole scheme crumbles. "They can't implement sustainable development without infringing on property rights, so that's where we can begin to chip away on this a little bit at a time," DeWeese concluded. "They put it in place piece by piece, so we're going to have to tear it down piece by piece."

Indeed, across the country, as all levels of government continue waging a silent war on property rights, resistance and the public outcry is growing louder by the day. Just last week, the Oklahoma House of Representatives [voted overwhelmingly for legislation that would protect property rights](#) from federal and international machinations. Before that, Alabama [became the first state to officially ban UN Agenda 21](#). Many state and local governments have also come out forcefully against the international scheme. Even the Republican National Committee [came out strongly against the plot in the GOP platform](#).

Activists have been celebrating their recent victories, but few doubt that much work remains if private-property rights are to be properly protected from the accelerating attacks. The UN, for example, has been making [increasingly outlandish demands](#), and the Obama administration remains an ardent supporter. At the state and local level, the assaults, often funded with taxpayer resources, are continuing as well. However, with enough effort and awareness, the American people can still emerge victorious from the battle.

Photo of Fauquier County, Virginia, farmer Martha Boneta: AP Images

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