



Written by [Selwyn Duke](#) on April 6, 2024

Letitia James Is Killing a Conservative Website With Chilling Anti-free-speech Lawfare

It's almost 20 years ago now that I wrote an essay, which raised some eyebrows and was even reprinted, titled "How We Will Lose Our Freedom of Speech." What [it predicts](#) hasn't yet come to pass, but we are well down the iron-muzzle rabbit hole. Good examples are a climate alarmist and a Harvard "dishonesty researcher" who are [using process-is-punishment lawfare](#) to silence critics. Now there's another tongue-stilling effort on this front, too:

Letitia James, the notorious New York attorney general who tag-teamed with a judge to try to pummel President Trump, is destroying a conservative website.



AP Images
Letitia James

The victim here is nonprofit anti-immigration entity [VDARE](#), which, as does Trump, stands accused of real-estate wrongdoing. But its actual trespass, in the Empire State imperialists' eyes, is something else.

That is, ex-NY governor Andrew Cuomo [infamously said](#) a decade ago that ardent conservatives "have no place in the state of New York" — now James is driving this point home with the law's iron fist.

The American Conservative's Christopher Brunet [reported](#) on the story Wednesday (his quoted material is from VDARE):

VDARE has not been charged with any crime, yet has "fought NYAG Letitia James, at a cost of up to \$1 million, for nearly three years." An onslaught of onerous subpoenas marks not a quest for justice but an orchestrated attempt to financially and morally bankrupt those who dare resist the liberal creed.

Letitia James's electoral platform was built on this very promise: she vowed to "shine a bright light into every dark corner of [Donald Trump's] real estate dealings," just like she promised to "take tougher legal action on organizations that engage in...online hate speech against protected classes." Except, James cannot actually take legal action against VDARE for their "hate speech against protected classes" because everything that VDARE writes is protected by the pesky First Amendment.

So James instead embarked on a fishing expedition. What did she finally find?

Well, because hotels kept canceling VDARE's meeting bookings — an increasingly common experience for conservatives — it purchased a \$1.4 million West Virginia castle as a conference space. (Note: Brunet points out that VDARE can't find a bank to facilitate credit card donations, either. This is all part of the Left's economic warfare.)



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Now, “VDARE is hardly the first charitable organization to buy a nice conference space,” Brunet adds. “The American Institute for Economic Research has its own mansion, and the Aspen Institute has its own ski resort. And who can forget Black Lives Matter buying a \$6 million dollar mansion to use for parties?”

But this is irrelevant to James. As Brunet explains:

The legal case against VDARE’s castle now appears to hinge on whether or not the founders of VDARE use it as their personal dwelling. In December, President of the VDARE foundation Lydia Brimelow (Peter Brimelow’s wife) denied she lived there: “It’s not our home. It’s our office,” she said. “That’s a very important distinction. It is not our home. We do not live here. We have a house with our family, which is not this house.” One month later, New York trial court judge Sabrina Kraus ruled that the Brimelows “paid rent to live in the cottage [on castle grounds]...and Lydia Brimelow signed the document as both landlord and tenant.” (Per Brimelow, his family was paying independently determined rent to the VDARE Foundation, a distinct 501(c)(3) charity, in a transaction that had been carefully reviewed by VDARE’s lawyers.)

Brunet cedes that it likely was unwise for VDARE’s people to buy an attention-getting castle and then pay their own organization rent to live on its grounds. But he also points out that it’s not illegality, but ideology, that has made them targets.

Apropos to this, radio host Mark Levin once said on air that he purposely pays the IRS somewhat more than he owes every year as an anti-lawfare insurance policy. This is the reality today, too: While being a leftist means never having to say you’re sorry, conservatives must be driven-snow pure to avoid guaranteed legal action.

Though even this may not be enough. As Joseph Stalin’s secret police chief Lavrentiy Beria once put it, “Show me the man, and I’ll show you the crime.”

And show me the man, and I’ll show you the destruction-via-process strategy. Not only has VDARE already incurred staggering legal costs, but, [writes](#) Peter Brimelow, “we are still required to review 40 gigabytes of emails, an enormous amount. And of course these could in fact reveal the names of...pseudonymous writers, as well as our donors, privileged communications with lawyers, etc.”

The issue? Those writers could be canceled and lose their jobs if their names are revealed. (Note: The initial court order *required* their names’ exposure; only a free-speech group’s intervention changed this.)

Yet there’s more. “Judge [Sabrina] Kraus has also now allowed us to redact these emails,” Brimelow further informs. “But this is a huge task, which our lawyers estimate could cost as much as \$150,000.” “An observer tells us this order is more typical of major corporate litigation, not a tiny charity,” he continues.

“And, perversely, although Judge Kraus has now modified her January 23, 2023 order, she is nevertheless now fining us \$250 a day for not complying with it.”

So here’s the strategy: As with Trump and his initial half-billion-dollar bond, you issue an onerous order that’s frightfully difficult for the target to comply with — and then punish it further for not complying.



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Yet this process is just part of a larger process. The left-wing establishment, via Big Tech's control, to a degree first defunds conservatives with a censorship that robs them of website traffic and hence advertising revenue (and with other economic warfare).

Then the tyrants may try to complete the destruction by bankrupting the already hobbled entities with lawfare.

James would go further if she could, too. She is as I write this [defending a law](#) that would compel private citizens to enforce speech codes, bringing us closer to the reality I [warned of in my 2006 essay](#). And the Left will continue doing this end run around the First Amendment until we stop them — or until they no longer have to.

For more information on VDARE's case, you can watch the below excerpt from an interview commentator Tucker Carlson conducted with the organization's president in February.



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