

GoFundMe and the Nag's Head Light: How Crowdfunding Has Become the Latest Battleground Over Free Speech

By [Jonathan Turley](#)

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GoFundMe’s suspension of millions to support protesting truckers in Canada shocked many, particularly when the company initially announced its intention to distribute the money to other charities. It was less of a surprise for those of us who have criticized the company for years over its use of the platform to target and block funds for conservative and libertarian causes. Indeed, the company has revised an old practice known as the “Nag’s Head light” in luring the unsuspecting into what has become a liberal lockbox on funds.

In the Carolinas, locals would sometimes tie a lantern under the head of a horse to lure ships to their doom. Thinking the light was a ship in deep water, the ships would unwittingly sail into the shore rocks where they would be stripped of their cargo. That is how the resort town Nag’s Head, North Carolina got its name.

GoFundMe is the ultimate Nag’s Head operation. It draws conservative and libertarian causes to its shore with promise of being a neutral crowdfunding site. At its creation, the founders [pledged to change](#) the world by “disrupting giving” by handing control to average people in supporting others with common values and views.

The easy-to-use technology and need for crowdfunding services quickly expanded the company into a multibillion enterprise. However, it soon became clear that the company was using its control of funds to advance its own political agenda. Worse yet, the company effectively coaxing groups into fundraising campaigns on its site, only to freeze accounts before the money could be used.

In the case of the Canadian truckers protesting Covid mandate, the company perfectly replicated the Nag’s Head Light. It allowed people to donate over \$10 million, thinking that they were helping the truckers and presumably not donating to other sites. It then

suspended the account and announced that it would distribute the money to other charities in consultation with the truckers. Once the ships crashed on its rocks, it was literally going to salvage the wreckage.

The announcement was breathtakingly moronic and led some to call for criminal investigations. It turns out that soliciting funds for one reason and then using them for another (“better”) cause is considered fraud in some circles. The company [quickly backtracked](#). However, it still refused to allow the donations to go to the truckers. It will return the money. In the meantime, critical time and support has been lost for those who trusted the company.

It is a familiar pattern for the company in allowing people to send money for badly needed support only to lock the funds away at the last minute. The company’s record has moved it well beyond any plausible deniability that it is not using access to donations as a way of advancing its own priorities.

Consider GoFundMe’s freezing of funds for legal defense funds. One would think that funding litigation costs would be unassailable since it is an effort to secure judicial review of the underlying merits of a case or a cause. After all, if a cause is based on disinformation, a court can quickly sort out the truth. Right? Wrong.

[GoFundMe froze donations needed to support Kyle Rittenhouse’s legal defense](#) because he was accused of a violent crime. However, that is the point of a trial. He was *accused* of a crime and he was entitled to a presumption of innocence. However, [the media ran false accounts of the story](#) while social media companies [like TikTok](#) censored pro-Rittenhouse material. One police officer was [fired for simply donating to Rittenhouse anonymously on GoFundMe](#). Neither the company nor the media came to the defense of Norfolk Police Officer William Kelly. Rittenhouse was, of course, acquitted. Then GoFundMe released the funds after they were no longer needed to support his trial.

The company also suspended litigation funds for [accused police officers](#) as well as [parents](#) who sought to challenge vaccinate mandates in courts.

When the company blocked the distribution of donations to Rittenhouse, it declared “GoFundMe’s Terms of Service prohibit raising money for the legal defense of an alleged violent crime.” It is a ridiculous policy since defendants have a presumption of innocence and we should all parties being able to present their best cases before independent judges. That includes Canadian truckers, Black Lives Matter, Antifa and other groups facing litigation. Moreover, critics have noted that the company has supported legal funds supporting rioters in various cities as well as an appeal for the 2020 Seattle [Capitol Hill Occupied Protest \(CHOP.\)](#)

The hypocrisy of the company on such issues has been flagged repeatedly, including by Tesla CEO Elon Musk.

Double-standard?

— Elon Musk (@elonmusk) [February 5, 2022](#)

It does not matter. Like the social media companies, GoFundMe controls billions in funds and has become the very scourge that it was designed to combat. Rather than empower average people, it now operates more like a corporate overlord on what causes are worthy of crowdfunding.

Notably, GoFundMe relied on accounts from the Canadian government to label the truckers as violent despite the fact that the truckers are protesting the government. The protests have been largely peaceful, particularly in comparison to the [“mostly peaceful” protests in past summers](#) (by groups allowed to crowdfund by the company). It is the same pattern used by other companies in serving as a conduit of government priorities and policies.

YouTube and Twitter have blocked [critics of Putin](#) or governments like [India](#). Even the [W.H.O. has supported such censorship](#) to deal with what it now calls the “infodemic,” which includes criticism of itself. YouTube and Twitter have blocked [critics of Putin](#) or governments like [India](#). In the United States, [Democratic leaders \(including President Joe Biden\)](#) have pushed for more corporate censorship on subjects ranging from global warming to gender issues to election integrity to vaccines.

The inclusion of GoFundMe in this increasingly united front is particularly chilling. As the Supreme Court has repeatedly held, money is a critical part of free speech. You speak through your donations and those funds then support further free speech and associations. As companies like Twitter actively silence dissenting voices, GoFundMe has served as a chokepoint for funds. The result is that many are finding it not only difficult to use social media to voice their views but to use crowdfunding to garner the support of like-minded people.

GoFundMe can clearly redefine itself as a progressive company. It has free speech rights like those who it is seeking to silence. [Like many in the media](#), the company has largely written off half of the country. The problem of the company is when the crowd in its crowdfunding business goes somewhere else.

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