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# You Have the Right to Remain Uneducated:

# The Role of Lobbying in Subverting Anti-Racist Curricula

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Washington Semester Thesis

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#### -INTRODUCTION-

## Background, Research Question, & Thesis Statement

A contemporary topic of discourse in the so-called culture war inextricably linked with American politics centers around the purported teaching of critical race theory (CRT) throughout primary education. The right-wing instigators of this controversy allege that schools around the country are brainwashing young children with "cultural marxism" into hating the United States and white people (Heritage Action for America 2023).

Setting aside, at least for the time being, the anti-CRT crowd's direct usage of neo-nazi rhetoric, such as the "anti-racist is a code for anti-white" dog whistle and the cultural marxism conspiracy theory (ADL 2022; Jamin 2014), the systemic underlying foundations and power structures driving forward this issue are ripe for sociological exploration. The subject of racism and its status in American primary education can provide revealing insight to the state of systemic white supremacy in American society (Tuana & Sullivan 2008), a subject the literature review will explore with greater detail. Furthermore, as the data collection for this project has illustrated, anti-CRT organizations brand themselves as grassroots institutions of concerned parents pleading for the removal of "indoctrination" from education. However, in actuality, they are astroturfed interest groups whose leadership is often filled with seasoned Republican political figures with financial and ideological interests beyond the scope of merely having a conversation about hateful curricula material (Peritz & Kasai 2021).

Accordingly, this research paper seeks to explore the relationship between professional political actors and the subject of racism in primary education curricula, specifically in areas with prominent anti-CRT movements. Synthesizing these ideas together, the fully formed research question guiding the development of this paper reads as follows: *how does the lobbying* 

industry impact the development of primary education curricula in the United States on the subjects of race and racism, specifically in reference to anti-CRT activism? The extant literature on topics of racism, the institution of lobbying, and primary education in America, led to the development of the following thesis and response to the research question: lobbying, as a social institution, will advance the interests of systemic white supremacy by advocating for CRT bans, and thus curricula that maintain the epistemology of ignorance. Other scholars have proposed competing answers to this same question, which the literature review discusses and rebukes. These alternative answers come largely from legal and political science scholars who understand the outcomes of lobbying at large, not just upon this particular policy issue, as the consequence of pluralistic competition in a liberal democracy.

#### **Definitions**

Several words or phrases that underpin academic literature and political discussion on the topics at hand need clarification up front. Lobbying can take on various different meanings due to the ambiguity of what interactions between government actors and public citizens constitute legally recognized attempts at swaying the actions of the representatives in question. As a research paper taking a sociological approach to the institution of lobbying, it views the practice in broad terms in order to encapsulate all the influences a professionalized class can exert over the political system, even when they attempt to skirt codified legal boundaries. In other words, this paper defines lobbying as the act of attempting to influence the actions, decisions, or policies of government officials (Nesterovych 2013).

Another term in need of a definition is that of educational curricula and its relationship to critical race theory. Formally, CRT is an esoteric mode of legal analysis which scrutinizes the outcomes of laws and court decisions to understand if they have a racist effect on society.

Developed in the 1970s at Harvard Law School, it came about at a time when explicit modes of reinforcing white supremacy were ending and laws that never mentioned race but had the exact same outcomes were taking their place. However, as the data will illustrate, CRT bans do not only prevent teaching this high level theory within the sociology of law. They have also affected the teaching of historical racism and contemporary racial issues. Such outcomes of CRT bans will also be analyzed since they have an impact on the wider educational curricula. In fact, as the data collection will illustrate, stifling conversation on contemporary issues of racial injustice was likely the goal of these CRT bans since the topic was not being taught in primary education to begin with.

Furthermore, the line where a given curriculum begins and ends is highly subjective.

Government institutions need to legislate the colloquial understanding of curriculum, or the material directly taught by teachers to their students. However, laws affect more than merely the information presented during a given lesson. They play a role in constructing the *hidden curriculum* as well, or those lessons taught implicitly through classroom socialization. For the purposes of the topics in this research paper, this includes the social norms, mores, and relations children absorb regarding dynamics of racial hierarchy. As a result, this paper defines curriculum as the sum of lessons learned, either implicitly or explicitly, by children in a classroom environment.

In the literature review section, the descriptor liberal is applied to the conventional understanding of lobbying as a constitutional right offered by legal and political science scholars. This does not mean that this understanding of lobbying lies on the left wing of the American political spectrum. Rather, liberal in this sense refers to the justification these scholars pose for their outlook, which derives from a traditional understanding and application of enlightenment

values, primarily as freedom of speech. In short, the term liberal is used in a literal sense, rather than a colloquial one.

Racism, in this research paper, refers to the systemic social inequalities constructed to disadvantage people of color for the benefit of white people. It is used synonymously with terms such as systemic white supremacy. A key point of this research is to highlight the institutional nature of racial oppression. Instances of interpersonal discrimination are easy to perceive and analyze. However, the roots of racism are found in social institutions and the usage of the term will reflect this reality.

#### Roadmap

The literature review section will first discuss competing arguments against the proposed answer to the research question. Specifically, it grapples with the liberal, legalistic interpretation of lobbying briefly mentioned in the first section. Following an analysis of this primary alternative answer to the research question, the literature will then discuss the validity of this paper's thesis. It will justify the critical perspective the research takes of lobbying as a social, rather than purely legal, institution and explain the consequences that ensue following the adoption of this theoretical foundation. In particular, this portion of the argument will highlight the social implications of lobbying on class and race hierarchies, analyzed from an intersectional perspective, as lobbying's reproduction of racial inequality cannot be separated from its role as a tool to advance the interests of the bourgeois.

In the data and analysis section, the hypothesized answer to the research question will be tested against the actual impacts of lobbying organizations on race in educational curricula, especially the contemporary anti-CRT push. In this section I describe the information collected from the case studies and analyze the findings in order to, broadly speaking, determine the

validity of my proposed understanding of the relationship between lobbying and its effects on the subjects of race and education. In this section, I will attempt to disprove the hypothesized relationship, adhering to the principle of falsifiability. I will discuss any data from the case studies that came to light that would suggest the institution of lobbying does not reinforce systemic white supremacy by advancing the epistemology of ignorance more so than interests of racial justice organizations due to the intersection of interests between the profiteering industry and the monied actors who benefit from systemic white supremacy. If any patterns contradictory to my thesis cannot be disproven or illustrated to not, in fact, undermine this paper's hypothesis, then it cannot be determined that the lobbying industry advances the interests of systemic white supremacy. However, if no discrepancies arise, then the hypothesis will have held true.

In the conclusion portion, the research question and hypothesis derived from the upcoming literature review will be restated and re supported. The findings from the data will be recounted and a brief description of how these data either support or disprove the hypothesis will be presented to summarize the ultimate verdict of this paper on the relationship between lobbying and the maintenance of systemic racism.

# **Methodology (case justification)**

The case studies used in this research paper seek to offer insight to the relationship between the social institution of lobbying and the maintenance of systemic white supremacy. The existence of a lobbying firm that has worked on behalf of a racial justice organization does not disprove the hypothesized relationship. Rather, as a systemic social analysis, the cases used to obtain data on the relationships in question seek to shed light upon the institution of lobbying as a whole. In the following case studies, I will determine the role of the lobbying industry in moving anti-CRT efforts forward. Conceptually, the success of anti-CRT efforts do not matter to

the analyzed relationship. If lobbying groups pushed hard for anti-CRT bills, but the propositions failed to become law, then the thesis could hold true despite the ultimate failure of the bills since the industry broadly aligned itself with efforts to stomp out discussions of racism in curricula.

The primary case study will be the organizations involved in Virginia's recent anti-CRT effort under Governor Glenn Youngkin. Due to the national profile this particular curricula-setting debate garnered and proximity to Washington, D.C., a wide variety of actors involved themselves in this specific contest on the subject of racism's place in American primary education. Governor Youngkin made eliminating the alleged teaching of CRT in primary education a foremost plank in his campaign's platform, making the contest over the design of history curricula in his state a hotly contested ground for both camps.

Additionally, the 501(c)(3) group Facing History and Ourselves is a client of Cogent Strategies, the lobbying firm I have interned at throughout the course of the semester. They have taken on a prominent role in defending the presence of anti-racist material in Virginia schools. My position at Cogent has allowed me to research the various lobbying actors involved in Virginia's CRT conflict and actually placed me in the middle of the discourse, granting me an insider perspective that I bring to this particular case study. I have found data while researching information on the current debate for Facing History and will use this interest group as one particular data point on the role of lobbying in Virginia's current educational battle.

I will also analyze the curriculum ban on CRT passed into law in Texas. As a deeper red state, I could discover that lobbying did not play a substantial role in the passage of the legislation, since the political will and coalition to make the law already existed. Prominent elected officials who have won statewide races in Texas, such as Governor Glenn Youngkin and both Texas Senators, have endorsed and pushed for bans on the teaching of CRT in primary

education. Also, the state senate recently passed a ban on teaching CRT at public universities in Texas (Janikowski 2023). This signals a high political will and ability to implement curriculum bans, possibly without the involvement of outside interest groups.

However, the opposite of this possible set of circumstances could be true. It is possible that the data reveal that lobbying organizations still advocated on behalf of anti-CRT interest groups because they saw an easy win for a client. The Republican Party of Texas, the state affiliate of the national party, is the most powerful political organization in the state. It controls 86 out of 150 seats in the states lower house, 19 out of 31 seats in the upper house, nine out of nine statewide statewide office executives, 10 out of 15 seats on the Texas board of education, 25 out of 38 seats in the US House, both Senate seats, and all nine seats on the Texas Supreme Court. This near ubiquitous power illustrates that conservatism is alive and well in Texas. Accordingly, there are likely many right wing interest groups eager to make money in an environment where they have strong networks and many connections; and these interest groups could have ensured the passage of the bill, facilitating coalition building.

I will also look to the state of Maine, where anti-CRT efforts failed in the state for the opposite reasoning as given in the previous paragraph. This case study may reveal how lobbying succeeded in stomping out curricula bans and acted in the interest of racial justice rather than systemic white supremacy. This case study could provide an opportunity to nullify my hypothesis. However, Maine is a highly polarized state, with very conservative rural regions and very progressive urban centers with Democrats holding both houses of the state legislature and Governor's seat at the time the bill was passed and held their majorities in the following election cycle (Carrigan 2022). Accordingly, this case study could illustrate that despite the best efforts of

lobbying groups to advocate for CRT bans in the various curricula of Maine's schools, the conservative interest groups could not curry favor with their staunch ideological counterparts.

In addition to the logistical operations, I will also review the motives and ultimate desired outcomes of the interest groups pushing for anti-CRT messages. While in a social analysis, motives are often irrelevant to the unfeeling, inanimate social systems in question, if the data illustrate that those leading anti-CRT organizations are far-right actors who are individually unabashed in their white supremacist beliefs, then any lobbying organization which aids and abets these people and their interest groups through government relations work has supported a far more insidious and explicitly racist movement than previously hypothesized.

In short, this research paper analyzes a states where anti-CRT legislation has become law, one where a proposed law failed, and one where a bill is currently under consideration in order to provide a holistic view of all the possible settings wherein lobbying could have played a role on discussions of racism in primary school curricula.

#### -LITERATURE REVIEW-

The aforementioned legalistic approach to understanding the consequences of lobbying on education policy views the relationship as morally neutral pluralistic competition. A social hallmark of liberal democracy, proponents of this understanding of lobbying assert that equally well organized interest groups, who play by the same sets of rules and operate on similar footing, represent different social interests and vie for government attention. They derive this understanding from common interpretations of the First Amendment to the Constitution. In 2016, Harvard Law School lecturer Maggie McKinley wrote in *The Stanford Law Review* that the courts, Congress, and scholars all share the belief that lobbying is protected under the Petition

Clause. That the practice is a natural outgrowth of individuals, corporations, and all other interest groups seeking redress from the state on a particular issue (McKinley 2016). As explained by Michael Parsons in *The Minnesota Law Review*, this understanding of lobbying is linked to the liberal notion of the marketplace of ideas; or the idea that given the ability to compete with one another free from regulation, the best ideas will win out over inferior ones and be realized through public policy (Parsons 2019). A specific example of policy advocacy from this perspective comes from an essay entitled "Academic Advocacy: Opportunities to Influence Health and Science Policy Under U.S. Lobbying Law" in *The Journal of the Association of* American Medical Colleagues. The authors utilizes this liberal approach to explain the benefits of lobbying in advancing the views of medical academics in the creation of health policy. The authors of this piece articulate that elected officials and their staff do not have the depth of knowledge to inform nuanced policymaking. Therefore, they believe that academics, even those with competing perspectives on a given subject, have a duty to utilize their right to lobby the government granted by the First Amendment. Any outcomes of this arrangement are thus a result of actors utilizing their freedom of speech in the free marketplace of ideas (Lynch, Bateman-House, & Rivera 2020). The 2020 paper "Quid pro quo? corporate returns to campaign contributions" published in *The Journal of Politics* also takes this perspective. Its authors argue that corporate campaign contributions do not correlate to a politician's willingness to pass policy favorable to donating corporations because the pluralistic nature of lobbying necessitates that legislators hear from a myriad of viewpoints that balance the interests of one another to produce tempered and mutually beneficial law (Fowler et al. 2020).

In the case of education policy on the subjects of race and racism, specifically recent policy debates on the teaching of "critical race theory" in primary education, numerous

organizations representing political interests have emerged. Competitors that scholars taking this legalistic approach would recognize that interest groups advocating against teaching what they characterize as "critical race theory" have largely branded themselves as either parental rights organizations or patriotic historical societies. Examples of these organizations include Schoolhouse Rights, Parents Defending Education, and 1776 Action (the 501(c)(4) successor to former President Trump's 1776 Commission). On the other side of the discourse there exist organizations such as Facing History and Ourselves and Race Forward. According to proponents of the legalistic perspective, the presence of active interest groups on both sides of the debate illustrates legitimate pluralistic competition that cannot be infringed upon without violation of the Constitution (McFadden 2021). Outcomes themselves are unimportant in the sense that they do not illustrate underlying tendencies of a society. If the coalitions involved in the lobbying process reflect the variety of perspectives at play on a certain topic, then the industry upholds principles of liberal democracy and thus is beneficial regardless of outcome (Junk 2019).

However, this explanation does not suffice. It is lacking in social analysis, viewing any critique of the lobbying industry as an attack on the freedom of speech they cite as foundational to the practice (McKinley 2016). The approach the research paper will take is explicitly critical of the lobbying industry, using a sociological approach to understand the outcomes of lobbying as a social institution that creates the parameters of political engagement. This research project will understand the institution of lobbying in accordance with the view presented by sociologist Evan Walker in his 2009 paper entitled "Privatizing Participation: Civic Change and the Organizational Dynamics of Grassroots Lobbying Firms." In summary, Walker articulates that as a social institution, lobbying privatizes political influence. It gate-keeps access to politicians behind a paywall (Walker 2009). If you, your company, or interest group cannot afford the price

tag of a lobbying firm, then your stance on the issue will go unheard in the halls of Congress, at least compared to those who could spare the expense. Because Walker takes a sociological approach to understanding lobbying, he sees the industry as a powerful social institution that constructs and manages the influence Americans have over their elected representatives in a capitalist economy. It applies marxist view of the lobbying industry, wherein the state acts as "a committee for managing the affairs of the whole bourgeoisie" (Marx & Engels 2015), as leverage within politics is limited to those who can afford it. Rather than upholding principles of democracy, such as freedom of speech, lobbying in fact limits this right for the vast majority of Americans, especially those from marginalized groups who have been excluded from accessing political and economic resources (Rodriguez 2021). Therefore, lobbying can be understood through this perspective as a tool for the reinforcement of social hierarchy, not just on the basis of economic class, but racial hierarchy as well.

Indeed, the specifically racial outcomes of lobbying has upon education are the object of study in this paper. *The Racial Contract* by philosopher Charles Mills provides critical insight to the relationship between class and racism. His work draws a direct connection between lobbying's preservation of economic class structure and education on matters of race and racism. In this work, Mills articulates that social contract theory is in fact not race neutral, as conventional analysis implies. Instead, liberal enlightenment philosophers only understood such contracts to only regulate relations between white Europeans and that racism is at the core of the contract. He terms this dynamic the racial contract and asserts that it fundamentally exists to economically exploit people of color for the financial benefit of white supremacists institutions (Mills 2022). Critically, his writing details that racism is a fundamentally economic endeavor for white society to accrue resources to the detriment of people of color. He takes a materialist and

marxist perspective, rather than an idealist one that would focus on intangible aspects of social relations. His writing firmly cements racism as an issue that cannot be separated from those of class and capitalist economic organization, which the institution of lobbying seeks to preserve. Furthermore, Mills's writing directly links the interest of white supremacy to education. He argues that antiracist action is inhibited by a tool a white supremacy that he terms the epistemology of ignorance. In essence, he argues that white supremacy is able to ensure its continuation by preventing education on topics involving racism.

Authors Nancy Tuana and Shannon Sullivan build upon Mills's initial hypothesis in their 2008 work *Race and epistemologies of ignorance*. They verify his assertion, articulating that the ignorance underpinning racism is not a simple gap in knowledge and the accidental result of an oversight in the educational process. Instead, in the case of racial oppression, ignorance is actively produced for purposes of domination and exploitation. They argue that ignorance is not simply a mere unwillingness to learn, but rather a deeply seated epistemic resistance to the concept of education and intellectual involvement (Tuana & Sullivan 2008). This work puts the education industry and ensuring that students learn about issues of race and racism as a necessary component in the fight for racial justice. It demonstrates that racist educational policy does not necessarily teach students about the innate superiority of white people, but rather glosses over the histories of race and racism and upholds the epistemology of ignorance.

In summary, the extant literature on the principal matters involved in the research project reveals that lobbying industry lends itself to the preservation of class hierarchy, as it has privatized participation in the democratic policy making process, placing access to the levers of power behind a paywall. Furthermore, due to the intersectional nature of race and class, the interests of white supremacy are fundamentally aligned with those of the capitalist class.

Therefore, educational policies advanced by lobbying groups will work to advance the epistemology of ignorance, since it is in the interest of those with the ability to hire a lobbyist and the industry itself to maintain capitalist and therefore racist social hierarchies.

#### -DATA AND ANALYSIS-

# Virginia

While working on a project for Facing History's work in Virginia at Cogent, I found an examination of the organizations operating in the Virginia CRT discourse. Published by Third Way, this report found an astroturfed network of experienced, Republican government relations operatives. While portraying themselves as grassroots movements, the fine-tuned social, professional, and financial networks behind the scenes built a coalition of legislators willing to legislate against mentions of systemic racism in Virginia public education. The interest groups involved are namely Parents Defending Education (PDE), Parents Against Critical Theory (PACT), Fight for Schools (FFS), and the Virginia Project. These organizations are all registered with the IRS as 501(c)(4)'s, the designation used by super PACs (Pertiz & Kasai 2021). This status allows these lobbying organizations to collect unlimited sums of money from private donors without publicly disclosing the entities behind the donations, outside of groups that operate *exclusively* in New York and Connecticut which have legislated disclosure requirements at the state level (Hong et al. 2023).

When attempting to understand the motivation of these groups, one finds that they did not have an interest in promoting honest conversation around curricula in Virginia public schools, which would align with the pluralistic, liberal understanding of lobbying organizations. Rather, a preponderance of evidence suggests that they are hardline right-wingers who desire to *eliminate* 

discussions of systemic racism from all curricula in the state, in support of a broader conservative project. For example, looking at the leadership and connections of the aforementioned organizations that have lobbied the Virginia State Assembly, there are many individuals with deep professional and ideological ties to the conservative movement instead of grassroots movements of concerned parents. Several examples are given here, but for an exhaustive view, please look to Pertiz and Kasai's article on the matter: PDE's president Nicole Neily, who has worked for numerous Koch organizations including the CATO institute; PDE's longtime partner Russell Vought, who was President Trump's director of the Office of Management and Budget and drafted Trump's anti-CRT executive order; PACT's leader Scott Mineo has connections to QAnon and operates a fake Facebook page under the pseudonym Vito Malara to spread far-right conspiracy theories; and FFS leader Ian Prior, who worked for the Trump Administration as public affairs deputy director at the Department of Justice and served as the as National Republican Congressional Committee's press secretary (Pertiz & Kasai 2021).

This data about the affiliations of the leaders of the organizations illustrates the connections between anti-CRT groups and the conservative movement broadly. But, it also illustrates their underlying beliefs are likely more dogmatic than genuine and mild concern about divisive classroom material, as the websites of these organizations illustrate. Their true goals may be as hardline as those of the Trump administration, which developed the aforementioned 1776 commission to develop a model of "patriotic education" that it sought to implement throughout the country (McFadden 2021). Albeit more speculative than the hard connections between money and power and the lobbying industry, these data do indicate that there is a broader goal being serviced by this anti-CRT push. A patriotic education would certainly

strengthen the epistemology of ignorance and was an explicit policy goal of the administration many leaders of these groups worked for.

Additionally, the Virginia anti-CRT groups spent money to send their in-house lobbyists to the American Legislative Exchange Council (ALEC), an elite organization that facilitates cooperation between conservative state legislators and lobbyists who draft and share their desired legislation at ALEC for implementation in statehouses throughout the nation (Weiner & Koch 2021). Rather than spending money on community organizing, these interest groups chose to engage in networking events to propagate their message among political elites, using lobbying as the primary vehicle for reaching their desired political outcomes. Taking into account these data on the nature of anti-CRT interest groups, it is clear that lobbying was the primary vehicle for advancing legislation and achieving their desired goals. These groups are well-funded and composed of well-connected individuals that use their connections and financial stability to curry favor from state legislators in the Virginia state legislature.

Rather than duplicitous or maniacal, this strategy is the result of social incentive structures which have created a caste of well-funded political professionals who utilize government connections to obtain victories for clients. These organizations immediately began lobbying rather than organizing since lobbying is the most efficient and decisive way to elicit conservative victories regarding education on racism. Well-connected, in-house government relations professionals go directly to the legislators since their organizations could financially support expensive government relations operations due to the 501(c)(4) financing structure (Pertiz & Kasai 2021). From a logistic perspective, this is a logical political maneuver. These groups already have financial support, so why bother with the stresses of grassroots coalition building if it is unnecessary? They can skip the intermediary steps and go right to lobbying,

directly advocating at the seat of power for their organization's proposed legislation instead of having to build a choir of ordinary voices large enough that legislators would have no choice but to listen.

Facing History, a client of Cogent Strategies, was the only interest group lobbying against curricula bans in Virginia's current CRT debate with an active lobbying presence discovered through research. Other interest groups have mobilized in the state, they number far less than those on the anti-CRT side of the debate. The only prominent examples, aside from Facing History, were Albemarle Public Schools, who are not a formal interest group that engages in lobbying but have assumed a high profile position in the discourse due to a prominent lawsuit alleging discrimination against white students; and the ACLU, who have not lobbied or legally advocated on behalf of Virginia public schools, but offered legal commentary but afar (Moyer & Ashbury 2022). This highly unequal number of organizations engaged in lobbying provides evidence to the claim that the lobbying industry has broadly benefitted the right-wing side of the Virginia anti-CRT legislation debate. The monied, professional political networks only benefitted conservatives in this given situation to the detriment of education on race and racism.

This data collected on the relationship between lobbying groups and the state of the subject of race in the curricula of Virginia's public schools supports this paper's hypothesis. The lobbying industry is supported by the capitalist class, financially supporting anti-CRT lobbying through unchecked dark money channels (channels which the bourgeois advocated to create in Citizens United v. FEC), and it achieved its goals by utilizing social networks in an elite political class. As a consequence, the bourgeoisie have supported the overlapping social interest they maintain with systemic white supremacy: the maintenance of a hierarchical society for the continued economic exploitation of people of color. Accordingly, firms have therefore

disproportionately advocated on behalf of these elite interests in favor of strict controls on mentions of racism in Virginia's classrooms, thus maintaining the epistemology of ignorance. These actions have likely not been continuous or at the very least have been rationalized, but have the same impact on the world regardless of intent.

Without discussions of historical racism, students would not be aware of how pervasive this systemic inequality is in society. This case study directly refutes the liberal, legalistic interpretations of lobbying. The dynamics at play do not reflect the pluralists notions of equally well organized interest groups operating on a level playing field. Rather, it reflects Parsons's marxist understanding of lobbying. The bourgeois have outsized money and power, and thus can outcompete other interests by hiring interest groups to lobby in government, while the voices of the marginalized go unheard in the halls of power.

#### **Texas**

The case study of Texas shed light upon an interesting dynamic regarding the relationship between lobbying and CRT bans. Texas's Governor Greg Abbot signed an initial CRT ban into law during June of 2021. Specifically, this legislation states that: "a teacher may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs." The law does not define what a controversial issue is. If a teacher does discuss these topics, they must "explore that topic objectively and in a manner free from political bias" (Lopez 2021).

Teachers and education advocacy groups decried this law, even with the aforementioned loophole to discuss contemporary racial problems and an amendment which mandates that students be taught "the history of white supremacy, including but not limited to the institution of slavery, the eugenics movement, and the Ku Klux Klan, and the ways in which it is morally

wrong" (McGee 2021). They state that it limits honest and open conversation about race and racism in American society, forcing teachers to draw moral equivocations on controversial or sensitive topics where none ought to be drawn, which will result in less educated students (McGee 2021).

One lobbying group was primarily involved with the passage of the Texas law, the Texas Public Policy Foundation (TPPF). The activities of TPPF in relation to Texas's educational policy are outlined in an article for the March 2023 issue of Texas Monthly by Mimi Swartz. TPPF is a monolithic conservative think tank within Texas politics. Registered as a 501(c)(3), meaning that they hired lobbyists rather than engaging in in-house lobbying, the group is known for its deep ties to the Republican party of Texas. In relation to the anti-CRT bill TPPF coordinated meetings with legislators in Austin to ensure Republicans had a coalition large enough to pass the bill without amendments proposed by the Democrats that would have weakened the bill by providing specifics on what topics or framings were on and off limits. The non-profit also sent letters decrying the alleged threat of "marxist infiltration of education" posed by CRT. These tactics proved effective, as the bill passed with the only qualifying amendment being the aforementioned one that specifically allows teaching historical examples of white supremacy.

TPPF was the only group that was known to hire lobbyists since they have a monopoly over lobbying in the Texas state legislature. They are a well-established group with direct connections to the Texas GOP, with former Republican staffers and party officials leaving careers in public service for jobs with higher, private sector salaries at TPPF. They do not leave for other firms, simply because any that exist do not hold the same clout or present the same financial opportunity as TPPF does.

This phenomenon supports the hypothesis of this paper, which is based on the marxist understanding of capital as a social relation which the bourgeoisie seek to maintain by capturing the political process through their outsized wealth. Another marxist concept which ties into this hypothesis is the tendency towards monopolization. Marx noted that industries will consolidate into monopolies for two primary reasons. The first of these is more technical. He writes that industries will monopolize in an effort to prolong the tendency of the rate of profit to fall. Marx noted that over time, firms could not sustain limitless growth that capitalism holds as foundational to its practice. To forestall bankruptcy and economic collapse, firms will consolidate in an effort to continue expansion (Marx and Engels 1998). The second reason relates more directly to this research. Marx argued that industries would monopolize to eliminate competition in the search of further profit, thus centralizing economic production and becoming more efficient in their exertion of power over wider society.

As the data from Texas illustrate, TPPF has monopolized the government relations industry in the state, which streamlines the control the capitalist class can exert over the government. There is no more competition. Conservative donors just go to TPPF which then uses lobbyists to permeate the statehouse with the policy of the donor's choice. In this environment, the ultimate purpose of lobbying as a social institution becomes clear. There is no pluralist competition, only the social network of the professional political class which the capitalist class alone can afford to access.

Having mentioned pluralism, another phenomena was noted in Texas since the passage of the law which undermines this understanding of lobbying. Despite the aforementioned carveout in the law, which allows teachers to discuss white supremacist organization in a historical context, teachers in Texas are experiencing a chilling effect on their speech within classrooms.

This same effect was noted in Virginia, but not nearly to the same extent since Virginia's anti-CRT action is currently implemented via executive order, which does not carry the same weight as passed legislation (Richman and Donaldson 2022). Accordingly, this law has directly undermined the norms which scholars in the liberal, pluralistic tradition and proponents of the lobbying industry as a method of petitioning the government cite as benefits and even necessities for its continuity. Rather than risk a lawsuit from parents or even large monied organizations with the fiscal abilities to protract litigation, teachers have either individually elected or been instructed from their school district or other educational institution to altogether cut from their curricula lessons on race and racism that are not obviously and explicitly protected in the law's cutout (Cao 2022).

Scholars who promote the virtues of lobbying as a social institution which can promote the liberal ideals of freedom of speech and expression would no doubt decry the chilling effect on speech, in an educational context no less, that this legislation was designed to elicit. However, they must reckon with the fact that the profit motive, which lobbying fundamentally operates on, does not take into account the socio-political virtues that provide the ideological foundations for its support. In other words, the industry seeks to generate profit, not promote the liberal values which underpin its existence from a legal perspective.

The outcomes of the Texas law and utilization of lobbying to ensure its passage without much alteration from the original Republican proposal validates this paper's hypothesis; that lobbying benefits the interests of the capitalist class, and thus will disproportionately maintain the epistemology of ignorance via anti-CRT legislation. In terms of the outcomes of the law, its immediate text furthers the epistemology of ignorance, preventing young students from learning about contemporary racial injustice. Furthermore, it has had a chilling effect which has inhibited

the speech of Texas teachers, even as liberals understand free speech, thus undermining the pluralistic interpretation of the benefits of lobbying. Finally, the lobbying industry limited the influence which marginalized populations can exert over state politics in Texas. Teachers and people of color did not have a redress of their grievances before elected representatives regarding the construction of this law. They did not hold sway as they could not afford the price tag of TPPF, a professionalized political organization which has monopolized the lobbying industry in Texas rather than a grassroots organization.

#### Maine

The Maine First Project (MFP) lobbied for the passage of anti-CRT legislation within the state of Maine, as the name suggests. Led by former Maine State Representative, Republican Larry Lockman, the group is registered with the IRS as a 501(c)(4), like the advocacy groups from Texas and Virginia that have lobbied for anti-CRT legislation (Schwartz 2021). However, its efforts did prove unsuccessful as the Maine state legislature killed the CRT ban.

MFP illustrates the epitome of the so-called revolving door, its relationship with lobbying and the construction of the aforementioned professional political class. The revolving door allows former government workers, most commonly Congressional staffers, to leave the public sector and enter the private sector to sell their connections to the highest bidder. This concept has been alluded to or explained previously in this paper, but a full explanation and analysis is warranted here due to MFP's exemplification of this concept. As a former State Representative, Lockman has intimate knowledge of the networks, power dynamics, and key political players in Augusta necessary to pass legislation. This knowledge and access to these powerful individuals is very valuable and easily commodified for a high price. This dynamic leads to the reinforcement of the professional political class since only people who have access to these

political networks can sell these connections. It gate-keeps access to political influence behind not only a paywall, but social inclusion within the top stratum of the political hierarchy. Monied conservative institutions that form the donor base within the right wing political machine can afford to buy their way into these social networks.

However, not only are marginalized populations not able to afford to buy lobbyists due to long standing economic exploitation, but they are also disadvantaged to try and work their way into a position of political prominence. Even if individual people of color did achieve positions of prominence within Congress or state legislatures and deliberately chose to advocate for marginalized populations, they cannot individually combat the onslaught of money that the conservative political machine has behind it. This dynamic provides support for this paper's hypothesis as opposed to the liberal pluralist hypothesis as the professional political class and revolving door do not equitably benefit all social classes and allow them to petition the government from equal footing.

Another interest group active in pushing for a CRT ban in Maine was the organization No Left Turn in Education. Rather than lobbying, No Left Turn took a litigative approach to advocating for a CRT ban. They were known for filing discrimination suits in multiple Maine school districts, most notably in Cumberland. These suits alleged that various aspects of the curricula which discussed racial inequality, especially within a modern context, violated the civil rights act and were discriminatory against white people. By doing so, their explicit goal was to establish judicial precedent in Maine state courts that prevented the teaching of CRT (Kingkade et al. 2021).

This approach, much like the ban in place via executive order and legislation moving in Virginia and the legislative ban passed in Texas, this judicial approach had a chilling effect

within Maine public schools. According to an NBC news interview with Cumberland school district Superintendent Jeff Porter, other districts were afraid of being blindsided by an expensive lawsuit that could drag out for years or end in a hefty settlement on top of all the legal fees. Accordingly, many teachers have already decided individually to back off of teaching about systemic inequality in modern America, the topic which has earned the attention of No Left Turn.

Furthermore, No Left Turn has connections to the broader conservative movement, indicating that the organization is not a grassroots coalition of ordinary Americans, as they along with other anti-CRT activists groups frame themselves as. Rather, they are deeply ingrained within the political right, advocating outcomes that would be beneficial to their political movement and donor base. For examples of noteworthy individuals, one can look to No Left Turn's board of directors as advertised on their website and finds the following: Board Chairman Christopher Bakes, a notable conservative litigator who has impressive credentials, including arguing before the Ninth Federal Circuit Court and Supreme Court; Board Member David Clarke, the former sheriff of Milwaukee County, liaison with the US Attorney's Office, and, as a current conservative pundit, frequent commentator on Fox News; and Board Member Sharon Slater-, the Chair of the UN Family Rights Caucus, which is not a formal group in the UN general assembly but rather lobbies for anti-queer measures at the UN.

As previously stated, the chilling effect of No Left Turn's litigative approach to anti-CRT activism undermines the process-oriented liberal understanding of freedom of speech in relation to lobbying and activism. Once such scholars and institutions accept that outcomes in relation to social structure are unimportant, allowing the wealthy to exercise speech disproportionately due

to the perceived infringement on first amendment protections, they will use their disproportionate ability to infringe upon the speech of socially opposing classes.

The ability for teachers to freely speak in classrooms and teach material that is factually accurate is infringed upon by the influence of money through both lobbying and litigation in Maine. Furthermore, although lobbying and litigation were not successful these methods were utilized by the conservative movement and associated monied interests in an effort to further the epistemology of ignorance. The liberal pluralist understanding of lobbying did not bear fruit due to the demonstration of the revolving door phenomenon, connections of activist organizations to the conservative movement, reinforcement of a professional political class, and the chilling effect on speech that anti-CRT activism has caused in Maine. These data undermine the liberal pluralist point of view since ordinary people were not voicing their concerns and seeking a redress of their grievances from the government. Rather, the right wing was able to take advantage of their economic resources to buy access to Maine's professional political class and take advantage of connections that marginalized Mainers were not able to. Lobbying, and its judicial equivalent, did not serve as an equally accessible tool for all social groups.

Only through a strong Democratic coalition, which controlled both houses of the state legislature and Governors seat, was the bill able to be thwarted and the epistemology of ignorance was not furthered (Maine Bureau of Corporations Elections and Commissions 2020). Lobbying likely did not prove effective in Maine due to the deep political divides in the state. Progressives dominate the Democratic majority in the state, coming from deep blue coastal districts (Carrigan 2022). Republicans needed to swing votes in order to get their bill passed, and even then it could have been vetoed, but were not able to likely because this issue is a particularly conservative niche issue. By that I mean that there's no room to carve out a

bipartisan model for this legislation which addresses concerns that both parties would have because any concerns raised are exclusively a right-wing phenomenon.

#### -CONCLUSION-

### **Theoretical Takeaways**

The phrase "lobbying is legalized corruption," which has served as the slogan of various movements to reform the relationship of money in politics, may at first seem simplistic or reductive. This is the argument of the liberal pluralists, who point to their understanding of money as an expression of speech which cannot be infringed upon due to first amendment rights. However, the data collected throughout the course of this research have illustrated the negative social externalities that this liberal pluralist reasoning has created. Specifically in this paper, the ability of marginalized communities to express their first amendment rights and reinforcement of the epistemology of ignorance as a result of the monied conservative political machine lobbying for anti-CRT legislation.

The data have demonstrated that lobbying by and large serves the bourgeois and other powerful classes of American society. Lobbying was the primary method of activism utilized by dark money (also known as soft money by those in the industry) organizations. These groups have been created through the majority opinion in Citizens United v. FEC and the current reporting requirements of 501(c) organizations, which themselves are created both bureaucratically within the IRS and via legislation. The groups have strong ties to the conservative political machine, as illustrated by the former high-level political positions of their leadership, and in the case of Texas, complete monopolization over the conservative lobbying industry. Due to their strong ties with the right-wing political network and reporting requirements

codified in Supreme Court jurisprudence and law, the interest groups can collect unlimited amounts of money from undisclosed sources. There is a vast network of these organizations through which the conservative movement can donate its relatively unlimited financial resources on any given public policy issue.

This illustration of the dynamics surrounding funding of interest groups that have lobbied state legislatures has led to the conclusion that these organizations are well integrated into the conservative political movement. Rather than grassroots organizations of regular individuals pooling resources to petition the government, they are a natural consequence of a political system which allows the wealthy to use their disproportionate economic power to effect the policy making process. Accordingly, these organizations exhibit stark biases to upholding a hierarchical class based society. Their very survival is premised upon the existence of economic hierarchy. Their sources of funding and leadership which they sit atop this social hierarchy, so they have a direct interest in maintaining this system of affairs. This notion of class and hierarchy maintenance does not only refer to economic class. As demonstrated in the literature review, primarily by Mills and Rodriguez, a class based society reflects the capitalist base of production in all aspects of its construction. Socially constructed racial hierarchies are, on a fundamental level, no different as they exist for the exploitation of one class for the material benefit of another. Accordingly, lobbying firms have worked disproportionately to advance the interests of white supremacy. As a firm in a capitalist economy, they exist to make a profit by meeting the demands of a given market. And similar to all other markets, the actors with outsized ability to skyrocket demand, by outbidding others for a given service do so owing to their staggering financial resources.

As illustrated through the data, particularly in the cases of Virginia and Texas, monied interests chose to back anti-CRT legislation by way of hiring lobbyists to push their message in statehouses. These groups utilizing lobbying have disproportionately represented these well funded, right-wing interest groups rather than ones pushing against CRT bans and for a curriculum that allows teachers to discuss histories of racial inequality in the United States. Facing History is the only outside interest group that has lobbied in any of the state houses studied in this research (Moyer & Ashbury 2022).

The primary opposition to these groups has come from grassroots activism or already existing political coalitions within statehouses. The marginalized and poorer communities affected by this legislation do not have the financial resources to form formal interest groups and hire lobbyists. They must rely on their own voices and elected representatives to push back against legislation. However, as was the case in Texas, their representatives simply did not have the votes to kill the legislation. And, contrary to the liberal pluralist narrative, no data illustrated that voices of individuals or the social groups they comprise were effective in affecting legislation.

As the one example of lobbying utilized by the ant-CRT ban bloc, Facing History was an already well-established education non-profit. Their focus did not have to do with racial inequality in America, but rather focused on education on the Holocaust and other genocides. They had engaged in lobbying with Cogent before to push for these educational goals in Virginia and felt obliged to utilize this prior connection to pivot to combatting the anti-CRT legislation. This illustrates that no groups exclusively dedicated to combating anti-CRT legislation developed during this discourse. On the other hand, many groups in favor of banning CRT mobilized quickly. The likely reason for this disparity also lies within economic inequality that

underpins the success of the right within the lobbying industry. The conservative political machine, controlling this political debate, pushed resources rapidly into this novel public policy issue, while groups such as teachers and people of color could not. If marginalized communities could eventually pool their resources to utilize lobbyists, it would not be until for a much longer time. Their counterparts in this debate are well ingrained within the conservative movement, taking advantage of the professional political class, which inherently benefits the right wing due to its position atop political and economic hierarchies.

The liberal, legalistic interpretation of lobbying fails to justify the dynamics illustrated in the data collection. The voices of the less powerful are drowned out, thus suppressing their speech over the voices of the powerful. They were not able to utilize their right to petition the government as there was only one organization found in the three case studies to have lobbied against a CRT ban. This disproportionate ability to access the most effective means to petition the government undermines the liberal pluralist competing hypothesis. Furthermore, the relative power and influential capability interest groups operating in the Virginia CRT debate also contradicts the claims of liberal pluralists that interest groups compete for attention from the government through lobbying on relatively equal footing. On the contrary, monied hierarchical interests have undue influence which cannot be competed with in the halls of governance. This reality also affirms the marxist hypothesis of this paper. The data have illustrated that money equates to political power in America. Furthermore, the interests of monied institutions align with the conservative movement in regards to its stance on CRT bans since economic hierarchy underpins systemic white supremacy

Also worth noting is *how* the epistemology of ignorance works within Virginia and Texas classrooms with their anti-CRT restrictions in place. I will address the impacts on the visible

curriculum first and then the hidden curriculum. As noted in the data collection section, these laws draw false equivalencies between modern white supremacy and racial justice movements. They instruct teachers that, if subjects involving race and racism, especially in the modern era, must be talked about, then it should be framed in an objective and non-political way. However, these subjects are inherently political as they involve the dispersion of power within our society. Forcing teachers to not apply political and moral lenses to these phenomena frames them as ethically equal positions that can be taken. These laws render lessons and conversations on racism and white supremacy devoid of the appropriate context and moral weight. Accordingly, they directly create a classroom dynamic that explicitly teaches students that white supremacy is a political position worth equal consideration to racial justice. This is not hidden, implied, or unintended, but within the immediate text of CRT bans.

However, the aforementioned effects are only consequences of the primary and curriculum in education. The hidden curriculum is also greatly affected by the epistemology of ignorance, possibly to an even greater extent than the primary curriculum. As noted by Texas teachers in the data collection section, this policy will result in undereducated students. They will not have as much familiarity with the histories of race and racism than those merely a few years older than themselves. What conclusion can be drawn from this reality besides that the point of this legislation is to create less informed students who winge at mentions of racial justice and inequality? The data collected certainly do not illustrate a targeted and surgical construction of the law only designed to prevent education on one topic that parents have legitimate grievances about. Rather, as previously discussed, the data paint a picture of the confluence of economic and race-based power and their influence over the political process.

The ultimate desired outcome of the epistemology of ignorance, with regards to white students in particular, is to create a population actively resistant to racial justice due to their unwillingness to educate themselves. Its effects in the hidden curriculum are certainly seen here. On the other hand, black students and other students of color will also learn lessons from the new hidden curricula within states with CRT bans. They will learn that they are out of place if they were to discuss their own systemic oppression or bring up examples of interpersonal discrimination. The state government itself has weighed in and decided such matters are not appropriate for the classroom, so students of color will likely stay more silent on matters of racial injustice compared to their counterparts in states without CRT bans.

The data collected in this paper, specifically in relation to the observed chilling effect on the freedom of speech, reflects the social dynamics outlined by philosopher Karl Popper in his thought experiment known as the paradox of tolerance in his 1945 book *The Open Society and its Enemies*. In this thought experiment, Popper imagined a hypothetical society which extended limitless tolerance to all individuals regardless of political ideology or social background. He posited that the tolerance of this society would eventually be destroyed by the politically intolerant, who do not operate by the same standards of political norms. Accordingly, Popper articulated the intolerant would use authoritarian action to eventually root out tolerance towards social groups they seek to oppress and exploit. As a consequence Popper posits, paradoxically, that a truly society seeking to preserve the value of tolerance must act intolerantly towards the intolerant.

Drawing connections back to the circumstances researched in this paper, at present, the legal system allows the wealthy to use their economic power to drown out the voices of the marginalized, subverting the latter group's ability to exercise their first amendment right to

petition the government. If liberal pluralists truly seek to preserve the enlightenment value of freedom of speech, they must readjust to account for the influence the wealthy can exert over the political process. They must be intolerant of disproportionate speech if they wish to preserve speech for all. Policy action to bring about this outcome is outlined and discussed in the policy recommendations section below.

# **Policy Recommendations**

The information detailed above paints a nihilistic picture of the country's future regarding the involvement of money in politics, the disproportionate control of the bourgeois over political outcomes in the United States, the ability for marginalized communities (especially people of color) to exercise control over the political system, and the pursuit of racial justice in America. The data in this paper affirm not only its marxist hypothesis, but a foundational marxist principle: that capitalism and democracy are antagonistic social institutions.

Democracy seeks to provide networks of accountability that the public can utilize to hold political power, despite not having a position of authority themselves. Ultimately, it seeks to minimize political hierarchy. Capitalism, on the other hand, is a system defined by a hierarchical social relationship between owner and worker. It is economic authoritarianism where those at the bottom of the hierarchy do not have networks of accountability to call upon, like the citizenry do within a democratic political system. That is at least until the bourgeoisie extend their economic power into the sphere of government to maintain the capitalist hierarchy and pursue the limitless growth necessitated by the profit motive, at which point political participation has become but another commodity which the wealthy also own and have control over.

Solutions to this problem are long-term and beyond the scope of this paper. And despite the hurdles to short term reform, Congress and the bureaucracy could take legislative action to address and flatten the systems of hierarchy detailed throughout this research. This action will be difficult. The professional political class, the capitalist class, and all other institutions atop the American socioeconomic hierarchy will resist this change. As this paper details, they exert immediate and direct influence on legislators to a degree that ordinary and marginalized citizens cannot.

A relatively niche and bureaucratic solution would be for the IRS to restructure the 501(c) classifications and requirements. First and foremost, they should require public disclosure of the natural persons and the corporations behind donations to all 501(c)(4) political organizations which operate in the United States, else have their tax-exempt status be revoked. The IRS has the power to take this bureaucratic action without a specific Congressional mandate (Brown & Caughlin 2009). This would, at the very least, bring part of the shadowy world that is political financing out into the light for public scrutiny. However, one could not read the contents of this paper and come away believing in the liberal notion, first posited by Supreme Court Justice Louis Brandeis, that "sunlight is the best disinfectant." To take this idea to heart would require belief in the aforementioned free marketplace of ideas, which this paper has illustrated does not exist when monied voices can buy greater consideration and attention. The recommendation of public disclosure is a necessary but not sufficient one to reforming the lobbying industry. A mere baseline to be built off of, without which the monied class operates in relative secrecy.

Another recommendation would be for congress to pass legislation on the lobbying abilities of 501(c) organizations. This could come in the form of limiting the amount of money non-profits can spend specifically on lobbying in a fiscal year. Congress could also limit the amount individual persons, corporations, and all other entities (with the possible exception of

super PACs due to the Citizens United decision) can donate to 501(c)(4)'s in a fiscal year. This would cut down on the lobbying activity of the upper class and stop the unmitigated flow of money from political machines

Congress could also pass legislation that would stop the revolving door from the public sector through to government relations positions in the private sector. As previously discussed, part of the underlying foundations of the lobbying industry is the ability of political elites and those with connections to the politically powerful to sell their network to the highest bidder. There are two ways to mitigate this phenomena that work best in concert together. One of these would be preventing former government employees from entering government relations positions for a certain amount of years and imposing a review process to ensure any job they hold after leaving public service does not allow them to take advantage of their professional connections to the detriment of lower classes who wish to petition the government for a redress of their grievances, since they cannot financially compete with the money flowing through the donor base of the Republican party.

The second policy would be to legislate universal term limits in Congress. Preventing stagnation in Congress and keeping new figures moving through both chambers at a rate much higher than now, when the career politician has become the norm, would break up the professional networks that have become etched in stone in contemporary politics. Both of these policies would also serve a broader purpose of flattening the social hierarchy surrounding politics. These policies would limit the power of the professional political class, ensuring people who were powerful in government cannot extend their power to the private sector. These policies would allow more people to participate in governance on a regular basis. This would break open the strict confines and barriers of the professional political class and end the norm of individuals

ossifying in the halls of power, becoming an institution in and of themselves around which social networks form and can be taken advantage of by lobbyists, former staffers, or even elected officials.

The tallest task (not to say achieving any of the aforementioned policy actions would be easy), but one which would directly address the root causes of the issues seen throughout this paper, would be a constitutional amendment to overturn Citizens United v. FEC and drastically restructure campaign financing at the federal level. A supermajority of Americans, 75% in fact, would support a Constitutional amendment overturning the Citizens United decision (Balcerzak 2018). In an age of political polarization, such levels of unanimity are almost unheard of. This decisive percent of Americans supporting the creation of this hypothetical amendment indicates not just a political will with more than enough popular support to drive an amendment through the incredibly arduous hurdles of the Amendment process, but arguably a suggests our elected officials have a mandate to do so. Such an amendment ought to wholesale prevent political machines and their private sector extensions from engaging in lobbying and campaign finance.

The fact of the matter is that Americans do have a constitutionally protected right to have a redress of their grievances before the government. However, the outsized influence of the bourgeoisie has constructed a landscape wherein their money buys them the most direct and disproportionately strong ability to petition elected officials. The systems which privilege the voices of the wealthy minimize the ability of marginalized groups to express their constitutional rights. So even if all Americans truly could petition the government, the choir of voices vying for attention would sing with a distinct upper class accent.

Additionally, due to the political interests of the capitalist class, these incentive structures also have a direct chilling effect on these same underprivileged populations, as seen in the field

of education throughout this research paper, which directly undermines even the liberal's understanding of freedom of speech. As this research has borne out, the bourgeoisie do not limit the exercise of their influence to strictly economic concerns, but continue to lobby for the reinforcement of systemic white supremacy for the underlying purpose of the economic exploitation of people of color.

Bringing about a more just system of governance and excising money from politics will require an incredible amount of work. But the popular will to do so exists. Americans are unified on this issue, if on nothing else. Reform on this particular public policy issue would make future political struggles to remedy social injustices beyond those discussed in this paper markedly easier.

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