1. The issue is that the state of Colorado was violating the 14th amendment by favoring contractors of another race (not white) and gender when giving out contracts. This was deemed unconstitutional by Adarand.
2. The affirmative action program had to meet the requirements of the strict scrutiny test. So Colorado would have to provide sufficient evidence showing a compelling interest in the matter and evidence that it’s focusing on a narrower area.
3. I think that is was correct. The US likes to appear more diverse and gender aware but they forget that they may be hurting others in the process as well. When I lived in Bolivia, the country would always help and give favor to its citizens over foreigners in situations such as owning land to work on so why does the US always try to help foreigners over its citizens?
4. Scalia argued that the government shouldn’t try to remedy the wrong doings and discriminations of the past because this would contribute to the reinforcement of mischief and hatred. He stated his reason for this is that in the eyes of the government we are all one race, American. The others argued that being more diverse and helping races that are non-white was remedying the issue of racism and if not so then we were contributing to the white man establishing their dominance. I agree with Judge Scalia, I think by favoring different races and genders we are promoting a more resentful society.
5. I believe this was necessary and in their situation because there were more minority help companies than there were white-man held companies that specialized in that type of work. Adarand wouldn’t stand a chance at winning any contracts unless they placed their bids exactly 10 to 11 thousand lower than other bids so that companies like Mountain Gravel & Construction Company wouldn’t be tempted to give contracts and make the bonus money at the same time. Consider that if Adarand bid even lower than 10 to 11 thousand, they would be excluded for being way under the budget or just wouldn’t make any money.
6. I don’t believe so. They might pass the first requirement of the strict scrutiny test but I believe they will fail the second requirement. Which is providing evidence of a narrow focus such as a specific race or gender that is particularly being treated unfairly.