1. A major throughline of the course is our “colorblind constitution.” Justice Harlan argues that the constitution is colorblind and that legislation must also be colorblind. Gotanda argues that there is no possible way for the constitution to be colorblind because race is a fundamental building block of the American legal system. Affirmative action cases are where the debate over a colorblind constitution is most apparent.

**Do you agree with Harlan’s statement that our constitution is colorblind?** Your paper should take a clear position, trace the use of colorblindness in civil rights litigation, and cover the major players in the colorblind debate. Attending to whether colorblindness helps or hinders the progress of civil rights is also important.