

TOEFL Junior : Reading Comprehension Test 18

Read the passage . 60 - 100 minutes

The US Constitution

Two fundamental rights in the US constitution are found in the fourteenth amendment: due process and equal protection.

The due process provision protects persons from being "deprived of life, liberty, or property, without due process of law" and the provision goes on to give the steps that must be followed to make sure the process is "fundamentally fair." A process is considered to be fundamentally fair if there has been due notice, a hearing, an unbiased fact finder, the opportunity to present evidence and to cross examine witnesses, and the right of appeal.

Under the equal protection provision, no person may be denied equal protection under the laws. "Equal protection does not prohibit all differences in the way people are treated, but it requires that these differences be reasonable. For cases involving the control of various businesses, and for ordinary cases, equal protection is fairly loose. However, when classifications such as race, religion, or national minorities are involved, then the equal protection is enforced much more strictly. This is also true when basic rights are involved: basic rights are voting, marriage, privacy, access to a court if one is needed, and travel between the states. In these cases, the right of the government to treat people differently under the law is extremely limited.

Due process and equal protection apply both to individuals and to businesses. Although businesses may seem to be different from individuals, the law generally treats a registered business as a person.

1. What is the subject of this passage?

- a. civil liberties
- b. the due process
- c. equal protection
- d. American basic rights

2. "Due process of law" signifies-

- a. that nothing illegal has been done
- b. that it is time for the law to be processed
- c. that the law has been properly applied
- d. that no one has been deprived of their life or liberty

3. For a process to be "fundamentally fair" there must have been

- a. a trial with a judge and jury
- b. an opportunity to present the evidence
- c. an opportunity to question the evidence which has been presented
- d. both b and c

4. According to the text, you cannot suffer a legal penalty if

- a. you have not been informed that there is a case against you
- b. you are to be deprived of your liberty
- c. the case involves basic rights
- d. you are not involved with marriage, voting, or minorities

5. "Equal protection" means

- a. that the constitution has been amended
- b. that businesses and people are treated the same
- c. that due process of law is sometimes amended
- d. that everybody is entitled to the same protection under the law

6. Protection does not have to be exactly equal if

- a. nobody has complained to the court
- b. the cases do not involve sensitive issues
- c. the cases only involve business
- d. you are not traveling between the states

7. In the eyes of the law businesses are considered

- a. to be organized differently
- b. to be the same as people
- c. not to be involved in due process
- d. a part of the fourteenth amendment

8. Where would you find this text?

- a. a magazine article
- b. a mystery story
- c. a book of American history
- d. a legal textbook

Answers and Explanations

1. D
2. C
3. D
4. A
5. D
6. B
7. B
8. D