國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班　　　　　　　　科目：英文

考試時間：100分鐘　　　　　　　　　　本科原始成績滿分 100分

所有答案請寫在答案卷，答案請每五題寫在一行，如下列所示：
1.AJ 2.AJ 3.BJ 4.BJ 5.B
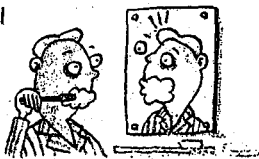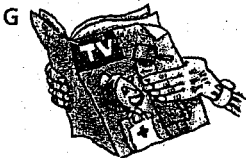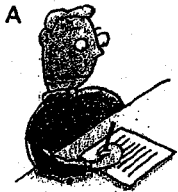6.C 7.C 8.D 9.D 10.D

All answers must be written on the answer sheet; write answers to five questions in each row, for example:
1 AJ 2 AJ 3 BJ 4 BJ 5 B
6 C 7 C 8 D 9 D 10 D

I. Questions 1 to 4. Read the stories of identical twins and match names with pictures (there are two pictures/answers for each pair of twins).

1. Tony and Roger (　　　)
2. Jerry and Mark (　　　)
3. Paula and Kitty (　　　)
4. Oscar and Jack (　　　)

Do you know any identical twins? Identical twins look the same, and they often do the same things – wear the same clothes, listen to the same music, eat the same food, and even do the same jobs.

But why? Because they're twins? Or because they grow up together in the same family?

Well, here are some twins who *didn't* grow up together. They went to live in different families when they were babies, and they met for the first time when they were adults.

● Tony and Roger met when they were 24. They both use the same after-shave, smoke the same cigarettes and use the same kind of toothpaste. And they both hold a pen in the same, unusual way.

● Tina and Jane were 36 when they first met. They wear seven rings on their fingers. One has a son called Andrew Richard, and the other has a son called Richard Andrew.

● Jerry and Mark are 40. They both have big moustaches, and wear the same kind of glasses. They're both electricians, and in their free time they work as firefighters.

● Paula is 26. After she met her twin Kitty for the first time, she sent her a birthday present. When she opened her own birthday present from Kitty, it was exactly the same thing.

● Oscar and Jack met when they were 65. They both read magazines from the back to the front, and when they're in a lift, they like to frighten the other people by sneezing loudly.

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班　　　　　　　　科目：英文
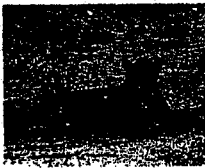
考試時間：100分鐘　　　　　　　　　　　本科原始成績滿分 100 分

II. Questions 5 to 10. Look at the list of TV programmes and choose the correct channel for each question.

5. Is there any quiz show about music tonight? Channel (　　)
6. Which Channel is the best for news? Channel (　)
7. Is there any football on this evening? Channel (　)
8. I'd like to watch cartoon. Channel (　)
9. I want to watch a good documentary about the internet. Channel (　)
10. I like romance tonight, but not the soaps, they are too short. Channel (　)

A

6.00 News, weather
6.30 Sports news
6.45 Today. The main stories behind the news.
7.30 Focus: *The World Wide Web.* How is the Internet changing our lives?
8.30 Wildlife on One. The lions of the Sahara.

9.00 News, weather
9.15 Business week

B

6.00 Dancing shoes (1942). Fred Astaire and Ginger Rogers star in this romantic musical.

7.45 News round-up
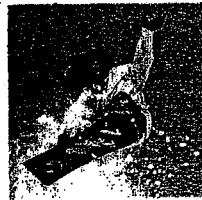**8.15 True Grit** (1969). Western starring John Wayne.

C

6.00 The boys next door. Comedy series.
6.30 Detective! *Who shot the pianist?* Another murder mystery for Inspector Wallis.
7.30 That's the question. Quiz show with Matt Murphey.
8.00 News
8.15 My first billion. Interviews with very rich people. This week: Bill Gates.
9.00 Downtown. Jill falls in love – and Rod has a problem.
9.30 Streetlife. More soap from the City. Will Sue and Trev get back together?

D

6.00 Football, live from Milan.
8.00 Formula 1 motor-racing. All the latest news from Tokyo.
8.30 X-treme sports: Skateboarding and snowboarding.

9.00 Sports news
9.15 Rocky 2 (1983) Sylvester Stallone stars as boxing hero Rocky Marciano.

E

6.00 Cartoon time. American cartoons.
7.00 Top of the Charts. This week's top 40.
7.30 Band of the week: The Morgs in Concert.

9.00 News
9.05 Play it again, Sam! Music quiz. This week's guest is Susan Shields.

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班　　　　　　　　　科目：英文

考試時間：100 分鐘　　　　　　　　　　本科原始成績滿分 100 分

III. Questions 11 to 20. Choose the answer that best completes the sentence:

11. Not only _____ places of beauty, they serve scientific and educational purposes as well.
A) botanical gardens to be　B) are botanical gardens　C) botanical gardens　D) to be botanical gardens.

12. In 1791 Quebec was divided into two sections, Upper Canada and Lower Canada, _____ were ruled by elected assemblies.
A) in which both　B) both of them　C) they both　D) both of which

13. In Michigan, _____ over six hundred feet deep
A) salt deposits　B) where salt deposits are　C) having salt deposits　D) there are salt deposits

14. The melting point is the temperature _____ a solid changes to a liquid.
A) which　B) on which　C) at which　D) to which

15. _____ rises to the surface of the Earth, a volcano is formed.
A) Liquid magma　B) whenever liquid magma　C) liquid magma, which　D) That liquid magma

16. _____ by the _____ graduation requirements, the student diligently prepared for the upcoming examination.
A) Dissuaded . . . negligible
B) Persuaded . . . acrimonious
C) Undaunted . . . stringent
D) Aghast . . . bizarre

17. Because of his _____ record of lying to police, the suspect was regarded as a(n) _____ criminal.
A) irascible . . . disputatious
B) straight . . . incorrigible
C) circuitous . . . insipid
D) inveterate . . . habitual

18. Philosophers tell us that one's lifetime is _____ when considered from the viewpoint of _____ making humans appear much less important than they think in the grand scheme of things.
A) laudatory . . . prestidigitation
B) jaded . . . youth
C) ephemeral . . . eternity
D) gauche . . . theology

19. Some experts think that the origin of schizophrenia is _____; others believe it is _____.
A) contiguous . . . environmental
B) congenital . . . environmental
C) contagious . . . pathological
D) exogenous . . . celestial

20. Can you believe that I won the photo contest with the _____ of the two pictures that was most _____, even though I only tried to hang them where there were nails.
A) sophistry . . . hallow
B) juxtaposition . . . aesthetic
C) trappings . . . romantic
D) corollary . . . extraneous

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班　　　　　　　科目：英文

考試時間：100 分鐘　　　　　　　　本科原始成績滿分 100 分

IV. Questions 21 to 30.　Read the following passages and choose the best answer for each question

For most modern airport, the major design problem is scale—how to allow adequate space on the ground for maneuvering wide-body jets while permitting convenient and rapid movement of passengers departing, arriving, or transferring from one flight to another.

Most designs for airport terminals take one of four approaches. In the linear plan, the building may be straight or curved. The passengers board aircraft parked next to the terminal. This plan works well for small airports that need to provide boarding areas for only a few aircraft at a time.

In the pier plan, narrow corridors or piers extend from a central building. This plan allows many aircraft to park next to the building. However, it creates long walking distances for passengers.

In the satellite plan, passengers board aircraft from small terminals that are separated from the main terminals. Passengers reach the satellites by way of shuttle trains or underground passageways that have shuttle trains or moving sidewalks.

The transporter plan employs some system of transport to move passengers from the terminal building to the aircraft. If buses are used, the passengers must climb a flight of stairs to board the aircraft. If mobile lounges are used, they can link up directly with the aircraft and protect passengers from the weather.

21. It can be inferred that scale would not pose a major design problem at airports if
A) aircraft did not need so much space to maneuver on the ground
B) airports are larger
C) airplanes could fly faster
D) other forms of transportation were more efficient

22. The passage implies that the term "satellite plan" is used because
A) satellites are launched and tracked from the airport
B) the airport makes use of the most modern, high-technology equipment
C) small terminals encircle the main terminal
D) airports that make use of this plan utilized data from weather satellites

23. It can be inferred that mobile lounges would be more desirable than buses when
A) passengers are in a hurry
B) passengers need to save money
C) passengers need protection from the elements
D) passengers need to travel for a long distance from the terminal to the aircraft

24. The linear plan would probably be best at
A) a busy airport
B) an airport used by many small aircraft
C) an airport that serves a large city
D) an airport with only a few arrivals or departures

Another critical factor that plays a part in susceptibility to colds is age. A study done by the University of Michigan School of Public Health revealed particulars that seem to hold true for the general population. Infants are the most cold-ridden group, averaging more than six colds in their first year. Boys have more colds than girls up to age three. After the age of three, girls are more susceptible than boys, and teenage girls average three colds a year to boy's two.

The general incidence of colds continues to decline into maturity. Elderly people who are in good health have as few as one or two colds annually. One exception is found among people in their twenties, especially women, who show a rise in cold infections, because people in this age group are most likely to have young children. Adults who delay having children until their thirties and forties experience the same sudden increase in cold infections.

The study also found that economics plays an important role. As income increases, the frequency at which colds are reported in the family decreases. Families with the lowest income suffer about a third more colds than families at the highest end. Lower income generally forces people to live in more cramped quarters than those typically occupied by wealthier people, and crowding increases the opportunities for the cold virus to travel from person to person. Low income may also, adversely influence diet. The degree to which poor nutrition affects susceptibility to colds is not yet clearly established, but an inadequate diet is suspected of lowering resistance generally.

25. The paragraph that precedes this passage most probably deals with
A) minor diseases other than cold.
B) the recommended treatment of colds.
C) a factor that affects susceptibility to colds.
D) methods of preventing colds

26. Which of the following is closest in meaning to the word 'particulars' in the first paragraph?
A) minor errors
B) small distinctions
C) individual people
D) specific facts

27. What does the author claim about the study discussed in the passage?
A) It contains many inconsistencies.
B) It is most relevant to children.
C) It contradicts the results of earlier studies in the field.
D) Its results apparently are relevant for the population as a whole.

28. There is information in the second paragraph of the passage to support which of the following conclusions?
A) Men are more susceptible to colds than women.
B) Children infect their parents with cold.
C) Infant boys is the most likely group to catch colds.
D) People who don't have children are more susceptible to colds than those do.

29. Find a best place to insert the following sentence into paragraph three:
"Low income may also have an adverse effect on diet."
The study also found that economics plays an important role. A) As income increases, the frequency at which colds are reported in the family decreases. B) Families with the lowest income suffer about a third more colds than families at the highest end. C) Lower income generally forces people to live in more cramped quarters than those typically occupied by wealthier people, and crowding increases the opportunities for the cold virus to travel from person to person. Low income may also, adversely influence diet. D) The degree to which poor nutrition affects susceptibility to colds is not yet clearly established, but an inadequate diet is suspected of lowering resistance generally.

30. The author's tone in this passage could best be described as
A) neutral and objective
B) tentative but interested
C) humorous
D) highly scientific and critical

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班　　　　　　　　　　科目：憲法

考試時間：100分鐘　　　　　　　　　　　　本科原始成績滿分100分

一、 由於第五屆立法委員任期屆滿改選，前行政院游院長日前遂率內閣向總統提出總辭。試從我國憲法現行之政體設計與規範角度出發，評析行政院院長提出總辭是否具有法理上之正當性？（25%）

二、 試從司法院大法官歷年解釋之觀點，論述立法院調查權之內涵與演變，並評析大法官之見解是否符合我國憲法規範之精神。（25%）

三、 行政院衛生署為防治後天免疫缺乏症候群（AIDS）之傳染與擴散，遂比照道路交通管理處罰條例第三十七條第一項之規定，於現行後天免疫缺乏症候群防治條例中增列「後天免疫缺乏症候群感染者不得辦理營業小客車駕駛人職業登記」之特別規定，以杜絕乘客受傳染之可能性。試為行政院衛生署所提之法律修正草案，評估其合憲性。（25%）

四、 大法官釋字第五七七號解釋謂：「於菸品容器上應為上述之一定標示，縱屬對菸品業者財產權有所限制，但該項標示因攸關國民健康，乃菸品財產權所具有之社會義務，且所受限制尚屬輕微，未逾越社會義務所應忍受之範圍，與憲法保障人民財產權之規定，並無違背。」今假設國家對於人民所有權之限制係屬重大，已逾越社會義務所應忍受之範圍，試問國家之此等限制在憲法所有權保障之面向上，應如何評價？（25%）

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班　　　　科目：　政治學

考試時間：100分鐘　　　　　　　本科原始成績滿分100分

一、「國家」與「政府」兩個詞彙可否相互替代，交換使用？請申述之。(20%)

二、何謂「正當性」(Legitimacy)？民主國家「政府」統治的正當性基礎何在？
　　請申述之。(20%)

三、政黨、文官集團、工會(指公私企業員工之結社，如台塑員工工會、郵政
　　工會)、協會(如教師協會)、公會(如律師公會、醫師公會)、新聞媒體、專
　　業社群(如行政法學會、公共事務協會)、企業家(如張忠謀、王永慶、殷
　　琪)、地方政府、個人等，在民主政治系統中所代表的意義與功能為何？
　　請分類申述之。(30%)

四、請闡述下列詞彙或人名的內涵或所代表的意義：(各5%，合計30%)

　　(一) Who Gets What, When, How

　　(二) Participant Political Culture

　　(三) Ideal-type Bureaucracy

　　(四) Incrementalism

　　(五) Semi-Presidential System

　　(六) 薩孟武

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班(政治組)　　科目：比較政府與政治

考試時間：100分鐘　　　　　　　　本科原始成績滿分100分

試務說明：
1. 作答時，請務必清楚地「標記題號」。
2. 可不抄寫題目。
3. 本份考卷分為兩部分，第一部分為「申論題」，共3題。第二部分為「解釋名詞」，共5題。

題目：

一、 1990年代英國、美國與其他國家出現「新左派」，或稱「第三條道路(The Third Way)」的論爭；到了2000年以後，美國出現「新右派」，或稱「新保守主義」(Neoconservatives)的論爭。請問，「新左派」與「新右派」各有那些重要的主張或論述？這些主張或論述對該國政治、經濟、社會或外交等方面的表現，又有那些重要的影響？(25%)

二、 何謂「公民文化」(Civic Culture)？有那些重要的理論或主張？其對比較政治與政府學門的發展，有那些重要的學術貢獻或影響？(25%)

三、 請您從「國家與社會的關係」來分析與比較，多元主義(pluralism)與統合主義(corporatism)的意義，及其在理論上的異同。(25%)

四、 解釋名詞(25%)
1. clientelism
2. authority
3. representative government
4. cohabitation
5. constructive vote of no confidence

國立高雄大學九十四學年度研究所碩士班招生考試試題

系所(組別)：政治法律學系碩士班(公法組)　　　　科目：行政法

考試時間：100分鐘　　　　　　　　　　本科原始成績滿分100分

一、　KTV業者甲為增加使用空間違法破壞原建物之結構，後經九二一大地震，其樑柱出現明顯裂痕，隔壁棟鄰居乙懷疑該KTV建物之主結構已遭破壞，遂向建設局檢舉該KTV為危險建物，可能危及乙的建物安全，請求建設局對KTV業者採取行動；消費者丙亦提出同樣檢舉，深恐其至該KTV消費，身體性命會遭致危險，試問：

　1. 倘建設局於接獲檢舉後，前往檢驗結果，認為該建築物之使用並無違法情事，且安全無虞，遂分別函覆乙、丙所檢舉事項經查證並不成立，試問乙、丙對此一答復可否聲明不服。(10%)

　2. 於建設局作成決定函覆前之行政程序，甲乙丙三人誰可以成為該行政程序之當事人，其法條依據為何？倘乙請求成為行政程序之當事人為建設局拒絕，隨即提起行政救濟，是否合法？(10%)

　3. 倘乙請求建設局命KTV業者強制拆除其建物，但建設局卻只命業者限期改善，乙不服提起行政救濟。試評論乙之行為。(10%)

　4. 倘該KTV建物之所以發生安全問題，係可歸責於建商丁，建設局欲作成強制拆除該建物之處分，丁可否請求成為該行政程序之當事人，陳述意見？(10%)

建築法§77I：「建築物所有人、使用人應維護建築物合法使用與其構造及設備安全」。

建築法§91I：「違反第七十七條第一項、第三項規定者，處建築物所有權人、使用人新台幣六萬元以上三十萬元以下罰鍰，並限期改善或補辦手續，逾期仍未改善或補辦手續者，得連續處罰，並停止其使用。必要時並停止供水、供地或封閉、強制拆除」

二、

　1. 某菸商甲以折扣方式為香菸之促銷廣告，後為主管機關查獲，依菸害防制法命停止販賣六個月。甲由於事實屬實　故並未提起訴願。三個月後政府法令鬆綁，允許菸商以折扣方式促銷香菸，甲於是向處分機關提出請求撤銷該命停止販賣處分，但遭拒絕，試問甲如何請求救濟。(10%)

　2. 倘甲發現該命停止販售之行政處分，係依錯誤之事實認定而作成，係屬違法處分，但由於甲公司內部作業疏失，遲誤訴願期間，因此向處分機關請求撤銷該違法處分，但遭拒絕，遂提起行政救濟，試評論甲之行為。(10%)

三、甲申請設立大型購物中心，主管機關行使裁量權予以核准，但附帶請求甲應提供二千萬回饋金供作社區發展基金，試問：

　(一)、此項附帶要求之性質為何？是否合法？(10%)

　(二)、若甲不服，可否單獨就該附帶要求，提起行政救濟？(15%)

四、甲住家前面之馬路原本可任意停放汽車,不料數日前被劃上紅線禁止停車,甲認為主管機關未給予其陳述意見之機會,即採取是項措施,已違反行政程序法之相關規定,遂提起行政救濟。試評論甲之行為。(15%)