

## 國立高雄大學九十四學年度大學部二年制在職專班招生考試試題

系所組別：法律學系

科目：共同科目（國文）

考試時間：90 分鐘

本科原始成績滿分 100 分

- 一、語言的論述，有其理則才能說服人，請以下文為例，說明左師公（觸讐）如何利用「因果關係」的論述，進行有效的溝通。（26 分）

左師公曰：「今三世以前，至於趙之為趙，趙王之子孫（為）侯者，其繼有在者乎？」曰：「無有。」曰：「微獨趙，諸侯有在者乎？」曰：「老婦不聞也；」「此其近者禍及身，遠者及其子孫，豈人主之子孫，則必不善哉？位尊而無功，奉厚而無勞，而挾重器多也。今媼尊長安君之位，而封之以膏腴之地，多予之重器，而不及今令有功於國。」——《戰國策·觸讐說趙太后》

- 二、所謂「寓言」就是利用故事（言）與現實人物的對應來說明思想或觀念（意），請說明下列寓言中，「言」與「意」的對應關係，並說明莊子所要表達的想法。（30 分）

惠子相梁，莊子往見之。或謂惠子曰：「莊子來，欲代子相。」於是惠子恐，搜於國中三日三夜。莊子往見之，曰：「南方有鳥，其名鵲鵲，子知之乎？夫鵲鵲，發於南海而飛於北海，非梧桐不止，非練實不食，非醴泉不飲。於是鵲得腐鼠，鵲鵲過之，仰而視之曰：『嚇！』今子欲以子之梁國而嚇我邪？」——《莊子·秋水》

- 三、人物形象的刻劃，有時直接以事例呈現，有時運用對比的方事突顯。請以下文為例，請說明文中如和刻劃楊素「驕」與「貴」的形象，以及透過對比的方式突顯李靖的不凡。（30 分）

隋煬帝之幸江都也，命司空楊素守西京。素驕貴，又以時亂，天下之權重望崇者莫我若也，奢貴自奉，禮異人臣。每公卿入言，賓客上謁，未嘗不踞床而見，令美人捧出，侍婢羅列，頗僭於上。末年益甚，無復知所負荷，有扶危持顛之心。

一日，衛公李靖以布衣來謁，獻奇策，素亦踞見之。靖前揖曰：「天下方亂，英雄競起，公以帝室重臣，須以收羅豪傑為心，不宜踞見賓客。」素斂容而起，與語大悅，收其策而退。——〈虬髯客傳〉

- 四、在黃梅調電影「梁山伯與祝英台」中，由老師問經典的文句，學生接下文，請幫下列學生回答問題。（14 分）

老師：子曰：「學而時習之，不亦說乎。」

學生：「【1】，【2】。」

老師：「關關雎鳩，在河之州。」

祝英台：「【3】，【4】。。」

老師：「唯女子與小人為難養也，」

梁山伯：「【5】，【6】。」

老師：子曰：「飽食終日，」

馬文才：「【7】。」（※請幫馬文才回答正確答案）

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系所組別：法律學系

科目：英文

考試時間：90 分鐘

本科原始成績滿分 100 分

All answers must be written on the answer sheet; write answers to five questions in each row, for example:

(1) A (2) A (3) A (4) A (5) A

I. Questions 1 to 5. Choose the answer that best completes the sentence.

4 points for each question

1. Rob is one of those musicians who \_\_\_\_\_ every day.

(A) practice (B) practices

2. The telephone had \_\_\_\_\_ a dozen times before the message machine clicked on.

(A) rang (B) rung

3. What are \_\_\_\_\_ chances of receiving a scholarship?

(A) your (B) you're

4. This examination is \_\_\_\_\_ difficult.

(A) awful (B) awfully

5. On the advice of her \_\_\_\_\_, Mrs. Rand refused to testify.

(A) council (B) counsel

II. Questions 6 to 15. Read the following passages and choose the best answer for each question. 8 points for each question

Dear Mr. Chalmers,

I am writing to apply for the job of Receptionist. I am 25 years old. I left school at 18 and studied for one year at Pitmans Secretarial College, where I got a Diploma. I worked as a secretary in London for four years, including four months as a receptionist for a large company.

At the moment I am working as a receptionist at the Sands Hotel, Brighton. I have been there for the past six months.

I would like to work as a receptionist in your hotel because I enjoy hotel work and I would like the experience of working abroad.

I enclose a photograph and my CV, and I look forward to hearing from you.

Your Sincerely

Penny Wright

6. What position is Penny applying for?  
(A) secretary (B) receptionist (C) hotel manager (D) assistant
7. How much experience does Penny have of office work?  
(A) 3 years (B) 4 years (C) six months (D) four and half years
8. Where does Penny work now?  
(A) Brighton (B) London (C) Paris (D) Pitmans Secretarial College
9. From the passage, we learn that the hotel Penny is applying to may be located in  
(A) London (B) Brighton (C) England (D) another country
10. What is a CV?  
(A) curricula vitae (B) curricula vita (C) curriculum vitae (D) curriculum vita

Jennifer has difficulty sleeping, and she is often depressed. She has reduced her diet to two salads a day and has lost over thirty pounds. She weighs only eighty-two pounds and thinks she should lose even more weight. She has few friends and worries constantly about her appearance. Although emaciated, she continues to restrict her intake of food. Jennifer's condition is diagnosed as anorexia nervosa, an eating disorder in which a person loses one-fourth or more of her normal weight but feels fat and worries about becoming obese. Some researchers believe that this disorder stems from our culture, which emphasizes weight and which encourages young women to be always dieting.

11. What is the problem described in the passage?  
(A) sleep disorder (B) eating disorder (C) drinking problem (D) drug addition
12. According to the author, a person is diagnosed as anorexia nervosa if she or he loses at least \_\_\_\_\_ of the body weight?  
(A) half (B) one-third (C) one-fourth (D) one-fifth
13. Anorexia nervosa affects a person's  
(A) physical health (B) mental health (C) social life (D) all these three aspects
14. The word 'emaciated' means a person is extremely  
(A) ill (B) healthy (C) fat (D) thin
15. The author suggests that anorexia nervosa is mainly caused by  
(A) poor income (B) physical defects (C) cultural factors (D) mental illness

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系所組別：法律學系

科目：法學概論

考試時間：90 分鐘

本科原始成績滿分 100 分

一、何謂法源？（10 分）法源有哪些？（10 分）

二、憲法所保障人民的基本權，其主要內涵有哪些？（10 分）又國家法律得否限制人民的基本權？（10 分）

三、憲法第八〇條規定：「法官需超出黨派以外，依據法律獨立審判，不受任何干涉。」試抒其意。（10 分）司法獨立必須具備哪些要件？（10 分）

四、何謂罪刑法定主義？（10 分）為何要有罪刑法定主義？（10 分）

五、何謂正當防衛？（10 分）其在民、刑事責任歸屬上有何異同？（10 分）