

# 《英文》

一、英譯中：請將以下英文段落翻譯成中文

(一)The stigma of a conviction can cause irreparable harm to the future prospects of a young adult, and careful consideration should be given to the possibility of dealing with him or her by means of a caution. (15 分)

命題意旨	本題仍屬法律英文相關字彙譯題，意在測試應考同學對刑法重要字彙掌握例如：stigma（污名）、conviction（定罪）、caution（謹慎）等。
答題關鍵	需找出本題主詞(the stigma of a conviction)、動詞(cause)、受詞及補語(the future prospects of a young adult)以及在and後方的對等子句。
考點命中	1.《高點法律英文講義第一回》，文政大編撰，課程補充單字：刑法篇。 2.《高點法律英文總複習講義》，文政大編撰，刑法及刑事訴訟法單字篇。

## 【擬答】

定罪的污點足以對年輕人的未來前景造成不可回復的傷害，是以處置該個人時，應細心將一切可能性納入考量，謹慎為之。

(二)The purpose of a death inquest is to establish the identity of a deceased person and the cause of and circumstances connected with the death. In certain cases, an inquest must be held with a jury. (15 分)

命題意旨	本題仍屬法律英文相關字彙譯題，意在測試應考同學對刑法重要字彙掌握例如：jury(陪審團)、identity(身分)、circumstance(事實、後果)、held(hold的過去式，宣告)等。
答題關鍵	需找出本題主詞(the purpose of a death inquest)、動詞(is)及一連串受詞及補語(the identity...death)。
考點命中	1.《高點法律英文講義第一回》，文政大編撰，課程單字：重要名詞篇及動詞篇。 2.《高點法律英文總複習講義》，文政大編撰，刑法及刑事訴訟法單字篇。

## 【擬答】

死亡判定的目的是建立已故者身分、死因及與死亡連結的相關事實。在某些情況下，死亡判定必須由陪審團宣告之。

二、中譯英：請將以下中文段落翻譯成英文

(一)犯罪者越是年老或體弱，檢察官就可能愈不願意起訴，除非犯罪者很有可能再犯或所犯之罪行非常嚴重而不能不起訴。一般而言，如果法庭可能考慮犯罪者年老或體弱，而只判處象徵性的處罰，檢察官便不該起訴。(20 分)

命題意旨	本題仍屬法律英文相關字彙譯題，意在測試應考同學對刑法重要字彙的掌握例如：檢察官(prosecutor)、起訴(indict)、不起訴(aquital)等。
答題關鍵	需掌握本題重要句型：越...越...(the more..., the more...)
考點命中	1.《高點法律英文補充講義》，文政大編撰，重要句型篇。 2.《高點法律英文總複習講義》，文政大編撰，刑法及刑事訴訟法單字篇。

## 【擬答】

The older or weaker the offender is, the more unwillingly the prosecutor indicted the offender unless the offender would highly possibly re-committed the crime or the crime the offender committed is too severe to be charged. Generally speaking, if the court could take the offender's age and weakness into consideration and only to hold the symbolic penalty, the prosecutor should not indict the offender then.

(二)本臨時收容中心為有需要人士和露宿者提供短期的住所；同時也提供諮詢及輔導服務，以協助他們覓得長期居所。(10 分)

命題意旨	本題仍屬法律英文相關字彙譯題，意在測試應考同學對法律重要字彙的掌握例如：收容中心（shelter）、住所（residence）等。
答題關鍵	需掌握本題屬於對收容中心的介紹，因此時態應以現在簡單式為之，並注意主詞為「本收容中心」，後面動詞應使用第三人稱單數。
考點命中	1. 《高點法律英文補充講義》，文政大編撰，重要句型篇。 2. 《高點法律英文講義第一回》，文政大編撰，重要名詞篇。

## 【擬答】

Our temporary shelter offers the needed and the homeless a short-term residence. It also provides the counseling, guiding and assisting service so as to aid them to seek for a long-term residence.

## 三、英文作文：(40 分)

In recent years, the expression “恐龍法官” has been in popular use in Taiwan. Write a two-paragraph essay of approximately 250 words. In the first paragraph, you should trace the origin of this newly coined expression, and then discuss the common traits shared by judges who are labeled as such. In the second paragraph, you should propose effective measures that will reduce the number of such judges in Taiwan's judicial system.

## 【擬答】

(略)

【高點法律專班】

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# 《英文》

## 一、將下列英文翻譯成中文。(每小題 15 分，共 30 分)

- (一) Comparing the activity levels of a Taiwanese judge and an American judge serves as an excellent example to explain the influence of culture on the public's expectations. The Taiwanese public expects, and the litigants usually demand, that the trial judge play the key role and conduct the investigation and trial. The legendary figure Judge Pao is the best candidate, he mixed the clever detective techniques of Sherlock Holmes with the judicial wisdom of King Solomon. The seemingly ideal combination is deeply ingrained in the Taiwanese cultural mentality.
- (二) As law enforcers, we need to accept that law has its various manifestations all over the world; it is now and will always remain culture-specific. Globalization does not necessarily lead to universal homogenization; rather, it helps formulate legal pluralism and makes legal research ever more complex and challenging.

試題評析	綜觀本年度法學英文試題內容，相較去年，今年題目不僅變少且試題分數比重加大，英譯中與中譯英雖只各佔二題，儘管如此，但試題難度提高，也可能更耗時，時間掌控不佳者，將影響英文作文內容的構思。英譯中試題較淺顯易答，是得分關鍵；反觀中譯英方面，由於敘述文義偏長且過於文謾譎，如不謹慎仔細解讀其中文真正涵義，適度找出主詞與動詞的附著性，恐易出現中式英文，造成英文句子過長且有太多動詞的現象。分數評分級距不易客觀，一般考生分數可能落在 30-45 分左右，若能拿到 60 分以上應屬上乘。
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### 【擬答】

- (一) 台灣法官和美國法官對案件涉入程度之比較，提供一個很好的例子來說明文化對大眾期望的影響力。台灣民眾與訴訟當事人通常都會期待，也會要求主審法官必須扮演關鍵性的角色，並進行調查和審判。傳奇人物如包公是最佳人選，他混合著福爾摩斯聰明的偵探技巧，與所羅門王的司法智慧。這種看似理想的組合，根深蒂固的深植於台灣的文化心態。
- (二) 作為執法者，我們需要接受法律在世界各地所呈現的不同樣貌，它現在是文化的具體呈現，且將來也會是。全球化並不必然導致普遍的同質化，相反地，它有助於形成法律的多元化，使法律研究更加複雜且更具有挑戰性。

## 二、將下列中文翻譯成英文。(每小題 15 分，共 30 分)

- (一) 為了避免刑事案件延宕數十年之久，司法院（政府五院之一且是最高司法機構）正在草擬關於公平和迅速審判的法規。公平和迅速審判的權利，是所有臺灣公民根基於憲法第 446 號和第 530 號解釋的權利。
- (二) 由於相互矛盾的意識形態，在意見上根本性的差異困擾國際環境議題的對話。這些差異衝擊對話的進度和效率，也因此影響國際環境法扭轉或牽制全球環境惡化強大趨勢的能力。

### 【擬答】

- (一) In order to avoid delays in criminal cases for decades, the Judicial Yuan (five branches of government and one of the highest judicial bodies) is drafting regulations on the fair and expeditious trials. Based on the interpretation of the Constitution No. 446 and No. 530, all Taiwanese citizens shall have the rights to fair and speedy trial.
- (二) Because of conflicting ideologies, the fundamental differences on views troubled the dialogues on international environmental issues. These differences impacted the progress and efficiency of the dialogues, affected the international environmental law, and distorted or hindered the strong trend of worsening global environment.

## 三、英文作文：請依下列題目寫一篇約 250 字的英文文章。(40 分)

My Ideal Criminal Law System

# 《英文》

## 試題解析

綜觀今年試題，持續繼去年出現無選擇題項目。換言之，絕無僥倖分數可得。從中英翻譯的試題內容及難度，顯然較去年容易，且試題多偏向時事，較少法律專業內容。從作文試題觀之，主考官明顯期盼考生平時需多關心時事外，並對相關的國內外司法案件始末要能充分了解，且意見的表達及反思必須要有能用英文論述之能力。考生最好養成閱讀時事英文的習慣，優秀考生若時間掌握得宜，70 分以上應屬上乘，但若字彙量不多且文法程度稍弱者，在刀刀見骨的窘迫時間內，平均分數應落在 55 分左右。

## 一、英翻中 Translate the following sentences into Chinese. (30 分)

- (一) According to the Norwegian law, to kill a group of civilians systematically is the basic criteria for charge against humanity. The maximum penalty for this offence is 30 years in jail, rather than 21 years under the anti-terrorism law.
- (二) After years of development, Taiwan has transformed to be a distinct pluralized country full of vibrant energy. The democratic politics system, unleashing diversified social forces, has taken root firmly in the life of its citizens and formed an interactive living culture.
- (三) As long ago as a decade or more ago, the women's movement in Taiwan was already proposing a welfare policy based on combining "public caregiving" and "a democratic deliberative mechanism."

### 【擬答】

1. 根據挪威的法律，有計劃地殺害一群平民百姓是達到違反人性的標準。這項罪行的最高刑罰是 30 年監禁，而非反恐怖主義法規定的 21 年。
2. 經過多年的發展，台灣已經轉型成為一個獨特且充滿活力的多元化國家。台灣的民主制度，不但釋出多元的社會力量，而且已穩固地紮根在公民的生活中，形成一種互動的生活文化。
3. 早在十年或更早以前，台灣的婦女運動就已經提出一個結合「公共看護」和「民主議事機制」的福利政策。

## 二、中翻英 Translate the followings sentences into English. (30 分)

- (一) 為了將地球的能量從負面轉為正面、從破壞性轉為建設性，我們必須重拾人類的尊嚴、回復我們最初的仁慈本性，我們必須堅守非暴力和和平的原則。
- (二) 桃園地檢署檢察官偵辦署立醫院弊案，昨天首波起訴五十五位被告。層級最高的是前衛生署醫院管理委員會執行長，因貪污罪嫌被求刑二十五年。
- (三) 一位年輕婦女在執行長的辦公室留下語音留言，指控他對她做了如報紙所述的侵犯性且不受歡迎的性行為。

### 【擬答】

1. To convert the dynamics of the earth from the negative into positive and from the destructive to constructive, we have to restore human dignity as well as primary kind humanity, and stick to a principle of non-violence and peace.



2.55 defendants were charged with corruption by Taoyuan District Prosecutor's Office yesterday. The highest-ranking official of this indictment was the former CEO of the hospital administrative committee in Department of Health and sentenced to 25 years in jail.

3. A young woman left a voice message in the CEO's office, suing him an aggressive and unpleasant sexual harassment as described in the newspaper.

三、寫作 Writing. (40 分)

Please write an official letter addressing the Minister of Judiciary, the Philippines, first, to defend Taiwan's state status and our judiciary sovereignty, and second, to request them to send back the 14 Taiwanese suspects to Taiwan for investigation. (200 words)



# 《英文》

## 試題詳析

綜觀今年試題，首次出現無選擇題項目。換言之，絕無僥倖分數可輕得。從試題內容及難度，要在二小時時間內作答，顯然不足且不易出現有深度的翻譯及寫作論述。從試題觀之，主考官的期盼明顯告訴考生，台灣的司法改革仍有一段長路要走，但改革的意見及反思必須要能有用中英論述之能力。除要有閱讀時事英文的習慣外，若有修過英美法概論尤佳。優秀考生若時間掌握得宜，50 分以上應屬上乘，但若字彙量不多且文法程度稍弱者，在刀刀見骨的窘迫時間內，平均分數應落在 30 左右。

### 一、請將以下中文翻譯成英文。(20 分)

一宗台灣中部黑道角頭被槍殺命案，在警界投下震撼彈。警政署陸續撤換當地警察局長及刑警大隊長，更引發一連串警紀風暴。總統更在不同的重要場合中要求警界應自律，嚴格規範警察與黑道之間的互動與來往。經過幾個月的整頓與調整，人民保母形象是否扭轉了？在與黑道劃清界線下的同時，警察如何創造更好的績效，成為全民關注的焦點。

#### 【擬答】

A gangster gunshot which took place in Central Taiwan greatly shocked the police. The National Police Administration kept changing local police chiefs and captains which caused a series of police disciplines and ethical issues. Even the President Ma also demanded that the police should be self-disciplined and strictly regulate the interaction and ties between the gangsters and the police. After a few months of reform, has the image of "people's nanny" (i.e. the police) being better improved?

How the police achieve better performance in fighting against the crimes will be the spotlight of all people, especially when the line between the police and gangsters is still vague.

### 二、請將以下英文翻譯成中文。(20 分)

In modern times, an important area of the common law known as the "Royal Prerogative" has come into prominence. The Prerogative refers to important rights of the "Crown." The right to administer justice is a key prerogative power. Originally, these rights belonged to the Monarch but, under modern constitutional arrangements, the powers have come to be exercised by the Government or, in the case of justice, by the judges. Some of these powers are of major importance, such as the right to conduct foreign relations (including power to make treaties with other States or international bodies), the power to declare war, etc. If a "prerogative power" is claimed to exist, it is for the courts to actually state whether or not it exists and to also state the extent of the power. No new prerogatives can be created. So, for every prerogative power, there has to be historical precedent. (from *An Overview of the English Legal System*)

#### 【擬答】

現代為眾人所熟知的普通法中之「王權」，乃屬一項非常重要的領域。其權力特別指的就是「皇室」的重要權力。執行司法權乃是一項主要的權力。早先這些權力乃屬君王，但在當代憲法的架構下，這些權力則交給政府來執行；若從司法角度，則交由法官來執行。權力中有些很重要，如行使外交權（包括和其他國家或國際組織締結條約）及對外行使宣戰權等。如果有一項權力可被宣稱存在，實質上此權應交給法院，而其權力行使的範圍程度也亦應由法院來決定。絕無新的權力可被創造。因此，對每一項權力而言都必須要有先例可循方可。



三、應用文：請依正式英文書信的格式書寫。(20 分)

以我國司法單位長官的角色，寫一封英文信感謝某外國司法單位在跨國犯罪中的協助。

Dear Sir/Madam:

As a commissioner in the legal system of R.O.C., I, on behalf of Ministry of Justice, would like to thank you for your assistance in some cases of international crimes.

With the advent of globalization and information age, crime has been gone across borders. To crack down on the international crimes, cooperation between countries is greatly urgent. All of your unreserved aids fighting against the crimes original from R.O.C. over the past few years proved me that any kinds of crimes would be a targeted enemy across the world. Thus, your effective and efficient cooperation is kindly appreciated. Also, I am firmly convinced that this achievement has set a great example for our future cooperation.

Thank you again for joining with us in the fight against international criminals.

Sincerely,

四、英文作文。(40 分)

Write an essay of approximately 300 words on the following topic :

How to Fight Bribery and Corruption in the Public Sector





# 《英文》

試題評析	<p>整體而言，本次難度不算太難，但二小時作答時間若掌握不好，恐不易有深度的進行翻譯及寫作論述。況且每一位閱卷老師均必須事前詳讀第一大題綜合測驗之題目意旨，方能適切給分，否則若依標準答案批閱，恐會引起不公及諸多爭議；而考生若對每一空格答案須上下文反覆推敲時，勢必會耗去諸多時間，這對後面試題的思考作答恐極不利。翻譯題目艱澀生字不多，文法句型不難。英譯中方面，必須避免英式中文的出現，而在中譯英方面，則須掌握一個主詞與一個動詞的基本句子架構，避免出現一個句子有二個動詞的現象。一般考生若時間掌握得宜，65 分以上應屬上乘，平均分數應落在 45-50 左右。</p>
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## 一、綜合測驗：(30 分)

請依下列文中之前後文意、語法，為每一空格填入適當之單字，每一空格只填一字，每題兩分。

- (一) Attitudes of respect, modesty and fair play can grow only out of slowly acquired skills that parents teach their children over many years through shared experience and memory. If a child reaches adulthood with recollections only 1. television, Little League, and birthday parties, 2. that child has little to draw on when a true test of character comes up—say, in a prickly business situation. “Unless that child feels grounded in who he is and where he comes from, everything 3. is an act,” says etiquette expert Betty Jo Trakimas.

A family of her friend's reserve every Friday night as “family night” with their three children. Often the family plays board games or hide-and-seek. “My children love it,” says the mother.

Can playing hide-and-seek really teach a child 4. manners? Yes, say Trakimas and others, because it tells the child that his parents care enough to spend time with him, he is loved and can learn to love others. “Manners aren't about using the right fork,” agrees etiquette instructor Patricia Gilbert-Hinz. “Manners are about 5. kind—giving compliments, team-playing, making tiny sacrifices. Children learn that through their parents.”

- (二) Scientists are learning more and more about the link 6. your mind and your health. Stress, depression, and anger have all 7. shown to pave the way to illness and disease. On the 8. hand, if you feel good about yourself, have a positive outlook, and maintain an active involvement in life, you're more likely to be happy—and healthy.

Many things—genetics, environment, the food you eat, illness, sleep, even the seasons—influence your emotional state. But at the heart of it is how you regard 9. If you have a healthy level of self-esteem, you not only cope 10. life's challenges better, but you're probably more content, confident, and successful. You're probably also healthier. Studies show that positive self-esteem actually helps inoculate people 11. depression and anxiety, conditions that may pose increased risk of everything, from colds to osteoporosis to heart disease.

Most people's sense of worth is rooted 12. their childhood—in the early approval or disapproval of parents, teachers, and friends. But as we get older, most of us judge ourselves by our sense of 13. effectively we're managing in the world, in the areas of love and work. Our ability to love and 14. loved can give our lives a sense of purpose and deep fulfillment. We can also find satisfaction and pride in work-related accomplishments, and the 15. we meet and work with can reinforce our sense of self and our role in life.

## 【擬答】

1	2	3	4	5	6	7	8
from	x	just	about	making	between	x	other

9	10	11	12	13	14	15
them	with	against	in	humor	be	people





## 二、翻譯：(30 分)

請將下列句子，分別譯出，每題五分。

## (一)英譯中

16. Product placement, the displaying of brand-name items as “props” in television shows, has become a very popular marketing technique, one most of use are probably not aware of.
17. Gene therapy should not be confused with cloning, which is creating another individual with essentially the same genetic makeup.
18. A government, most of the times, is simply a wasteful necessary evil. But one thing we can't tolerate is that more often than not, it creates trouble out of nothing.

## (二)中譯英

19. 做學問要在不疑處有疑，待人要在有疑處不疑。
20. 生命的意義在創造宇宙繼起之生命，生活的目的在增進人類全體之生活。
21. 憲法第 11 條關於講學自由之規定，係對學術自由之制度性保障；就大學教育而言，應包含研究自由、教學自由及學習自由等事項。

## 【擬答】

16. 我們也許沒有注意到在電視節目中，將有品牌的產品當成道具來展示(置入性行銷)是種行銷的流行手法，即所謂產品曝光。
17. 基因治療不應與基因複製混為一談，後者主要是用一模一樣的基因組合創造另一個個人。
18. 政府通常只不過是一個浪費的必要之惡。但我們不能容忍的一件事，即此政府却常常無中生有，惹是生非。
19. Learning is that we should have doubts on undoubted things; interacting with people is that we should not have doubts on dubious people.
20. The meaning of life is to create another following life in the universe; the aim of living is to improve the living of human beings.
21. According to the freedom of the teaching in Article 11 of the Constitution, it states that academic freedom should be protected systematically; in terms of college education, it should include freedom of research, freedom of teaching and freedom of learning, etc.

## 三、英文作文：(40 分)

請試擬一篇英文說帖，登載於航空公司之機內雜誌上，對象為外國來華旅客；請於文中強調我國保護智慧財產權之政策，任何仿冒商品均禁止攜帶出入境或買賣，請以法律及情理之角度加以宣導，要求旅客遵守規定。(文長以 200 字為限)



# 《英文》

考題評析	今年題目背景對曾修過英美法導論的考生較有利，但就實質英文內容而言，題目較去年簡易許多。對一向熟悉大陸法系的多數考生，只要擁有基本字彙量，再配合一定的文法知識，第一、三大題應可迎刃而解。第二大題的中譯英部分，亦是非常務實的生活化題目，所必須藉助的字譯難度不高，只要小心謹慎，使用簡單的文法及句型，均可輕易作答而取分。英文作文乃是一熱門話題，平時有留意新聞時事的考生，應不難表達自己見地。近年來新上任的法務首長普遍主張人權至上，及遲遲不批准執行死刑犯、槍下留人的看法，也充分反映出本題目出題的背景。一般考生大約可拿 70-80 分數。
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## 一、選擇題 (20 分)

請從以下提供的十個單字中，選取最合適填入文章各空格中者，並將其英文字母代碼(A, B, C... I, J)填寫在答案卷上。

(A) entitled (B) endemic (C) communities (D) mechanism (E) overturning  
(F) avenue (G) contrary (H) servants (I) legislature (J) anti-discrimination

A doctrine unique to the American system is the review of legislative actions by the courts. This quite often results in judges making law and rescinding law 1 to the popular will of the people. Bad decisions, which are 2 to the system, have their greatest consequences in this area. Examples are the recent Hawaii decision to allow gay marriages and the stay of prop 209, the 3 initiative in California. Some judges have ordered tax increases in some 4—classic taxation without representation. There has to be a 5 to override bad law by judges. A two-thirds vote of the 6 is an appropriate level to revoke judicial decisions. Citizens' initiative petitions to put the issue on the ballot is another 7. As Teddy Roosevelt recommended in his 1912 presidential campaign—let the nation decide at the next election whether to uphold or reject any Court decision creating a new “right” or 8 a state or federal law. “It is the people and not the judges who are 9 to say what the Constitution means,” said T.R., “for the Constitution is theirs; it belongs to them and not to their 10 in office.”

【擬答】

1	2	3	4	5	6	7	8	9	10
G	B	J	C	D	I	F	E	A	H

## 二、中譯英：請將下列中文段落譯成英文。(20 分)

民間司改會「民間法律學苑」從 89 年開始規劃，在 90 年初正式開課。開課以來，我們都竭力提供學員最好的課程、師資、教材及場地。根據學員的評鑑資料，本學苑的三大特色分別為：小班教學、生活化的課程及具有豐富實務經驗的師資群。

【擬答】

“Civilian Law School” from Civilian Judicial Reform Association was set up in 2000 and opened for the public in early 2001. Since it was officially opened, we have tried hard to provide the members with the best curriculum, teaching faculty, teaching materials and sites. According to the evaluation from members, three features of the school are small-sized classes, curriculum on daily life and teaching faculty with much experience.

三、英譯中：請將下列英文段落譯成中文。(20 分)

The great American Henry David Thoreau in his great essay *Civil Disobedience* stated that one should break laws even if there are witnesses. He argued that you have a moral obligation to break laws even if you suffer the consequences. Our founding fathers took a much more radical view that one should violently overthrow the government if one disagrees with its laws.

【擬答】

美國著名文豪亨利·大衛·梭羅，在其一篇散文名作「人民對政府的非暴力反抗」中提及：即便在有証人之情況下，任何人均可對抗法律。他辯稱，縱使結果會付出代價，你亦有道德義務來反抗法律。我們的開國先賢們甚至採取了一個更激進的觀點：如果有任何人不同意政府的法律，他甚至可用暴力來推翻政府。

四、英文作文 (40 分)

Write an essay of no less than 200 words on the following topic:

*Death Penalty: A Necessary Evil?*

Please include in your essay an many arguments and examples as you can.

【擬答】

Death Penalty: A Necessary Evil?

The death penalty has been a topic of debate for many decades. Ever since the death penalty was introduced in the United States in the 1930's, two opposite positions formed almost immediately. There are those who are for the death penalty as an option of punishment, and those who are against the death penalty and want it abolished. Currently, there are 38 states in the U.S. that have a death penalty. The United States Government and Military also have the death penalty as an option of punishment. The death penalty is an important and necessary installment that represents justice and righteousness. Proponents and opponents of the death penalty would both agree that murder is a heinous and brutal act that should be condemned, and people who commit murder should be severely punished.

The EU considers abolition of the death penalty a contribution to the enhancement of human dignity and the progressive development of human rights. On this occasion, we therefore call on Taiwan to join the growing list of those that have formally abolished the death penalty and to commute the sentences of those who are on death row.

To date, 90 countries have abolished the death penalty and a further 40 are de facto abolitionists, having not carried out executions in the last 10 years. More than 50 countries have abolished the death penalty since 1990.

Taiwan, a democracy that has paid close attention to the issues of human rights, should join this group. Taiwan's democracy has been a positive example to others in the region. Abolition of the death penalty would again show its leading place within the region as a defender of human rights.

The death penalty is no longer mandatory for any crimes and no execution has taken place since 2005 in Taiwan. We applaud and welcome this progress and urge Taiwan's legislators to take the logical further steps toward full abolition.

# 《英文》

命題意旨	從本次出題內容可得知，出題委員此次僅就與法律相關的內容測驗考生真正的「法律英文」實力，不再如先前幾次考試另有涵括時事英文。而此次的突破，已預告未來考生除應熟悉本國法律外，同時亦必須加強研讀「英非法系」與「大陸法系」內容之比較，平時多整理及留意英非法系之習慣用語，以取得往後作答時必要的語感及基本英美法律知識。近幾年考題趨勢，已大量降低選擇題比重，考生必須動筆寫作的機會增加，只有猜題心態的投機者已可提早出局。
答題關鍵	二個小時的試題內容及答題關鍵，涉及時間分配掌控的技巧，今年翻譯考題內容均是屬較正式的法律陳述用語，用字稍嫌官腔官調，舊式八股。英譯中方面，不易釐清主動詞及修飾關係；中譯英部分，考題用語不難，文法不強者，應避免受中文影響寫出過長的句子，以上兩大題可先作答後再寫英文作文，之後大約留 20 分鐘應可輕鬆完成。一般考生能拿 45 至 50 分已屬上乘。

一、請從下列提供的 10 個單字中，選取最適合各空格的語意與句法者，並將其代表字母 A、B、C...J 填在答案卷上。(20 分)

(A) secure (B) custody (C) recidivism (D) centralized (E) mainstream  
(F) serve (G) oversee (H) remainder (I) oversight (J) juvenile

The Federal Bureau of Prisons was established in 1930 to provide more progressive and humane care for Federal inmates, to professionalize the prison service, and to ensure consistent and 1 administration of the 11 Federal prisons in operation at the time.

Today, the Bureau consists of 114 institutions, 6 regional offices, a Central Office (headquarters), 2 staff training centers, and 28 community corrections offices. The regional offices and Central Office provide administrative 2 and support to Bureau facilities and community corrections offices. Community corrections offices 3 community corrections centers and home confinement programs.

The Bureau is responsible for the 4 and care of more than 193,000 Federal offenders. Approximately 85 percent of these inmates are confined in Bureau-operated correctional facilities or detention centers. The 5 are confined through agreements with state and local governments or through contracts with privately-operated community corrections centers, detention centers, prisons, and 6 facilities.

The Bureau protects public safety by ensuring that Federal offenders 7 their sentences of imprisonment in facilities that are safe, humane, cost-effective, and appropriately 8. The Bureau helps reduce the potential for future criminal activity by encouraging inmates to participate in a range of programs that have been proven to reduce 9. The Bureau's approximately 35,000 employees ensure the security of Federal prisons, provide inmates with needed programs and services, and model 10 values.

【擬答】

題號	1	2	3	4	5	6	7	8	9	10
答案	A	B	G	I	H	J	F	D	C	E

二、請將以下英文段落譯成中文。(20 分)

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

【擬答】

在所有刑事起訴案件中，被告享有公開及快速審判的權利，但此一審判必須經由州及犯罪所發生地區立場公正之陪審團來進行。以上這些區域必須是：之前是依法行政的地區；被告曾被告知被起訴的本質和原因；必須要有証人指控被告並取得對被告有利人証之必要正當程序，且能協助提供辯護律師在場。

三、請將以下中文段落譯成英文。(20 分)

法治國家的政府，貴在依法行政，並彰顯施政效率，始能獲得國民的信賴。一個有效率的政府，必須有優秀的公務員執行公務，為民服務。國家為尊重公務員，訂定嚴密法制，諸如公務員之考選、晉用、俸給、考績、保障等等，務使公務員重視其身分，兢業從公，以服務公職為榮。

【擬答】

The key value of a state government by rule of law is to be administered by law and to streamline governance so that the reliance on the state can be achieved by all citizens. An efficient government should be required to retain prominent government employees to enforce public affairs and serve for the people. Strict laws are enacted for a state to respect their government employees, such as screening tests, promotion, salary, merits and bonus guarantees, and so on, so that these government employees may cherish their status, strive for the public and take pride in serving as the government employees.

四、英文作文(40 分)

Write an essay of approximately 350 words on the following topic:  
Top Priorities in Taiwan' s Judicial Reform

【擬答】略

# 《英文》

試題評析	今年英文試題與去年的最大差異乃試題已趨向務實，且開始走向重質不重量的大原則：即大量的閱讀能力測試，漸漸被實際的動手寫作取代。此次多了始料未及的英文作文及針對問題提出解決方案的造句回應，無非都是要來測試考生實際的文法運用知識、文章結構佈局及邏輯思考能力，減少了多年來較具填鴨式的選擇題型，如單字、片語、文法的考試方式。中英翻譯題方面，更突顯經常關心及閱讀國內時事英文的重要性，除了該理解文章的內容陳述外，文章中所出現的重要詞彙、單字、片語，更必須牢記。而克漏字的考型將是今後出選擇題的主流方向，只要文法觀念清楚，即使句意、單字不熟，依舊可輕易得分，只是試題作答時間分配掌握不易，較易緊張型的學生，恐會頭重腳輕，草草收尾。一般學生得分可能介於 45~55 分，65 分以上的考生應屬上乘。
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## 一、綜合測驗：(20 分)

### (一)

\_\_1\_\_ that a man \_\_2\_\_ leave a perfectly good position \_\_3\_\_ he feels that his efforts are not being praised and recognized. He \_\_4\_\_ the fact that although he worked \_\_5\_\_ the call of duty and did an \_\_6\_\_ good job, \_\_7\_\_ of his superiors or equals showed any indication of having \_\_8\_\_ and appreciated it. His expectation is given a severe blow and \_\_9\_\_, he resigns. This is \_\_10\_\_ any man of average ability or above would do.

- |                            |                            |                      |                        |
|----------------------------|----------------------------|----------------------|------------------------|
| 1 (A) It is often happened | (B) That is often happened | (C) It often happens | (D) This often happens |
| 2 (A) may                  | (B) should                 | (C) must             | (D) won't              |
| 3 (A) because              | (B) despite                | (C) in spite         | (D) though             |
| 4 (A) assents              | (B) absents                | (C) descends         | (D) resents            |
| 5 (A) above                | (B) below                  | (C) under            | (D) on                 |
| 6 (A) ordinary             | (B) ordinarily             | (C) extraordinary    | (D) extraordinarily    |
| 7 (A) every one            | (B) each one               | (C) some one         | (D) none               |
| 8 (A) permitted            | (B) remitted               | (C) recognized       | (D) rejected           |
| 9 (A) nevertheless         | (B) therefore              | (C) however          | (D) on the other hand  |
| 10 (A) what                | (B) whatever               | (C) why              | (D) how                |

### (二)

A trust is a property interest \_\_11\_\_ by one person, the trustee, at the \_\_12\_\_ of another, the settler, for the benefit of a third party, the \_\_13\_\_. For a trust to be valid, \_\_14\_\_ must involve specific property, reflect the settler's intent, and \_\_15\_\_ created for a lawful purpose. \_\_16\_\_ that \_\_17\_\_ there are sufficient grounds for imposing a constructive trust, the court constructs a trust. A constructive trust is the formula through \_\_18\_\_ the conscience of equity finds expression. When property \_\_19\_\_ in such circumstances that the holder of the legal title may not in good conscience \_\_20\_\_ the beneficial interest, equity converts him into a trustee.

- |                          |                          |                            |                       |
|--------------------------|--------------------------|----------------------------|-----------------------|
| 11 (A) hold              | (B) to hold              | (C) held                   | (D) to be held        |
| 12 (A) inquest           | (B) request              | (C) inquiry                | (D) requiem           |
| 13 (A) benefactor        | (B) benefactress         | (C) beneficent             | (D) beneficiary       |
| 14 (A) it                | (B) there                | (C) he                     | (D) they              |
| 15 (A) be                | (B) to be                | (C) being                  | (D) that              |
| 16 (A) It sometimes says | (B) It is sometimes said | (C) It is sometimes to say | (D) There's no saying |
| 17 (A) because           | (B) because of           | (C) though                 | (D) when              |
| 18 (A) them              | (B) it                   | (C) that                   | (D) which             |
| 19 (A) has required      | (B) has been required    | (C) has acquired           | (D) has been acquired |
| 20 (A) obtain            | (B) attend               | (C) retain                 | (D) sustain           |

## 【擬答】

### (一)

1	2	3	4	5	6	7	8	9	10
C	A	A	D	D	D	D	C	B	A

### (二)

11	12	13	14	15	16	17	18	19	20
C	B	D	A	A	D	D	D	D	D

二、寫出一句合乎邏輯及正確文法之英文句子，針對問題提出解決方法。每個方法不得重複。(20 分)

Example: The air in the city is becoming worse and worse.

Solution: The factories must be moved out of the city.

1. Rivers, lakes and oceans are becoming more polluted.
2. Too much paper is used.
3. The cutting down of forests is a problem.
4. We produce too much garbage.
5. We use too much electricity.
6. We are short of petroleum.
7. Privilege and authority is seriously abused.
8. The population of the world is growing too quickly.
9. There are too many pirated copies in the market.
10. A famous movie star's or a TV star's name or photograph is used to increase the benefits of a product without that person's permission.

【擬答】

1. Our government should educate the public not to throw garbage into these areas.
2. We try to use the recycled paper as much as possible.
3. People cutting down the forests should be severely punished.
4. The policy limiting the use of plastic bags should be strictly implemented.
5. Turn off the light when you are out of office.
6. Try not to drive your own car when going outside.
7. Judicial system should be more independent.
8. Advocate one-child policy.
9. We should strictly abide by the law of intellectual property right.
10. A person using celebrities' names or photos without their permission will be prosecuted or jailed.

三、翻譯：(40 分)

(一)英譯中：請將下列兩小題英文譯成中文

1. The Agreement has been executed and delivered in a text using the English language, which text, despite any translations into the Japanese language, shall be controlling. This Agreement, however, shall be construed and interpreted in accordance with the laws of Japan.
2. A common misconception is that only directors and upper management can be convicted of insider trading. Anybody who has material and non-public information can commit such an act. This means that nearly anybody—including brokers, family, friends and employees—can be considered an insider.

(二)中譯英：請將下列兩小題中文譯成英文

1. 在台灣長期耕耘及贊助特定公益之企業其實不少，有如輔導志工的培訓、聽障兒童教育訓練以及支持拍攝生態紀錄片等都已有了相當不錯的成果。
2. 離婚案件中最困難的問題就是孩子的監護權。父母親應知其法律上的權利與責任。若遇到無法解決或紛爭時，法官或家庭諮商服務單位必須介入調停，考慮雙方的個性及撫養能力，協助作出最佳之決定。

【擬答】

- (一) 1. 本協定內容的執行與傳達必須以英文為主。儘管此一協定的日文版本可能存有多種翻譯方式，但翻譯的品質必須加以控制，而且日本版協定的解釋與詮釋必須符合日本法律規定。
2. 一般有錯誤觀念的人會認為，只有高層管理者才可能因內線交易而被定罪判刑。其實，任何人只要手上握有相關資料及非公開資訊，均可能犯下此一罪刑。這意味：幾乎任何人，其中包括股票經紀人、家人、朋友、及員工，均可能被視為內線交易的當事人。

(二)

1. There are so many enterprises which have been devoted to sponsoring specific public interests for years. They have achieved much in many aspects such as volunteer training, educational training for hearing impaired children, and video-taping in ecological documentary.
2. The hardest problem in the divorced cases is about the children custody right. Parents should know their legal rights and duties. If they have some arguments or something unsolved, the judge or the Household-Consulting Service should involve in the mediation, and consider both of their personalities and abilities to foster children so as to help them with the best decision.



# 《英文》

試題評析	今年試題深度與去年大致相仿，考試題數內容則增加許多，雖捨棄多年採用的克漏字類型，但新增一部分文法題型及多篇閱讀測驗，作答時間恐嫌不夠，尤其在申論題部分，英譯中問題不大，中譯英可能耗損時間却不見得符合效益，難度夠深，不易拿分，更可能因此次作答題目順序調整，思考時間過久，影響後面較易得分題目，一般考生平均分數 30-40，若能有 50 分以上的成績，已屬優秀。
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甲、申論題部分：(50 分)

一、英譯中：請將下列各段英文譯成中文。

- (一) Driven by the intensely competitive media environment, many tabloid and cable stories focus on “bad guys” who have allegedly broken the law, covered up a mistake, harmed an individual or group, or done something morally questionable. (10 分)
- (二) The rampage of capital from organized crime and corruption has seriously hurt our social peace and order and the development of democracy and the rule of law. It has also undermined the government’s authority and credibility. (10 分)

## 【擬答】

- 一、很多八卦雜誌及有線電視台，在競爭激烈的媒體生態驅使下，常會將報導焦點集中在一些傳聞違法、掩蓋錯誤事實、傷及個人或團體、或做一些道德上引起爭議的「壞傢伙們」身上。
- 二、從有組織性的犯罪及貪污而取得的資金所呈現出的猖獗氾濫現象，已經嚴重傷害了我們社會的祥和治安、民主發展及法治原則。同時它也破壞了政府的公權力及威信。

二、中譯英：請將下列各段中文譯成英文。

- (一) 我們最近處理的一個案子中，有個誇國性消費品廠商遭媒體不實指控，卻不知該和那個政府官員或部門投訴，以致於商譽嚴重受損。(10 分)
- (二) 性騷擾事件已進入偵查或審判程序者，直轄市或縣（市）性騷擾防治委員會認有必要時，得議決於該程序終結前，停止該事件之處理。(10 分)
- (三) 法院認定犯罪事實要依據證據，沒有證據就不能作為判決的依據。因此，檢察官提起公訴時，就要負舉證責任，將他認定被告犯罪之證據提出來。(10 分)

## 【擬答】

1. In a recent case we handled, a transnational manufacturer of consuming goods was mistakenly reported by the media, but it didn't know which government departments or officials they needed to contact to “express complaints”. Therefore, the wrongful news caused a serious damage to business reputation.
2. When a sexual harassment event is in the process of investigation or trial, Committee of Prevention from Sexual Harassment at the municipal or county level may decide, when necessary, to stop the handling of the event before the end of the procedure.
3. Confirmation of a crime fact by a court should be based on evidence because a verdict has to be based on it. For this reason, a prosecutor is responsible for giving duty of liability and providing evidence of crime committed by a defendant when filing a lawsuit.

乙、測驗題部分：(50 分)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
C	D	B	D	B	A	D	C	B	A	D	C	D	D	B	B	A	C	C	C
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
A	C	A	C	D	A	D	B	D	D	B	C	A	A	D	D	A	A	C	D



# 《英文》

一、字彙測驗：請依句意在下列句子中選出最適當的答案，並請將正確答案前的英文字母(A)、(B)、(C)或(D)依題號寫在試卷上。(二十分)

- (B) 1. The United Nations may impose economic \_\_\_\_\_ against your country if your government refuses to cooperate.  
(A) aids (B) sanctions (C) aggression (D) approval
- (C) 2. As Mr. Brown is unable to stop working, his wife often complains that she has a \_\_\_\_\_ for a husband.  
(A) gallant (B) specialist (C) workaholic (D) scholar
- (B) 3. He finds it extremely difficult to \_\_\_\_\_ the exact details of the report which he had read much earlier.  
(A) recognize (B) recall (C) refuse (D) invent
- (D) 4. Some college students have a strong \_\_\_\_\_ for politics. They are far from indifferent to it as generally assumed.  
(A) like (B) impression (C) memory (D) passion
- (B) 5. A strong showing for the democrats in Hong Kong would deliver a \_\_\_\_\_ Beijing is loath to receive.  
(A) speech (B) message (C) passage (D) lecture
- (D) 6. The fingerprints on the gun \_\_\_\_\_ to his guilt.  
(A) pinpointed (B) proved (C) descried (D) attested
- (A) 7. He did not \_\_\_\_\_ his government for the hunger in his belly.  
(A) blame (B) ask (C) call (D) attribute
- (D) 8. For much of its exceedingly long history, the country has held out the \_\_\_\_\_ of the world's biggest market.  
(A) ideal (B) reason (C) promise (D) reputation
- (D) 9. When he \_\_\_\_\_ the court order, he was quickly jailed.  
(A) hit (B) sanctioned (C) banned (D) violated
- (D) 10. His \_\_\_\_\_ with early success can explain why he behaves so strangely.  
(A) passion (B) plan (C) request (D) obsession.

二、英譯中：請下列各段英文譯成中文。(三十分)

1. My uncle, who hated lending people books, said nothing, and ushered me out into the hall. I covered my old uncle's tobacco-stained checks with passionate kisses, and with some embarrassment he gave me to understand without actually saying that he would rather I did not tell my parents about this visit.
2. Sometimes, in the fuss and flurry and artificial busyness of modern life, a message comes out of the past, cool as a snowflake and calm as evening. Through the earthquake, wind and fire a still small



voice of calm speaks briefly. Stillness falls. Suddenly you remember that we do not all have to flap around like this. There are other ways to live.

3. Blending elegance with spectacle and making the complex look simple, the whole production was so imaginative and affecting that it gave Olympic opening ceremonies a good name. It was almost enough, in fact, to allow the host nation to forget for a few hours the major setback suffered by its team.

【擬答】

- (一) 我這位不喜歡借書給別人的叔叔，一句話也沒說就領我到客廳。我用熱情親吻了我那年邁且滿臉頰都有香煙污點的叔叔。看他那寂靜無語且帶著靦腆的表情，我感受到他並不希望讓我父母親知道我來拜訪過他。
- (二) 有時，在現今滿是抱怨、混亂及矯飾忙碌的生活中，來自過往的訊息浮現，宛如雪片般清涼，宛如黃昏般的沈靜。經歷了地震，風火就宛如靜默的寧靜之聲，簡短著訴說著話語。寂靜瞬間滑落。你謹記著，我們不需全都一定得這樣的煩擾與不安。還有其他過生活的方式。
- (三) 奧林匹克運動會的開幕儀式，以帶有壯觀場景所襯托出高雅且化繁為簡的內容特色，促成了整個製作水準令人充滿想像及感動。事實上，這樣的成果已足夠使奧運因而留下美名，也一掃地主國因先前隊伍所操受的重大挫敗得暫時忘懷。

三、中譯英：請將下列各段中文譯成英文。(三十分)

- (一) 教育的精義在於孩子能擁有自己的想法，老師只擔任啟發者的角色，尊重孩子，幫助他們培養自學和自理能力，快樂成長。
- (二) 要免於水患，除了人為防範治理外，還得看老天臉色，雨落在那裡超過某種極限，那裡就會釀成災難。
- (三) 台灣民眾對號稱「第一道陽光」的財產申報制度，只能以「冷漠」二字形容。這個法案實施近十一年來，前來查詢的民眾少得可憐。

【擬答】

- (一) The essence of education lies in whether children can have their personal thoughts. For teachers, they just assume inspiring roles, respect children, and help them cultivate the ability of self-study and self-control to grow up happily.
- (二) To avoid flood, people can only depend on the heaven besides human preventive management. Once the spot where rain falls on goes to certain excess, it is where the flood arises.
- (三) In Taiwan, people's attitude toward so called "the first sunlight" Property Declaration System, could only be interpreted as "apathy". There have been few people coming for inquiry for almost 11 years since the act was enacted.

四、閱讀測驗：請詳讀下面文章後，在下列各題中選出最適當的答案，並請將正確答案前的英文字母(A)、(B)、(C)或(D)依題號寫在試卷上。(二十分)

The first hint that all was 1 with the new neighbor came the day he moved in, when he seemed 2 proud of his prison-issue electronic ankle bracelet. Things went 3 from there.

First came 4 to "borrow" items like light bulbs, food, money for the bus. Then, when nearby families objected to his late-night fights and banging on the walls, the neighbor, Ian Dickens, embarked on a one-man terror campaign, blasting his music at night, 5 abuse from his windows and threatening to kill the local children.

In November, a Birmingham court decreed that enough was enough and served Mr. Dickens with an "antisocial behavior order" 6 possible by one of an array of measures 7 by Prime Minister Tony Blair's government since 1999 to confront what is widely seen as a erosion of 8 norms in this once polite country.



In the past four years, about 1,600 Britons have   9   such orders as part of an aggressive effort by the state to police behavior that would once have been the purview of families or neighborhoods   10   from truancy and vandalism to drunken brawling on the street.

- |                       |                  |                    |                     |
|-----------------------|------------------|--------------------|---------------------|
| (A) 1. (A) not well   | (B) well         | (C) not meaningful | (D) meaningful      |
| (A) 2. (A) strangely  | (B) strange      | (C) poorly         | (D) poor            |
| (D) 3. (A) smoothly   | (B) well         | (C) uphill         | (D) downhill        |
| (B) 4. (A) demands    | (B) demanding    | (C) requiring      | (D) requires        |
| (A) 5. (A) shouting   | (B) shout        | (C) shouted        | (D) having shouted  |
| (B) 6. (A) making     | (B) made         | (C) make           | (D) to make         |
| (A) 7. (A) enacted    | (B) enacting     | (C) enact          | (D) to be enacted   |
| (B) 8. (A) civilizing | (B) civilized    | (C) civilize       | (D) to be civilized |
| (D) 9. (A) served     | (B) been serving | (C) serve          | (D) been served     |
| (A) 10. (A) nothing   | (B) everything   | (C) something      | (D) everybody       |



九十二年公務人員特種考試司法人員考試試題

檢察事務官偵查實務組

科目：英文

解題老師：黃大鈞老師

一、字彙測驗：請依句意在下列句子中選出最適當的答案，並請將正確答案前的英文字母(A)、(B)、(C)或(D)依題號寫在試卷上。(20分)

答案

- (A) rally      1. Linda came to the political\_\_\_\_\_because she loved listening to speeches.  
(A) rally (B) recreation (C) reunion (D) reservation

[解析]

**rally** -n- 大型集會 (尤其指戶外舉行、用以支持某種政治理念、或為了抗議者 (a large public meeting, especially one that is held outdoors to support a political idea, protest etc)).

例：a big anti-abortion rally.

**rally** -vi- 集會、抗議或示威遊行前之集結 (to come together or bring people together to support an idea, a political party etc.).

例：Margaret Thatcher's speech had the effect of rallying the party faithful.

**political rally** -n.phr.- 政治集會。

**reunion** -n- (1) 同學會，例：**high school reunion** (以前高中同學之同學會)；

(2) (年節特殊日子的) 家族或家庭成員之聚會，  
例：**family reunion** (家族聚會、家庭聚會)。

- (B) instruction      2. An\_\_\_\_\_of goods tells how many there are of each article and what they are worth.  
(A) input (B) instruction (C) inventory (D) investment

[解析]

**instruction** -n- 說明，指示。

**inventory** -n- 倉儲清單 (a list of all the things in a place).

- (D) encounter      3. Feminine awareness has not killed chivalry, but it has subtly changed the rituals of social\_\_\_\_\_between the sexes.  
(A) decline (B) campaign (C) freedom (D) encounter

注意：本題不可選答「(B) campaign」。

[解析]

雖然「social campaign (社會運動)」是存在的一個名詞，但本題的原句翻譯為：「女性的覺醒並未毀滅騎士精神，但它已然微妙地改變了不同性別人士之間在社交接觸上的儀式了」。如果選答 (B)，則句意變成「                    ，但它已然微妙地改變了不同性別人士之間在社會運動上的儀式了」，則與前半句，顯得不搭調！

**social encounter** -n- 社交上的接觸。

**feminine awareness** -n- 女性自覺，女性的覺醒。

**chivalry** -n- 騎士品質、騎士精神 [氣概、精神、行為] (例如：忠君、勇武、仁愛、謙恭、尊敬婦女、扶助弱小等)。

**subtly** -adv- 細緻的、巧妙的、細微的 (令人不易察覺的)。

**ritual** -n- 儀式，禮儀。

**sex** -n- 性別。

- (D) verify 4. His research has helped to\_\_\_\_\_several medical theories; more important, it suggests a whole new field of inquiry. (A) circumscribe (B) purify (C) assign (D) verify

[解析]

**verify** -vt- 證實。

**inquiry** -n- 詢問；探問。

**circumscribe** -vt- 標出 ... 的邊界，界定，限定。

**field** -n- 領域。

- (B) realistic 5. It would be nice to have another holiday, but we've got to be\_\_\_\_\_. We can't really afford one.  
(A) idealistic (B) realistic (C) real (D) reasonable

[解析]

**realistic** -adj- 實事求是，實際。

**idealistic** -adj- 理想主義(者)的。

**reasonable** -adj- 明白道理的，懂道理的，通情達理的。

- (B) refund 6. The Clinton administration is warning of the dire consequences if the US Congress refuses to\_\_\_\_\_the money that the US owes the UN.  
(A) release (B) refund (C) rehearse (D) reinforce

[解析]

**warn of** ( ) - phr. vt.- 警告, 告誡, 提醒 (某事)。

**warn (s.o.) of** ( ) - phr. vt.- 警告, 告誡, 提醒 (某人)(某事)。

**administration** -n- 行政當局, 政府。

**the Clinton administration** -n- 柯林頓當局, 柯林頓政府。

**refund** -vt- 再次向 ...提供資金; 歸還, 償還(錢); 退還 (已買的物品)。

**owe** -vt- 欠 (錢)。

**rehearse** -vt- 預演, 排練, 彩排。

**reinforce** -vt- 強化, 加強。

- (B) senile 7. Far from being\_\_\_\_\_, the old man was considered the sage of the neighborhood.  
(A) virile (B) senile (C) shaking (D) shrewd

[解析]

**virile** -adj- 勇猛精壯 (looking or behaving in a way that is typical of a man by being strong, brave, full of energy etc. and therefore sexually attractive.)

例: He had a muscular and virile body.

**senile** -adj- 年長但尚未達技術上而言已經失智糊塗的程度, 年老力衰 (惟通常年長者在各方面的反應上, 速度會顯得較緩慢些!) (not technical mentally confused or behaving strangely, because of old age.)

例: The poor old lady's getting senile; she hardly recognizes me now.

**shrewd** -adj- 狡猾精明的 (good at judging what people or situations are really like, especially in a way that makes you successful in business, politics etc.)

例: Martin's a shrewd judge of character.

例: a shrewd businesswoman.

**sage** -n- 耆宿, 睿智長者 (someone, especially an old man, who is very wise.)

- (A) subterfuge 8. That experienced teacher realized that Eric's stomach ache was merely a \_\_\_\_\_to keep him from taking the English test.  
(A) subterfuge (B) plight (C) conflagration (D) catastrophe

[解析]

**subterfuge** -n- 密謀之詭計、或以不誠實達成目的之方法 (a secret trick or slightly dishonest way of doing something,



or the use of this).

例：Sereni was lured to Moscow by subterfuge.

**plight** -n- 不好的、嚴重的或令人悲傷的狀況或情狀 (a bad, serious, or sad condition or situation).

例：the plight of homeless children.

**conflagration** -n- 暴力的情狀、或戰爭 (a violent situation or war). 例：a nuclear conflagration.

- (D) culminated 9. He was a movie star who rose to stardom with "First Blood" and enjoyed a long career that\_\_\_\_\_in his portrayal of American heroes.  
(A) principled (B) reflected (C) determined (D) culminated

[解析]

本題原句翻譯：他是因「第一滴血」(影片)而躍升到明星地位的一個電影明星，而且享有一個逐漸演變成由他描述美國英雄的長期生涯。

注意：本題不可選答「(B) reflected」。

就空格之後的文字「in his portrayal of American heroes(在他對於美國英雄的描述)」而言，會使得考生有想要選答「(B) reflected (反映)」的衝動；而且似乎文義上也勉強可以解釋。但若要選答「**(B) reflected (反映)**」，則必須要加上一個「be 動詞」，使得本題原句成為「He was a movie star who rose to stardom with "First Blood" and enjoyed a long career that **is reflected** in his portrayal of American heroes. (\_\_\_\_\_，而且他享有一個反映在他對於美國英雄的描述上的長久生涯)」。但答案 (B) 當中，並不含有「was」之類的 be 動詞！

**rise to stardom** -phr- 成為(電影)明星 (to become or evolve into a movie star)

**culminate in (sth)** -phr.vt.- (生涯事業、專業能力) 漸進地發展到高峰 (to finally reach the highest point of development or the most important result).

例：a series of minor clashes culminating in a full scale war. (一連串的小衝突演變成一場全面性的戰爭)。

- (A) deprived 10. The prisoner has been\_\_\_\_\_of many privileges that average citizens enjoy.  
(A) deprived (B) confirmed (C) convinced (D) informed

[解析]

**deprive (s.o.) of (sth)** -phr.v.- 剝奪 (某人) (某事務 / 權力)。

**convince (s.o.) of (sth)** -phr.v.- 說服 (某人) (某事)。

**inform (s.o.) of (sth)** -phr.v.- 通知 (某人) (某事)。

**confirm** -vt- 確證 (to show that something is definitely true, especially by providing more proof).

例：The new evidence has confirmed the first witness's story.

**privilege** -n- (依據法律、契約、或特殊關係而得享有之) 特權 (a special advantage that is given only to one person or group of people).

例：Don't forget that using the car is a privilege, not a right!

例：the privilege of (doing) sth.

例：the privilege of having an office of my own.

**average citizen** -n.phr.- 一般市民、一般公民。

## 二、英譯中：請將下列各段英文譯成中文。(30分)

1. The businesses that flourish in the twenty-first century are likely to be those that master the art of getting information from their customers. Through computer-mediated business transactions, customers will trade information about themselves in exchange for lower prices and convenience.

解答：

在第二十一世紀蓬勃發展的企業很有可能會是那些精通從他們的顧客獲取資訊之道的人。經由電腦媒介的商業交易，顧客們會以有關他們自己的資訊，換取較低的價格和便利。

2. A worker's emotional skills may be far more valuable to a company than his or her technical skills. Those workers with the ability to cope with their own feelings – anger, sadness, and other emotional problems affecting productivity – stand a better chance of succeeding in an organization than brilliant but immature professionals.

解答：工人處理情感的技巧對於公司或許比之他們技術上的技能更為可貴。那些具備妥善處理他們自己的感覺 憤怒、悲傷、以及其他影響生產力的情感問題 的能力工的人，比之聰明但不成熟的專業人士（專家），在一個組織中有較佳的成功機會。

[解析]

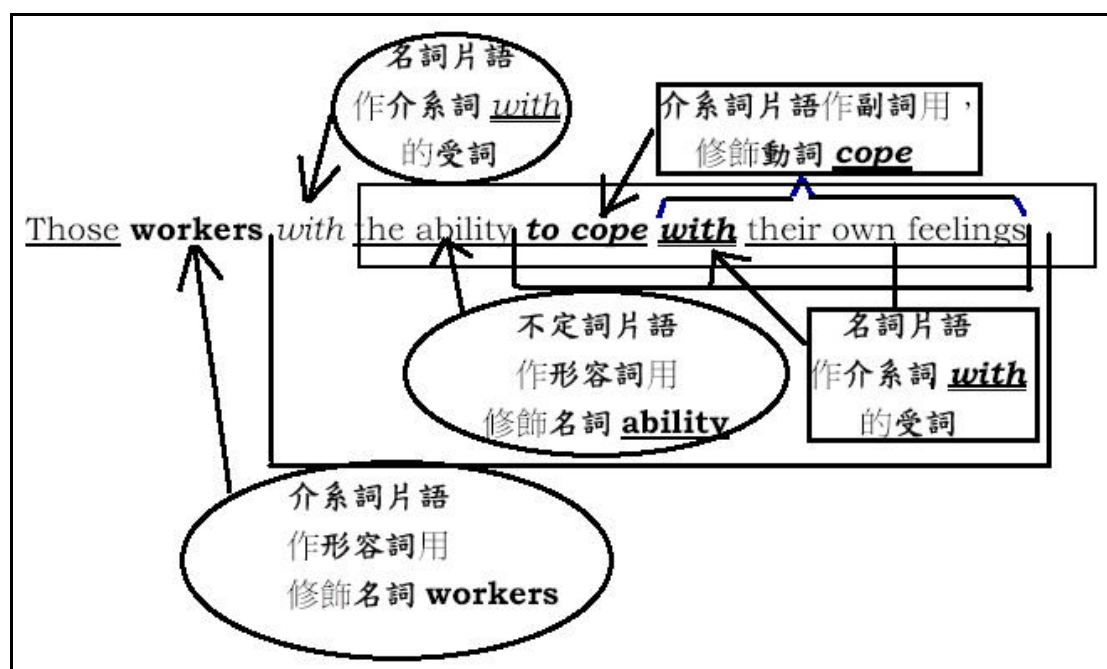
with the ability to cope with      具備妥善處理能力的  
= 能妥善處理 的  
cope with      妥善處理      = 應付      = 面對

[文法]

Those workers with the ability to cope with their own feelings

= 那些具備妥善處理他們自己的感覺的能力工的人

= 那些能妥善處理他們自己的感覺的工的人



3. It is traditional in scientific publishing to retain data, instructions, details of procedure, and analyses so that copies may be made available in response to inquiries from interested readers. Therefore, you are expected to retain these materials for a minimum of 5 years after your article has been published.

解答：

傳統上從事科研的發表時，必須保留數據、做法的說明、過程細節、以及分析，以便在回應感興趣的讀者的詢問時，備份資料能予提供。所以，你應該（被預期要）在你的文章（被）發表之後，保留這些材料至少五年。

三、中譯英：請將下列各段中文譯成英文。（30分）

1. 不管規模是大是小，台灣的企業跟家族都脫離不了關係。家族一直是企業的基礎，在當代台灣企業的創設、組織或擴展上，家族具有舉足輕重的影響力。

解答：Regardless of their sizes being large or small, the businesses in Taiwan are never entirely free from family ties. Families have always been the foundation of businesses, wherein families play a decisive role in the establishment, organization or expansion of Taiwan's businesses of this contemporary.

或：

Whether their sizes are large or small ....

2. 每年的九九重陽節的前一個週末，為全國的登山日。行政院體育委員會呼籲民眾一起投入登山運動。藉著登山的機會，多看看台灣高山地貌與林相之美。

解答：The weekend prior to the Mountain Climbing Festival (the 9<sup>th</sup> of the 9<sup>th</sup> lunar month) every year is the National Mountain Climbing Day. The National Council on Physical Fitness and Sports of the Executive Yuan calls on all the citizens to join the mountain hiking activities. By climbing mountains, one gets to sightsee much of the beauty of the mountains and forests of Taiwan.

3. 著作權法第四十七條第三項：「依法設立之各級學校或教育機構，為教育目的之必要，在合理範圍內，得公開播送他人已公開發表之著作。」

解答：The Copyright Law Article 47, Paragraph III provides, "Schools or educational institutes of various levels founded in pursuance of statutes applicable may publicly broadcast the works published by others for the purposes of education as necessary within the scope of fairness (或 reasonableness)."

[解析]

按著作權法中有關「合理利用」的相當英文說法是「fair use」，因之，此解答之作成係考量二種可能性：

- (1) 沿用國際間所認定「合理利用」中關於「合理」一詞的說法「fair」；及  
(2) 中文式思考的「合理」，即「reasonable」。其中，依照句中文法結構的需求，取此二形容詞之抽象名詞形 fairness 及 reasonableness。

- 四、閱讀測驗：請詳讀下面文章後，在下列各題中選出最適當的答案，並請將正確答案前的英文字母(A)、(B)、(C)或(D)，依題號寫在試卷上。(20分)

In 1816, Tomas Jefferson warned: "If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and 1." Futurists who construct scenarios about America's future would 2 to heed these words, for the country is experiencing an epidemic of civic ignorance that, if unchecked, will irrevocably 3 the strength of the nation's democratic institutions and make "the land of the free and the home of the brave" the empty words of a 4 song. Democracy is one of the most precarious forms of government. 5 upon the wisdom and courage of ordinary people to do the right thing in situations 6

they are free to act selfishly or to do nothing at all. In such situations their conscience must be guided by their spiritual beliefs and 7 by the principles of justice enunciated in their laws and constitution. But if the people have 8 understanding of these beliefs and principles, they will have 9 the knowledge nor the incentive to act 10 as citizens.

[譯文]

西元一八一六年時，Tomas Jefferson 警告謂：如果一個國家預期要保持無知而又自由，則在任何一個文明國家，它會是在期待以前從未存在的，而未來也永遠不會存在的東西。從事於構建美國未來景況的未來學派人士會被建議要好好注意這些忠告之詞，因為我國家正在經歷全民無知的流行病，它如果不受到監控，則將無可挽回地破壞掉我國的民主體制，而使得這片「自由之土和勇者之家」變成一首已然淡忘之歌的空洞之詞。民主是最不穩定的政府形式之一。它取決於普通人在他們能自由地自私行動，或根本不做任何事的情況下，願意去做正確之事的智慧和勇氣。在這樣情況下，他們的良心必須受他們精神信仰的引導，並且受他們的法律和憲法中所揭櫫的正義原則的指揮。但如果人民沒有這些信仰和原則的理解（或：不了解這些信仰和原則），則他們既不會有知識，也不會有誘因要去負責任地作為公民。

解答

(B) never will be      1. (A) will never be (B) never will be (C) be never will (D) never will

(A) be well advised      2. (A) be well advised (B) advise (C) be advising (D) be to advise

[解析]

Futurists who construct scenarios about America's future **would be well advised** to heed these words ....

（從事於構建美國未來景況的未來學派人士會被建議要好好注意這些忠告之詞      ）

to heed      = to pay full attention to      好好注意。

(B) undermine      3. (A) undertake (B) undermine (C) understand (D) undercharge

(D) forgotten      4. (A) forget (B) forgetting (C) forgot (D) forgotten

(B) It depends      5. (A) They depend (B) It depends (C) Which depends (D) What depends

[解析]

前一句：Democracy is one of the most precarious forms of government.

本題是另一獨立的句子：It depends upon the wisdom and courage of ordinary people to do the right thing ....

所以，本題所考的代名詞，係指稱前一句的「government」，故必須選答「(B) It depends」，才符合名詞 government 與其代名詞 it 的一致性。不可選答表示複數代名詞的「(A) They depend」。

另由於本題是另一獨立，但直述語氣的句子，所以不可選答具有疑問詞或複合關係代名詞的(C)或(D)。

- (D) that      6. (A) where (B) which (C) what (D) that
- (D) directed    7. (A) to direct (B) directing (C) to be directed (D) directed
- (B) not        8. (A) no (B) not (C) not a (D) not an
- (C) neither    9. (A) either (B) no (C) neither (D) not

[解析]

But if the people have not understanding of these beliefs and principles, they will have **neither** the knowledge **nor** the incentive to act responsibly as citizens.

( 但如果人民沒有這些信仰和原則的理解 ( 或：不了解這些信仰和原則 )，則他們既不會有知識，也不會有誘因要去負責任地作為公民。 )

- (C)            10. (A) responsibility (B) responsible (C) responsibly (D)  
responsibly    response

注意：本題不可選答「(B) responsible」，因為形容詞在絕大多數的時候，都不可以修飾動詞！

[解析]

to act responsibly as citizens ( 負責任地以公民的身分行為 )；其中「responsibly ( 負責任地 )」係副詞修飾不定詞「to act ( 行動、行為 )」。

# 《英文》

一、字彙測驗：請依句意在下列各題中選出最適當的答案，並將該答案前的英文字母(A)、(B)、(C)或(D)依題號寫在試卷上。(二十分)

- (D)1. From across the room, the speaker's voice was barely \_\_\_\_\_.  
 (A)mature (B)reckless (C)brutal (D)audible
- (B)2. By being \_\_\_\_\_, Miss Li managed to get along on her small income.  
 (A)partial (B)thrifty (C)attractive (D)vertical
- (A)3. The king was a good person and a \_\_\_\_\_ leader of his people.  
 (A)benign (B)ruthless (C)cowardly (D)spiteful
- (D)4. The long climb to the top of the mountain \_\_\_\_\_ our strength.  
 (A)obtained (B)rejected (C)anceled (D)exhausted
- (B)5. After the excessive rains stopped, the flood finally \_\_\_\_\_.  
 (A)endured (B)subsided (C)revived (D)postponed
- (C)6. If you can use a word correctly, there is a great chance that you \_\_\_\_\_ it.  
 (A)unify (B)promote (C)comprehend (D)syndicate
- (C)7. Though Mr. Wang was \_\_\_\_\_ to a high position, he did not abandon his old friends.  
 (A)receded (B)emerged (C)appointed (D)censored
- (A)8. Jackie Chen is the \_\_\_\_\_ of many young people who like Chinese martial arts.  
 (A)idol (B)addict (C)client (D)tyrant
- (D)9. Each and every one of us must take \_\_\_\_\_ not to pollute our living environment.  
 (A)estimate (B)security (C)tempest (D)precaution
- (D)10. Because of the \_\_\_\_\_, some farmers began to migrate to more fertile regions.  
 (A)embrace (B)infirmary (C)nativity (D)drought

二、英譯中：請將下列各段英文譯成中文。(三十分)

1. With the world becoming a "global village", crime is now more than any other time in history becoming transnational. The reach of organized crime groups cuts across borders and regions. This is equally true for the narcotics trade, trafficking in pirated goods and money laundering.
2. "Estimates range from between US\$500 billion and \$1.5 trillion annually." This could be the gross domestic product of some nations, but in fact the estimate is the amount of dirty money laundered worldwide each year by criminal organizations.
3. In fact, a U.S. government report while noting that "corruption reportedly is most pervasive in the areas of environmental and waste management, public advertising and government procurement, particularly in local-level construction tenders," recognized that "authorities generally investigate allegations of corruption and take action to penalize corrupt officials."

## 【擬答】

1. 隨著世界成為地球村，當前的犯罪手法不僅已跨越國界，更達到有史以來的最高峰。有組織的犯罪集團早已無孔不入，尤其在麻醉藥品買賣，非法貨品走私及犯罪洗錢上特別明顯。
2. 據估計，每年金額從五仟億到一兆五仟億美金。這金額可能會達到一些國家的國內生產總額。但事實上，這預估值正是每年犯罪組織在全球非法洗錢的數量。





3. 事實上，根據一份美國政府報告所論及，「據聞，貪污現象於環保廢物處理、公開告示與政府採購，特別是在地方層級的營建投標等領域上，最為普遍。」因此這份報告認為，相關當局應著手調查貪污指控，並且採取行動以便將貪官污吏繩之以法。

### 三、中譯英：請將下列各段中文譯成文。(三十分)

1. 高檢署表示今後將不定期取締違法影印原文書的侵權行為，並呼籲商家、大學生切莫以身試法。
2. 警察機關除要求警察人員在執行臨檢時應確實遵守勤務規則外，平時亦應加強宣導民眾如何以正確態度與方式來應對警察的臨檢，以免發生不必要的衝突。
3. 談到「舉證責任」，法律上有一句諺語：「舉證之所在，敗訴之所在。」意思就是，打官司的時候，要負舉證責任的一方，通常就是敗訴的一方。由這句諺語，就知道舉證責任的困難。

#### 【擬答】

1. Higher Prosecution Administration says that, from now on, it will irregularly crack down on illegal infringement on copying original editions, claiming that stores in business and college students should never violate related law.
2. In addition to claiming all policemen to obey regulations on duty in implementing temporary inspections, the police should strengthen their propaganda teaching citizens how to face policemen's temporary inspection in a proper way and manners in case of some unnecessary conflicts.
3. Speaking of liability of giving evidence, well goes the legal saying, "Where there is evidence giving, there is a failing lawsuit," which means one party in charge of evidence-giving tends to be the other party losing the lawsuit. It is true of how tough the liability of evidence giving is.

### 四、綜合測驗：請依文意，選出每題最適當的答案，並將該答案前的英文字母(A)、(B)、(C)或(D)依題號寫在試卷上。(二十分)

What makes Audrey, the new Internet appliance unveiled by 3Com last month, different is that it 1. stylish touches to make what 2. functions it delivers feel like luxury. Not only can you 3. e-mail on its petite, wireless keyboard, 4. you can also send a voice 5. or scribble a note directly on its 20-cm touch-sensitive 6. using the glowing Plexiglas stylus. A blinking green light alerts you 7. new e-mail even when Audrey is turned off 8. the news, you simply turn a knob in front to flip through any of nine "channels" 9. customized Web content from 10. such as ABC News, ESPN, Mr. Showbiz and my favorite, *Accu Weather.com*.

- (C)1. (A)retails (B)notices (C)offers (D)simmers\
- (D)2. (A)few (B)much (C)little (D)more
- (A)3. (A)type (B)bring (C)mumble (D)testify
- (C)4. (A)or (B)and (C)but (D)for
- (D)5. (A)drawing (B)message (C)conviction (D)transport
- (B)6. (A)mouse (B)screen (C)modem (D)printer
- (C)7. (A)to (B)at (C)by (D)in
- (A)8. (A)Get (B)Getting (C)To get (D)Having got
- (D)9. (A)feature (B)features (C)featured (D)featuring
- (C)10. (A)boards (B)clicks (C)sites (D)departments



# 《英文》

一、單字片語測驗：請依句意在下列各題中選出最適當的答案，並將該答案前的英文字母 A，B，C，或 D，依題號寫在試卷上（20 分）

**D** 1.Children should not be allowed to play with \_\_\_\_\_ unless under adult supervision.

- (A) flashlight
- (B) feather
- (C) fossils
- (D) firecrackers

**C** 2.When someone faints, what should you do in order to make him \_\_\_\_\_?

- (A) broke down
- (B) give up
- (C) come to
- (D) become of

**A** 3.Gesturing is a form of \_\_\_\_\_ communication.

- (A) nonviolent
- (B) nonverbal
- (C) nonpolluting
- (D) normal

**A** 4.What facts should we \_\_\_\_\_ when we judge John's progress in English?

- (A) take into account
- (B) take a look at
- (C) take pity on
- (D) take off with

**A** 5.There are strict laws to \_\_\_\_\_ the use of chemicals in food.

- (A) regulate
- (B) recollect
- (C) reject
- (D) refresh

**B** 6.What may happen if you are driving a car at high speed and a tire \_\_\_\_\_?

- (A) breaks down
- (B) blows out
- (C) keeps up with
- (D) breaks in

**C** 7.The fighter landed a good punch and knocked his opponent \_\_\_\_\_.

- (A) sensible
- (B) settled
- (C) senseless
- (D) selfish

**D** 8.Do you prefer things which are old-fashioned or those which are \_\_\_\_\_?

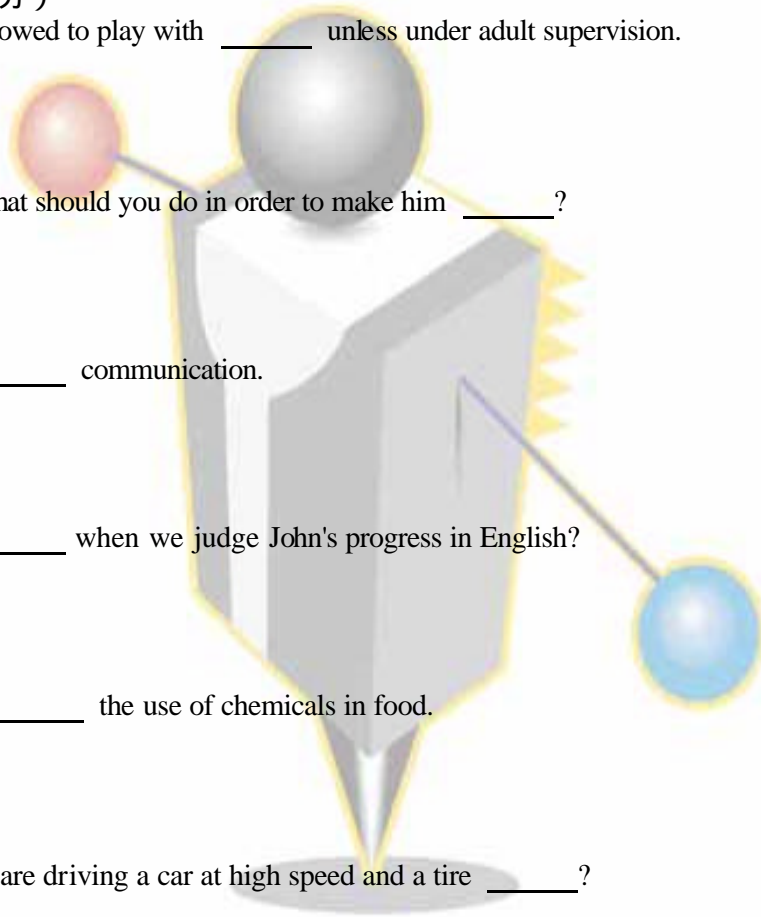
- (A) stand to reason
- (B) out of date
- (C) take it for granted
- (D) up to date

**A** 9.The company's profits have \_\_\_\_\_ in recent years.

- (A) doubted
- (B) decomposed
- (C) declined
- (D) declared

**B** 10.Why is it difficult for you to \_\_\_\_\_ John when you are both walking together?

- (A) wear it out
- (B) keep up with
- (C) drop in on



(D) check up on

## 二、英譯中：請將下列各段英文譯為中文（30分）

1.

President Chen Shui-bian recently said Taiwan's commercial relations with mainland China have entered a new era after the Economic Development Advisory Council (EDAC) decided to scrap the "go slow, be patient" policy.

The president made the remarks when he met visiting U.S. congressmen. "I believe that the best way to normalize the cross-strait ties is to first try normalizing the two sides' trading and commercial relations." Chen said.

Taiwan entrepreneurs, according to the new policy, will be allowed to make investments directly in the mainland, unless such investment poses a threat to Taiwan's national security.

Nonetheless, some political analysts doubt whether Taiwan could be able to materialize the conclusions made in the EDAC meeting, especially those concerning cross-strait issues.

命題意旨	我國政府近來積極作為的政治法律經濟時事、官方報導之措詞方式及語法結構、法律英文、政治英文。
答題關鍵	時事英文、法律英文、政治事務英文的常用重要辭彙；倒裝句的中文翻譯；副詞子句在中、英文中位置的調整及變化。
擬答鑑示	參考：高點黎老師，民間公證人英文講義，檢察事務官英文講義，及歷屆中譯英、英譯中擬答整編。

### 【擬答】

最近陳水扁總統說：在經濟發展諮詢委員會（經發會）決定要廢止「戒急用忍」政策之後，台灣與大陸的商業關係（經濟關係）已經進入一個嶄新的紀元（時代）。

總統係在與來訪的美國眾議院議員會晤時，作出此一談話。陳總統說：「我相信使跨海峽聯繫（兩岸關係）正常化的最佳途徑，首先就是要使兩岸的貿易和商業關係正常化。」

依照新的政策，台灣的企業家將被允許直接到大陸投資，除非該投資對於台灣的國家安全構成威脅。

然而，有些政治分析家懷疑究竟台灣能否有能力落實在經發會會議中所作成的結論，尤其是那些有關跨海峽的議題（有關兩岸關係）者。

2.

Authorities of government's health care office are to increase spending on care for patients diagnosed with certain diseases as part of the government's continuous effort to improve the overall quality of medical services for the country's 23 million residents, scheduled to begin in September.

According to officials of the Bureau of National Health Insurance (BNHI), to provide hospitals and physicians the incentive needed for better treatment results, the BNHI is expecting to plunk down nearly NT\$3 billion for those diagnosed with the five commonly seen illnesses, including cervical cancer, breast cancer, tuberculosis, diabetes, and asthma. Once the new policy is put in place, the above mentioned illnesses would be paid according to "results" of the medical services rendered instead according to the number of cases treated.

命題意旨	我國政府近來積極作為的政治法律經濟時事、官方報導之措詞方式及語法結構、法律英文、政治英文。
答題關鍵	時事英文、法律英文、政治事務英文的常用重要辭彙；分詞構句、分詞片語；介系詞的多種含意。
擬答鑑示	參考：高點黎老師，民間公證人英文講義，檢察事務官英文講義，及歷屆中譯英、英譯中擬答整編。

### 【擬答】

政府衛生主管當局（健保主管當局）將要增加開支，以照顧被診斷患有某些疾病的病人，此係政府的持續性努力中的一部，為要促進提供予我國兩千三百萬居民之醫療服務之整體品質，其預計將於九月份開始（開始實施）。

依照全民健康保險局（健保局）的官員指出，為要提供醫院和醫師以所需的誘因，俾獲致較佳的結果，健保局預計要投入近乎新台幣三十億元，以照顧那些被診斷患有五種常見的疾病的人，包括子宮頸癌、乳癌、肺結核、糖尿病、及氣喘。一旦新的政策開始實施，則上述的疾病將依照所提供的醫療服務的「結果」給付，而非依照所治療過的案例數。

3.

According to Merriam-Webster, the word "racism" didn't even come into existence until 1936. The earlier term was "racialism," often used in a value-free sense to describe a studying of the differences between peoples and races. But Hitler and the Nazis poisoned the idea that race distinctions could be anything but invidious, and so "racialism," with its anthropological connotations, fell into disuse.

In the United States, the history of the word "racism" is bound up, of course, with the civil-rights movement. In the '50s and '60s, Americans were instructed that "racism" is what white Southerners inflict on black Southerners; in the '70s, the argument expanded, as academics and bureaucrats proclaimed white on-black racism to be the root cause of any and

every inequality.

命題意旨	提醒國人勿受族群分化迷思的蠱惑的時事英文、英文文字學 (etymology) 之探討、文史英文辭彙
答題關鍵	中英文片語對於形容詞的運用方式及位置之差異及相似之處、中英文動詞內涵之差異 (例如: inflict (施加) 必然係指痛苦或傷害之施加, 而中文的「施加」係僅具中性的意涵)、對於美國及其他國家歷史的知識、而且熟悉所涉及的英文辭彙。
擬答鑑示	參考: 高點黎老師, 民間公證人英文講義, 檢察事務官英文講義, 及歷屆中譯英、英譯中擬答整編。

### 【擬答】

依照瑪俐安 韋氏大字典,「種族歧視主義 (racism)」一詞遲至西元一九三六年才出現。較早的字眼 (說法) 是「種族主義 (racialism)」,通常不具任何意涵,用以描述對於數個民族及種族之間差異的研究。但是希特勒和納粹卻將此一概念毒化為種族差異除了不是個體的事之外,任何其他事都可能;因之「種族主義 (racialism)」帶著它在人類學上的關連含意,遭到人們的濫用。

在美國,「種族歧視主義 (racism)」此一詞的歷史當然與民權運動結合在一起。在西元五 及六 年代時,美國人所學到的「種族歧視主義 (racism)」是南方白人加諸南方黑人身上的傷痛。在西元七 年代時,該論證被進一步擴張,因為學界和政界宣稱白人加諸黑人身上的種 族 視 主 義 , 係 任 何 所 有 的

**註 1:** 按「racism」之本義係「種族主義」,而因實行「種族歧視政策」的政府,或具有「種族歧視觀念」的人,通常會對於其自身的「種族」,採行較為極端的「種族主義」認同。因之,時至今日,此一辭彙「racism」已然脫離了其原有的字義,而變成「種族歧視主義」的代稱;而「種族歧視主義者」則以「racist」稱之。

### 三、中譯英:請將下列各句中文譯為英文 (30 分)

#### 1.法官說王先生沒有這部汽車的所有權。

命題意旨	法庭用語、法庭英文辭彙 (例如:法官、原告、被告、所有權)
答題關鍵	That 所引導的名詞子句作為及物動詞的受詞;法學英文辭彙的應用。
擬答鑑示	參考: 高點黎老師, 民間公證人英文講義, 檢察事務官英文講義, 及歷屆中譯英、英譯中擬答整編。

### 【擬答】

The judge said that Mr. Wang had no property right over this automobile.

#### 2.年輕人愛夢想是很自然的,但他們也可能努力工作而使部分願望實現。

命題意旨	提倡積極思想的訊息,而以英文表達。
答題關鍵	轉折連接詞在複式句法中的運用;虛位主詞 It 之活用;復合介系詞 thereby、hereby 等之活用。
擬答鑑示	參考: 高點黎老師, 民間公證人英文講義, 檢察事務官英文講義, 及歷屆中譯英、英譯中擬答整編。

### 【擬答】

It is only natural that young people love to dream, while they may also be hard working, thereby realizing some of their dreams.

#### 3.許多缺德的商人利用水災的機會抬升價格。

命題意旨	關心近年來國內天災不斷,而有一些發國難財的不肖商人,在政治法律邊緣遊走的時事英文。
答題關鍵	慣用片語的活用;嚴肅或重要時事議題所涉及的法律及其他相關辭彙 (例如: unconscionable (沒良心) )
擬答鑑示	高點黎老師, 民間公證人英文講義, 檢察事務官英文講義, 及歷屆中譯英、英譯中擬答整編。

### 【擬答】

Many unconscionable merchants took advantage of the occasion when there was flood to raise the price of goods.

#### 4.被告在證明有罪之前,都應假定是清白的。

命題意旨	法庭用語、法庭英文辭彙 (例如:法官、原告、被告、所有權)
答題關鍵	重要英文法諺:「Innocent until proven guilty」
擬答鑑示	高點黎老師, 民間公證人英文講義, 檢察事務官英文講義, 及歷屆中譯英、英譯中擬答整編。

### 【擬答】

Any defendant should be presumed innocent before proven guilty.



5.漠視法律，我行我素是很危險的。

命題意旨	提倡國人尊重法律的時事英文。
答題關鍵	虛位主詞 It 之活用；近似意義或同意辭彙的熟悉（例如：to ignore (忽視)、to be indifferent to + 名詞 (對於漠不關心) 。
擬答鑑示	高點黎老師，民間公證人英文講義，檢察事務官英文講義，及歷屆中譯英、英譯中擬答整編。

【擬答】

It is rather dangerous to ignore (或 to be indifferent to) laws and have one's own way all the time.

四、閱讀測驗：請詳讀下面短文之後，在下列各題中選出最適當的答案，並將該答案前的英文字母(A) ，(B) ，(C) ，或(D) ，依題號寫在試卷上（20 分）

Age is a central topic in human thought. When young we regard (1) as something exciting, eagerly anticipating growing up, and when old - facing physical decline - as something (2). We nearly always want to be in an age we (3).

One lesson to be learned from studying others' lives is (4) every age has something special to offer. If we long to be older and more experienced, or if we crave eternal youth or (5) back to "the good old days," we will fail to live in the (6) and to use it to the full.

(7) reading of thousands of biographies, I've also found that, despite typical ways of growth and behavior at every age, there are always some (8) the pattern, being unusually early or unusually late in some respects. Whether (9) short busy lives or long happy ones, they have ignored the imagined limitations of time. (10) their enthusiasm and optimism, they teach us to make the best of life.

【擬答】

- |                      |                  |                |                |
|----------------------|------------------|----------------|----------------|
| C 1. (A) life        | (B) youth        | (C) aging      | (D) age        |
| C 2. (A) encouraging | (B) satisfactory | (C) depressing | (D) pleasant   |
| D 3. (A) are         | (B) do           | (C) do not     | (D) are not    |
| D 4. (A) which       | (B) what         | (C) whether    | (D) that       |
| D 5. (A) come        | (B) look         | (C) see        | (D) go         |
| B 6. (A) past        | (B) present      | (C) future     | (D) time       |
| A 7. (A) After       | (B) With         | (C) In         | (D) At         |
| A 8. (A) who break   | (B) who make     | (C) who take   | (D) who render |
| C 9. (A) owning      | (B) having       | (C) living     | (D) making     |
| D 10. (A) Of         | (B) Toward       | (C) On         | (D) With       |

註2：原題目中「We nearly always want to be in an age we (3) .」處，似乎有打字錯誤。漏打了一個介系詞「of」，可能作「be *of* an age we (D) are not .」為宜。

註3：原題目中「(7) reading *of* thousands of biographies, I've also found that ...」，也，似乎有打字錯誤。而多打了一個介系詞「of」，可能應該刪去該「*of*」，而作「(A) After reading thousands of biographies, I've also found that ...」為宜。

高點