

題號： 75

國立臺灣大學 115 學年度碩士班招生考試試題

科目： 西洋政治思想史

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一、近來台灣政治社會對憲政主義的「權力分立」(separation of powers)原則有熱烈的討論。這個政治原則是由洛克與孟德斯鳩所開啟，並影響了現代自由主義傳統關於政府權力分立的規範思考。(25%)

(a)請說明兩位思想家的政府分權理論(包括每一個權力各自之權限)；

(b)並進一步討論他們對政府權力分立論的理論證成(theoretical justification)所提出之論述。

二、在《利維坦》中，霍布斯區別「自然權利」(right of nature)以及「自然法」(law of nature)這兩個核心概念如下：(25%)

THE RIGHT OF NATURE, which writers commonly call *jus naturale*, is the liberty each man hath, to use his own power, as he will himself, for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto.

A LAW OF NATURE (*lex naturalis*) is a precept or general rule, found out by reason, by which a man is forbidden to do that, which is destructive of his life, or takes away the means of preserving the same; and to omit that, by which he thinks it may be best preserved.

(a)請說明「自然權利」與「自然法」在霍布斯政治哲學系統所分別扮演的角色(關連於自然狀態、戰爭狀態、社會契約、建立主權國家等議題)

(b)有人主張：霍布斯提出這個對立，標誌著西方近代政治思想一個重要的分水嶺：在此之前，西方古典傳統乃是通過自然法來確定何種價值為「正確」或「正當」(rectitude)；但在霍布斯的理論重構之後，“right”一詞去除了古典目的論的規範義涵，成為個人為追求自保所擁有的「權利」，並影響到自由主義。請申論(或批判)之。

三、請問當代女性主義理論家是否可以從亞里斯多德的政治哲學中得到啟發？如果可以，請詳述可以得到啟發的具體內容；如果不可以，請詳述不可以的具體原因。(25%)

四、請詳讀以下引文，並完成引文以下所列之任務：(25%)

“Let's complete the inquiry in which we supposed that if we first tried to observe justice in some larger thing that possessed it, that would make it easier to see what it is like in an individual human being. We agreed that this larger thing is a city, and so we founded the best city we could, knowing well that justice would of course be present in one that was good. So, let's apply what has come to light for us there to an individual, and if it is confirmed, all will be well. But if something different is found in the case of the individual, we will go back to the city and test it there. And perhaps by examining them side by side and rubbing them together like fire-sticks, we can make justice blaze forth and, once it has come to light, confirm it in our own case.”

(A)請辨識以上引文出自哪一位思想家，並請以妳/你自己的話論述該引文的主要意涵(而非直接翻譯此引文)；(B)請基於以上引文，申論此思想家的政治哲學「方法」以及其對西洋政治思想史發展的意義。

試題隨卷繳回