

國立中央大學九十一年度碩士班研究生入學試題卷

所別： 產業經濟研究所 丙組 科目： 英文 共 二 頁 第 二 頁

一、法律英文中翻英：請將下列中文翻譯為英文，每題六分，共三十分。

- A. 著作權最初只適用於文字創作，然而至今已經擴展到包括電腦程式、圖畫、音樂和許多其他創作上。財產權提供兩種主要功能，一為決定誰可以在何時使用何種東西，一為提供創作的誘因。這兩種功能同樣可以適用在著作權的理論基礎上。
- B. 對於許多法律人而言，經濟學無非就是以研究通貨膨脹、失業率、景氣循環和其他總體經濟現象為目的，和法律體系的日常運作，相去甚遠。然而，究諸實際，經濟學討論的就是理性選擇，而理性選擇也應該是法律體系所關心的焦點。
- C. 「法律的經濟分析理論」長久以來被批評為忽略「正義」。但是我們必須區辨正義這個字的不同意義之間的差異。有時候它是指分配的正義，有時候卻是指效率而言。
- D. 幾年前我在華爾街日報上讀過一篇報導，我對那篇文章的作者在經濟學上所表現出來的無知感到相當吃驚。那篇文章是以「收養」這個市場為主題，作者認為收養市場經常出現供需不均衡的現象，有時嬰兒找不到父母收養，有時父母找不到理想的嬰兒收養，所以自由市場是失敗的。但是這篇文章所忽略掉的是，根據美國法律規定，有意收養嬰兒的夫妻付錢給生母以領養嬰兒，是非法的行為。
- E. 不少社會立法禁止賣淫和通姦行為，可是，倘若允許人們進行對彼此有利的交易是具有說服力的主張，那麼法律為何要禁止賣淫和通姦呢？

二、法律英文英翻中：請將下列英文翻譯為中文，每題六分，共三十分。

- A. In the nineteenth century, the main question of antitrust policy was whether labor unions should be suppressed as unlawful combinations in restraint of trade. The classical economists thought not, but neither did they believe that worker's combination could be distinguished from combinations of employers to lower wages or of sellers to raise prices.
- B. The theory of the firm tells us why so much economic activity is organized in firms but not why most of those firms are corporations. A clue is that firms in which the inputs are primarily labor rather than capital often are partnership or individual proprietorships rather than corporations. The corporation is primarily a method of solving problems encountered in raising substantial amount of capital.
- C. The fundamental assumption of the economic approach, to law and everything else, is that people are rational. A mugger is a mugger for the same reason I am an economist: Given his tastes, opportunities, and abilities, it is the most attractive profession open to him. What laws are passed, how they are interpreted

注意：背面有試題

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- and enforced, ultimately depend on what behavior is in the rational interest of legislators, judges, and polices.
- D. If transaction costs are zero, if, in other words, any agreement that is in the mutual benefit of the parties concerned get made, then any initial definition of property rights leads to an efficient outcome. The Result is sometimes referred to as the Coase Theorem.
- E. One way of limiting the influence of interest groups on the legislative process is to limit the amount of money that may be spent in political campaign. This is the approach taken in the Federal Election Campaign Act Amendments of 1974. The ceiling on contributions reduces the comparative advantage that a group able to overcome free-rider problems enjoys in making large contributions to politicians. But there is a loophole: The act permits the sort of nonpecuniary contributions that only an interest group can supply, for example union members' personal services, organized and contributed by the union.

三、一般英文翻譯：請將下列英文翻譯為中文，每題十分，共四十分。

- A. Big ideas often start in small—and computer cluttered—spaces in California's Silicon Valley, still the top address for geniuses and entrepreneurs in the online universe. Camped in a rented room in Belmont, south of San Francisco, the founders of FHP Wireless work late writing and testing software and plotting how to raise capital. They believe they have developed technology to create inexpensive and easy-to-use wireless network.
- B. The medieval Roman Catholic Church sold indulgences to sinners who thought cash could purchase exoneration in heaven. Today it's the church that is handing out money in hopes of buying forgiveness for itself. The surging scandal over sexual abuse by the priesthood is proving as financially damaging to the church as it is hurtful to the faith, as Catholic dioceses across the U.S. dole out huge sumes to victims to compensate them for their pain and keep them silent.
- C. Twenty-three years of war have left Afghanistan in miseray and ruins. Once proud cities, such as 3,000-year-old Heart, have been bombed into rubble. Villagers have been slaughtered, irrigation systems wrecked, fruit orchards chopped down, and wheat fields planted with land mines.
- D. The war on terror had been going so well for George Bush that he threw a little party last week. Bush thanked the "mighty coalition of civilized nations" for joining the war's first phase in Afghanistan and rallied them for the next one. Self-congratulation has rarely had a shorter half-life. Bush's plans to go global with the war on terror were crowd out by new images of violence in Middle East.

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