

等 別：高考二級  
類 科：各類科  
科 目：憲法與英文  
考試時間：2 小時

座號：\_\_\_\_\_

※注意：(一)禁止使用電子計算器。

(二)不必抄題，作答時請將試題題號及答案依照順序寫在試卷上，於本試題上作答者，不予計分。

(三)請以黑色鋼筆或原子筆在申論試卷上作答。

- 一、 憲法第 11 條規定：「人民有言論、講學、著作及出版之自由。」上開規定除「講學自由」，大法官曾於司法院釋字第 380 號解釋指出：「講學自由之規定，係對學術自由之制度性保障」外，憲法第 11 條所保障之權利一般通稱為「表現自由」。

請依司法實務見解、主要學說分析：商業廣告是否受憲法上「表現自由」之保障？藥事法第 66 條第 1 項規定：「藥商刊播藥物廣告時，應於刊播前將所有文字、圖畫或言詞，申請中央或直轄市衛生主管機關核准，並向傳播業者送驗核准文件。」之規定，是否違反禁止「事前審查原則」？（30 分）

- 二、英譯中：（20 分）

“Land art,” an art using the environment to make an artistic point, is consistently debated for its ethics. Many of its artworks are about the relationship between humans and the natural environment, including the harm we often do to our planet. While many deem this form of art as a necessary evil, others believe that the harm to the environment caused by land art cannot be justified by the intention to spread awareness to a cause, however laudable. Some infamous instances include surrounding islands with floating fabric, and wrapping trees in plastic. These works have not only sparked ethical debates but ecological and legal ones as well.

- 三、中譯英：（20 分）

近年來，以真實犯罪為題材的媒體，無論是播客還是影片形式，其人氣飆升的現象已經不再是什麼秘密。這個題材廣為流行，不僅僅是因為其娛樂性，還因為這一類型的作品可能解決懸案、讓久被忽視的案件重新曝光、並教育觀眾如何避免和預防自己身陷悲慘的情境。此外，許多人被真實犯罪媒體吸引，是因為它揭示了大多數人一生當中都不曾經歷的黑暗人性。然而，犯罪現場的細節該披露到什麼程度，以及在創作真實犯罪內容時是否獲得了倖存者和家屬的同意，這些都引發了倫理上的顧慮。

四、英文作文：請根據下面的說明寫一篇約 300 字的英文作文（30 分）

The concept of “social death” refers to a condition where an individual is marginalized, isolated, or excluded from society, often leading to a loss of identity, dignity, and community connections. How does social death manifest in modern society, and what are its implications for individuals and communities? Write an essay about 300 words to discuss (1) the causes and consequences of social death, and (2) explore potential solutions to address this issue. It is suggested that the writing include examples of social death incidents drawn from real-life cases, news reports, or personal experiences.