

一. 最近有部份人權運動者倡言「廢除死刑」，在社會上引起不小的爭議。贊成廢除者，或質疑司法之公正性，以致可能造成冤獄(以蘇建和三死囚案為例)，或基於人道精神(認為應有替代方案，不應以殺止殺)，甚至以西歐國家為範例，將死刑之存廢，當成一個國家是否文明的象徵與進步的指標。反對廢除者，或基於社會正義原則(否則如何對苦主家屬交代，如白曉燕命案等重大刑案)，或基於懲戒之功能與嚇阻之作用(治亂世，要用重典)。對於死刑應該保留還是廢除，正反兩方面的觀點，請提出你的分析與論點。(25分)

二. 以下是一篇「基因改造」的新聞報導摘錄，請加以闡述評論。(25分)

牠們看起來像老鼠，牠們發出的聲響像老鼠，牠們繞籠子跑來跑去好像老鼠，但是牠們比你想像的更像人。

在加州和紐澤西州的實驗室裡，兩家生物科技公司已發展出多種像我們一樣會抗禦疾病的老鼠。

這些超級老鼠經過基因改造，可製造人類疾病抗體，而非老鼠抗體。這個改變讓老鼠可如迷你工廠一般製造強效藥品，並為紐澤西州的 Medarex 及加州的 Abgenix 等賺進數以百萬美元的盈利。

用老鼠製造純屬人類的抗體被視為一大進展，因為這可以加速新藥的研發，降低病人自身免疫系統排斥藥物的機率。

分析師說，Medarex 和 Abgenix 應當不會受到基因專利權問題的影響，因為他們的目標部是人類基因。

以抗體為基礎的藥品發揮藥效的方式與施打流行性感疫苗類似，注射以後，人們接受一種檢過毒性的流感病毒，促使身體製造抗體對抗該行流感。抗體可強化身體對抗流感，病人或者不發病，或者病況輕微。

Medarex 和 Abgenix 改變老鼠的基因，使其擁有激進於人類的免疫系統。因此，為這些老鼠注射對付某種疾病的蛋白質時，其體內會產生對抗這種疾病的抗體，而抗體各自會找出一個特定目標，即細胞所製造的抗原，並與之結合，使其失去作用。每一個抗體只能與某種抗原結合，因此對周遭的健康細胞毫無影響。

三. 以下是關於植物人王曉民的一段歷史回顧，請在閱讀後就「安樂死」的議題加以闡述評論。(25分)

三十六年前，民國五十二年九月十七日的清晨，中山女高儀隊隊長王曉民在上學途中，被身後同方向的超速計程車撞成重傷，不幸因此成了植物人，不但是父母和家人心中永遠的傷痛，也成了社會關懷之外永遠的遺憾。

事故發生之後過了兩年，在音樂家申學庸與郭錚的協助下，王曉民的父母親滿懷希望地護送著她，遠渡重洋到紐約聖文生醫院求治。遺憾的是，經過徹底地檢查之後，美國的權威醫生也無能為力，甦醒的希望更為渺茫。

雖然如此，王曉民的父母親仍然期盼著有奇蹟出現，然而一年又一年無聲息般地過去了，希望亦隨著時光之流逝而破滅。不忍女兒生不如死的困境，並擔心兩老身後王曉民恐將無人照顧，母親趙錫念終於在民國七十一年做了最痛苦的決定，向政府各級相關單位遞出請願書，並幾度陳情總統，請求讓王曉民在不痛苦的情形下「安樂死」，但是沒有得到任何回音。父親王雲雷則與母親意見相左，他認為王曉民有喜怒哀等情緒反應，沒有道理讓她安易死。其實真正的原因是他捨不得，堅持只要他一息尚存，就要看著王曉民好好活著。

母親趙錫念在民國八十五年六月，因胃癌而先走一步了。父親王雲雷也在去(八十八)年三月廿二日凌晨在高雄榮總，因肺炎引發呼吸道衰竭，肋膜積水導致敗血症，撒手人寰。造化弄人，兩老都已先後辭世，而王曉民至今卻依然沈睡不省，留給我們無盡的哀傷以及面對生死難題的無奈。

四. 以下是一短篇有關康德倫理學立場的論述，請在閱讀後說明其大意，並加以闡述評論。(25分)

After *The Critique of Pure Reason*, Kant wrote a number of other important philosophical works, including *The Critique of Practical Reason*, and *The Foundations of the Metaphysics of Morals*, both of which addressed specially the problem of ethics. In its emphasis on intention and duty, Kant's theory demonstrated Christianity's influence on him, and in its attempts to ground duty in reason, Kant's theory showed him to be a thinker of the Enlightenment. By positing freedom **as if** it were grounded in a synthetical **a priori** truth (for without freedom there can be no moral acts), one can derive an ethical code from its foundations in reason. Being a rule-guided activity, reasoning itself is based on a respect for rules and laws. From such respect, Kant deduced a moral command, which he called the **Categorical Imperative**: "So act that the maxim of your action could be willed as a universal law." All moral acts can be derived from principles which may be universalized without contradiction. Kant thought that, as creatures of reason, we are duty-bound to obey such principles.

Kant formulated the **Categorical Imperative** in a number of ways, not just in terms of the principle of universalizability. One such formulation was this: "So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as a means only." By saying we should treat people as ends, and not merely as means, Kant was of course admonishing us against **using** other people as a means to our own ends. He thought that morality entailed the recognition of the **dignity** of each person as a person. This side of his ethics has wide-spread practical implications for such issues as sexual relationships, discrimination, informed consent, and death with dignity.

If one dwelt solely on the first formulation of the **Categorical Imperative** (the one based on universalizability), Kant's ethics might seem quite bloodless; but this second formulation adds some warmth to his moral doctrine. Nevertheless, there is a **bit** of coldness at the heart of his view. He was so intent on making morality a question of DUTY, that he refused to grant any worth to INCLINATION. According to him, if a person who was motivated by feeling of empathy toward humanity rendered assistance to a helpless, needy person, this act would be of less moral value than would be the same act performed by someone who actually loathed humanity, but who was motivated purely by a sense of duty.