

## 國立嘉義大學公共政策研究所 99 學年度第 2 學期教學大綱

課程名稱：憲法政治	學分數：2	每週時數：2
班級：	<input type="checkbox"/> 必修， <input checked="" type="checkbox"/> 選修	
授課教師：許志雄	E-mail： cchs4216@mail.ncyu.edu.tw	
晤談地點：A01-323	晤談時段：星期一 3、4 節	

### 一、課程概述：

憲法乃「政治之法」，一方面屬於法的領域，另一方面又與政治的關係密不可分。憲法居於國家最高法規的地位，成為政治勢力競逐必須遵守的規範；但是政治的變化也會影響憲法的解釋適用，甚至造成憲法的變動。我國憲政發展至今，憲法與政治經常處於糾葛難解的狀態，過去威權體制如此，一九九〇年代步入憲政改革階段後亦然。尤其，2000 年我國首度出現政黨輪替後，憲法政治更展現迥異於前的風貌。本課程主要從立憲民主的角度，檢視我國憲法政治的發展狀況，並探討當前憲政的問題，以及未來可能的與應有的方向。

本課程以討論為主，講授為輔。前數週由本人針對課程內容及相關問題，做全面性的介紹與說明，接著選讀若干文獻，最後每週由一位同學針對專題提出書面及口頭報告，一位同學擔任評論，其他同學共同討論，本人講評。

### 二、教學目標：

1. 解明憲法與政治的關係，並研究憲法變動的理論。
2. 檢視我國威權體制時代及民主轉型後的憲政狀況
3. 探索我國憲政所面臨的挑戰，並思考可能的對策。

### 三、教學進度

週次	日期	主題 / 活動	參考章節 / 作業
1		課程說明	
2		憲法的生命力	
3		憲法變動的理論	

- 4 我國憲政的沿革
- 5 國會選舉與議會民主
- 6 總統直選與非媒介民主
- 7 公民投票與民主深化
- 8 違憲審查與憲政發展
- 9 期中考
- 10 文獻選讀
- 11 文獻選讀
- 12 文獻選讀
- 13 文獻選讀
- 14 文獻選讀
- 15 分組報告討論
- 16 分組報告討論
- 17 分組報告討論
- 18 期末考

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#### 四、教學評量：

平時成績（含出席、課堂及網站討論）：40%

期中考成績：30%

期末考成績：30%

**五、參考書目：**

1. 許志雄 (2010), 《憲法秩序之變動》, 台北：元照出版。
2. 隨堂指定參考資料。

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**National Chiayi University Syllabus  
Graduate Institute of Public Policy, Spring Semester,  
Academic Year 2010**

<b>Course:</b> Constitutional Politics	<b>Credit:</b> 2	<b>Hours:</b> 2
<b>Class:</b>	<input type="checkbox"/> Required, <input checked="" type="checkbox"/> Elective	
<b>Instructor:</b> Chih-Hsiung Hsu	<b>E-mail:</b> cchsu4216@mail.ncyu.edu.tw	
<b>Office:</b> A01-323	<b>Office Hours:</b> Mondays, 1000-1200	

**I. Course Description:**

Constitution is a "law of politics", on the one hand is the field of law, on the other hand, it is closely intertwined with politics. Political changes can also influence the interpretation and application of the Constitution, even cause changes in the Constitution. In 2000, there was a first change of ruling party in Taiwan, and the political phenomenon was quite different from before. This course examines the constitutional democracy development in Taiwan, and discovers the problems of current politics, and tries to suggest a proper direction in the future.

This course is mainly lead by discussion and supplies with lecture. The former few weeks are taught by the lecturer, and the lecturer will assign reading materials for students. Each student has to propose the readings in class each week, and there will be one student who has to comment on the reporter's work, and others discuss the comment. The lecture will also annotate the work.

**II. Teaching Objectives:**

1. To understand the relation between constitutional law and politics.
2. To study the theory of constitutional change.
3. To explore the constitutional system and condition of democratic development and to explore the challenges, and then think of possible solution.

**III. Class Schedule**

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<b>Week</b>	<b>Date</b>	<b>Topic/Activity</b>	<b>Reading/Assignment</b>
1		Introduction	
2		The life of constitutional law	
3		The theory of constitutional change	
4		Constitutional system in Taiwan	
5		Congressional elections and parliamentary democracy	
6		Presidential election and non-media democracy	
7		Referendum and democratization	
8		Judicial review and constitutional democracy	
9		Mid-term exam	
10		Reading	
11		Reading	
12		Reading	
13		Reading	
14		Reading	
15		Group discussion	
16		Group discussion	
17		Group discussion	
18		Final exam	

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**IV. Evaluation :**

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General assessment (including attendance, class discussions, and e-learning website discussion): 40%

Mid-term Exam: 30%

Final Exam: 30%

**V. References :**

1. 許志雄 (2010), 《憲法秩序之變動》, 台北: 元照出版。
2. 隨堂指定參考資料。

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