

How Wrongs happened in *Cuo Zhan CuiNing*

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Abstract

About the causes of the wrongs happening in Song Dynasties' novel, such as *Cuo Zhan CuiNing*, some scholars think that they resulted primarily from the underdeveloped technological level and the lack of principle of innocent presumption at that time. However, through a careful examination on the text of the case, and its consultation with the laws and regulations during the time when the wrongs happened, we can find the reasons for the grievance to arise are judicial officials who violated social conventions, common sense of justice, especially relevant laws and regulations, and even hadn't conducted any on-site investigations before the trial. Some Scholars' overemphasis, on the presumption of innocence, the level of science and technology, or other modern society standards, can merely be excessive censure of ancient officials, serving as the reason why can't we explain how injustice occurred. Thereby we will ignore the system construction and maintenance of judicial due process, which are more important for a fair trial and the construction of rule of law in present-day China.

Keywords: *Cuo Zhan CuiNing*, evidence, disobeying the laws