

## Side FOR EL DOCTOR

*The Doctor explains to Señor Polichinela why he has decided not to inflict punishment on the schemer Crispin (that fellow) even though Polichinela demands it.*

**El Doctor:** Allow me to think. That fellow isn't a fool and it's obvious he isn't ignorant of legal proceedings. Therefore, if we consider that the offence against you is purely pecuniary and that every crime that can be compensated in equal measure bears in that very compensation the most just punishment; if we consider that in the barbarous and primitive rule of Talion it was said: an eye for an eye, a tooth for a tooth, but not a tooth for an eye or an eye for a tooth ... It could very well be said that here we have a case of *escudo* for *escudo*. Because, in fact, he didn't take your life, so you cannot ask for his in return. He didn't offend your person, your honour or your good name, so you cannot demand he pay with his. Equity is the most supreme form of justice: *equitas justitia magna est*. And so it has been through the ages from the Pandects to Tribonian, to Aemilian, Tiberian...