

THE LEGAL THEORY OF CARL SCHMITT

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with that which she had bidden him. The money-changer brought him all that she required and set it on the heads of porters; and the old man took them and returned with them to Sitt el Milah. So she sat down with him and they ate their sufficiency, after which he removed the rest of the food. Then she took the fruits and the flowers and setting them over against herself, wrought them into rings and knots and letters, whilst the old man looked on at a thing whose like he had never in his life seen and rejoiced therein..When Abou Temam returned with [news of] the accomplishment of his errand and brought the presents and the letter, King Ilan Shah rejoiced in this and redoubled in showing him honour and made much of him. Some days thereafterward, the king of Turkestan sent his daughter and she went in to King Ilan Shah, who rejoiced in her with an exceeding joy and Abou Temam's worth was exalted in his sight. When the viziers saw this, they redoubled in envy and despite and said, 'An we contrive us not a device to rid us of this man, we shall perish of rage.' So they bethought them [and agreed upon] a device they should practise..? ? ? ? ? g. The Fuller and his Wife dcccxcvi.Husband, The Credulous, i. 270..73. Mohammed el Amin and Jaafer ben el Hadi dclvii.The subscribers to my "Book of the Thousand Nights and One Night" and the present "Tales from the Arabic" have now before them a complete English rendering (the first ever made) of all the tales contained in the four printed (Arabic) Texts of the original work and I have, therefore, thought it well to add to this, the last Volume of my Translation, full Tables of Contents of these latter, a comparison of which will show the exact composition of the different Editions and the particulars in which they differ from one another, together with the manner in which the various stories that make up the respective collections are distributed over the Nights. In each Table, the titles of the stories occurring only in the Edition of which it gives the contents are printed in Italics and each Tale is referred to the number of the Night on which it is begun..Now the king was leaning back upon the cushion, when he heard the man's words, he knew the purport thereof; so he sat up and said, "Return to thy garden in all assurance and ease of heart; for, by Allah, never saw I the like of thy garden nor stouter of ward than its walls over its trees!" So Firouz returned to his wife, and the cadî knew not the truth of the affair, no, nor any of those who were in that assembly, save the king and the husband and the damsel's brother. (176).There was once aforetime a certain sharper, who [was so eloquent that he] would turn the ear inside out, and he was a man of understanding and quick wit and skill and perfection. It was his wont to enter a town and [give himself out as a merchant and] make a show of trafficking and insinuate himself into the intimacy of people of worth and consort with the merchants, for he was [apparently] distinguished for virtue and piety. Then he would put a cheat on them and take [of them] what he might spend and go away to another city; and he ceased not to do thus a great while..? ? ? ? ? Yea, nevermore I ceased from that wherewith I stricken was; My night with wakefulness was filled, my heart with dreariment..Barmecides, Er Reshid and the, i. 189..53. King Kelyaad (231) of Hind and his Vizier Shimas dcix.As for me, I stood, with my head bowed to the earth, forgetting both Institutes and Canons, (99) abode sunk in thought, saying, "How came I to be the dupe of yonder worthless baggage?" Then said the Amir to me, "What aileth thee that thou answerest not?" And I answered, saying, "O my lord, it is a custom among the folk that he who hath a payment to make at a certain date is allowed three days' grace; [so do thou have patience with me so long,] and if, [by the end of that time,] the culprit be not found, I will be answerable for that which is lost." When the folk heard my speech, they all deemed it reasonable and the Master of Police turned to the Cadi and swore to him that he would do his utmost endeavour to recover the stolen money and that it should be restored to him. So he went away, whilst I mounted forthright and fell to going round about the world without purpose, and indeed I was become under the dominion of a woman without worth or honour; and I went round about on this wise all that my day and night, but happened not upon tidings of her; and thus I did on the morrow..? ? ? ? ? The true believer is pinched for his daily bread, Whilst infidel rogues enjoy all benefit..Ali of Damascus and Sitt el Milah, Noureddin, iii. 3..Haste not to that thou dost desire; for haste is still unblest, ii. 88..? ? ? ? ? Tis gazed at for its slender swaying shape And cherished for its symmetry and sheen..? ? ? ? ? Indeed, your long estrangement hath caused my bowels yearn. Would God I were a servant in waiting at your door!..? ? ? ? ? c. The Third Calender's Story liii..? ? ? ? ? g. The King's Son and the Ogress dcccclxxxv.When it was the tenth day, (now this day was called El Mihrijan (129) and it was the day of the coming in of the folk, gentle and simple, to the king, so they might give him joy and salute him and go forth), the counsel of the viziers fell of accord that they should speak with a company of the notables of the city [and urge them to demand of the king that he should presently put the youth to death]. So they said to them, "When ye go in to-day to the king and salute him, do ye say to him, 'O king, (to God be the praise!) thou art praiseworthy of policy and governance, just to all thy subjects; but this youth, to whom thou hast been bountiful, yet hath he reverted to his base origin and wrought this foul deed, what is thy purpose in his continuance [on life]? Indeed, thou hast prisoned him in thy house, and every day thou hearest his speech and thou knowest not what the folk say.'" And they answered with "Hearkening and obedience"..? ? ? ? ? ? ? ? ? ? eb. Story of the Barber's Second Brother xxxi.Prince who fell in Love with the Picture, The, i. 256..? ? ? ? ? o. The King's Son and the Merchant's Wife dxcii..? ? ? ? ? And whenas the dogs at a fountain have lapped, The lions to drink of the water forbear.".Now the king of the Greeks heard tell of the damsel (132) and of the beauty and grace wherewith she was gifted, wherefore his heart clave to her and he sent to seek her in marriage of Suleiman Shah, who could not refuse him. So he arose and going in to Shah Khatoun, said to her, 'O my daughter, the king of the Greeks hath sent to me to seek thee in marriage. What sayst thou?' She wept and answered, saying, 'O king, how canst thou find it in thy heart to bespeak me thus? Abideth there husband for me, after the son of my uncle?' 'O my daughter,' rejoined the king, 'it is indeed as thou sayest; but let us look to the issues of affairs. Needs must I take account of death, for that I am an old man and fear not but for thee and for thy little son; and indeed I have written to the king of the Greeks and others of the kings and said, "His uncle slew him," and said not that he [hath recovered and] is living, but concealed his affair. Now hath the king of the Greeks sent to demand thee in marriage, and this is no thing to be refused and fain would we have our back strengthened with him.'" (133) And she was silent and spoke not..Affairs, Of Looking to the Issues of, i. 80..Then he folded the letter and sealing it, delivered it to the damsel, who took it and carried it to her mistress. When the princess read the letter and apprehended its contents, she said, "Meseemeth he recalleth to me that which I did aforetime." Then she called for inkhorn and paper and wrote the following verses:.When the morning morrowed and the king sat on the throne of his kingship, he summoned the chief of his viziers and said to him, "What deemest thou of this that yonder robber-youth hath done? Behold, he hath entered my house and lain down on my bed and I fear lest there be an intrigue between him and the woman. How deemest thou of the affair?" "God prolong the king's continuance!" replied the vizier. "What sawest thou in this youth [to make thee trust in him]? Is he not vile of origin, the son of thieves? Needs must a thief revert to his vile origin, and whoso reareth the young of the serpent shall get of them nought but biting. As for the woman, she is not at fault; for, since [the] time [of her marriage with thee] till now, there hath appeared

from her nought but good breeding and modesty; and now, if the king give me leave, I will go to her and question her, so I may discover to thee the affair." 40. Jaafer ben Yehya and Abdulmelik ben Salih dlxv. ? ? ? ? If with her cheek and lustre thou thyself adorn, (120) thou'lt find But chrysolites and gold, with nought of baser metal blent..? ? ? ? Think not, my lords, that I forget: the case is still the same. When such a fever fills the heart, what leach can make it whole?. Twelfth Officer's Story, The, ii. 179.. To return to the king his father. When he went to the pit, as of his wont, and called the nurse, she returned him no answer, whereat his breast was straitened and he let down a man who [found the nurse dead and the boy gone and] acquainted the king therewith; which when he heard, he buffeted his head and wept passing sore and descended into the midst of the pit, so he might see how the case stood. There he found the nurse slain and the lion dead, but saw not the boy; so he [returned and] acquainted the astrologers with the verification of their words, and they said, 'O king, the lion hath eaten him; destiny hath been accomplished upon him and thou art delivered from his hand; for, had he been saved from the lion, by Allah, we had feared for thee from him, for that the king's destruction should have been at his hand.' So the king left [sorrowing for] this and the days passed by and the affair was forgotten.. King Shah Bekht and His Vizier Er Rehwan. ? ? ? ? d. The Tailor's Story cxxxvii. 132. Sindbad the Sailor and Sindbad the Porter dxxxvi. The Twenty-Third Night of the Month.. ? ? ? ? Yea, horses hath he brought, full fair of shape and hue, Whose collars, anklet-like, ring to the bridle-rein.. A thief of the thieves of the Arabs went [one night] to a certain man's house, to steal from a heap of wheat there, and the people of the house surprised him. Now on the heap was a great copper measure, and the thief buried himself in the corn and covered his head with the measure, so that the folk found him not and went away; but, as they were going, behold, there came a great crack of wind forth of the corn. So they went up to the measure and [raising it], discovered the thief and laid hands on him. Quoth he, "I have eased you of the trouble of seeking me: for I purposed, [in letting wind], to direct you to my [hiding-]place; wherefore do ye ease me and have compassion on me, so may God have compassion on you!" So they let him go and harmed him not.. 11. Sindbad the Sailor and Hindbad the Porter (239). Then he sent for his daughter, whose name was Jemreh, and when she came, he said to her, 'Harkye, Jemreh! Know that I am going to [meet] the clans of Es Shisban and Queen Kemeriyeh and the kings of the Jinn. If I am vouchsafed the victory over them, to Allah be the praise and thou shall have of me largesse; but, if thou see or hear that I am worsted and any come to thee with news of me [to this effect], hasten to slay Tuhfeh, so she may fall neither to me nor to them.' Then he took leave of her and mounted, saying, 'When this cometh about, pass over to the Crescent Mountain and take up thine abode there, and await what shall befall me and what I shall say to thee.' And Jemreh answered with 'Hearkening and obedience.. ? ? ? ? ? ? ? ? ? ? xa. The Old Woman and the Draper's Wife dccccxvii. ? OF CLEMENCY.. ? ? ? ? Alack, my grief! Thou wast, indeed, grown absent from my yiew, Yet art the apple of mine eye nor couldst from me divide.. 138. Hind Daughter of En Numan and El Hejjaj dclxxxi. The king took his wife, the mother of his sons, and what he might [of good] and saved himself and fled in the darkness of the night, unknowing whither he should go. When travel grew sore upon them, there met them robbers by the way, who took all that was with them, [even to their clothes], so that there was left unto each of them but a shirt and trousers; yea, they left them without victual or camels or [other] riding-cattle, and they ceased not to fare on afoot, till they came to a coppice, to wit, a garden of trees, on the shore of the sea. Now the road which they would have followed was crossed by an arm of the sea, but it was scant of water. So, when they came to that place, the king took up one of his children and fording the water with him, set him down on the other bank and returned for his other son. Him also he set by his brother and returning for their mother, took her up and passing the water with her, came to the place [where he had left his children], but found them not. Then he looked at the midst of the island and saw there an old man and an old woman, engaged in making themselves a hut of reeds. So he put down his wife over against them and set off in quest of his children, but none gave him news of them and he went round about right and left, but found not the place where they were.. ? ? ? ? "My soul be thy ransom," quoth I, "for thy grace! Indeed, to the oath that thou swor'st thou wast true.. ? OF ENVY AND MALICE.. ? ? ? ? Drink ever, O lovers, I rede you, of wine And praise his desert who for yearning doth pine.. Now the children had entered the coppice, to make water, and there was there a forest of trees, wherein, if a horseman entered, he might wander by the week, [before finding his way out], for none knew the first thereof from the last. So the boys entered therein and knew not how they should return and went astray in that wood, to an end that was willed of God the Most High, whilst their father sought them, but found them not. So he returned to their mother and they abode weeping for their children. As for these latter, when they entered the wood, it swallowed them up and they went wandering in it many days, knowing not where they had entered, till they came forth, at another side, upon the open country.. Then he thrust his feet into boots and girt him with a sword and a girdle and bound about his middle a quiver and a bow and arrows. Moreover, he put money in his pocket and thrust into his sleeve letters-patent addressed to the governor of Ispahan, bidding him assign to Rustem Khemartekeni a monthly allowance of a hundred dirhems and ten pounds of bread and five pounds of meat and enrol him among the Turks under his commandment. Then he took him up and carrying him forth, left him in one of the mosques.. Then he commanded one of the slave-girls to take the lute and strike it at Aboulhusn's head, whilst the rest smote upon their instruments. [So they played and sang,] till Aboulhusn awoke at the last of the night and heard the noise of lutes and tabrets and the sound of the pipes and the singing of the slave-girls, whereupon he opened his eyes and finding himself in the palace, with the slave-girls and eunuchs about him, exclaimed, 'There is no power and no virtue but in God the Most High, the Supreme! Verily, I am fearful of the hospital and of that which I suffered therein aforetime, and I doubt not but the Devil is come to me again, as before. O my God, put thou Satan to shame!' Then he shut his eyes and laid his head in his sleeve and fell to laughing softly and raising his head [bytimes], but [still] found the apartment lighted and the girls singing.. ? ? ? ? ? ? ? ? My severance to bewail in torment and dismay.. "Leave the mention of him. Who is at the door?" Quoth Adi, "El Akhwes el Ansari." (54) "God the Most High put him away and estrange him from His mercy!" cried Omar. "Is it not he who said, berhyming on a man of Medina his slave-girl, so she might outlive her master ... ?" [And he repeated the following line:] ? ? ? ? ? ? ? ? ab. The King's Son and the Ogress xv. ? ? ? ? So hath the Merciful towards Hudheifeh driven you, A champion ruling over all, a lion of great might.. So she gave him the lute and he forewent her, till he came to the house of easance, and behold, therein was a door and a stairway. When Tuhfeh saw this, her reason fled; but Iblis cheered her with discourse. Then he descended the stair and she followed him to the bottom thereof, where she found a passage and they fared on therein, till they came to a horse standing, Teady saddled and bridled and accoutred. Quoth Iblis, '[Mount], in the name of God, O my lady Tuhfeh,' and he held the stirrup for her. So she mounted and the horse shook under her and putting forth wings, flew up with her, whilst the old man flew by her side; whereat she was affrighted and clung to the pummel of the saddle; nor was it but an hour ere they came to a fair green meadow,

fresh-flowered as if the soil thereof were a goodly robe, embroidered with all manner colours..46. The Sharper of Alexandria and the Master of Police ccccli.?? ? ? ? z. The King who lost Kingdom and Wife and Wealth and God restored them to him dccccix.Say, by the lightnings of thy teeth and thy soul's pure desire, iii. 19..When it was the ninth day, the viziers [foregathered and] said, one to another, "Verily, this youth baffleth us, for as often as the king is minded to put him to death, he beguileth him and ensorcelleth him with a story; so what deem ye we should do, that we may slay him and be at rest from him?" Then they took counsel together and were of accord that they should go to the king's wife [and prompt her to urge the king to slaughter the youth. So they betook themselves to her] and said to her, "Thou art heedless of this affair wherein thou art and this heedlessness will not profit thee; whilst the king is occupied with eating and drinking and diversion and forgetteth that the folk beat upon tabrets and sing of thee and say, 'The king's wife loveth the youth;' and what while he abideth on life, the talk will increase and not diminish." Quoth she, "By Allah, it was ye set me on against him, and what shall I do [now]?" And they answered, "Do thou go in to the king and weep and say to him, 'Verily, the women come to me and tell me that I am become a byword in the city, and what is thine advantage in the sparing of this youth? If thou wilt not slay him, slay me, so this talk may be estopped from us.'" "There was once a king named Bihkerd aed he had wealth galore and many troops; but his deeds were evil and he would punish for a slight offence and never forgave. He went forth one day to hunt and one of his servants shot an arrow, which lit on the king's ear and cut it off. Quoth Bihkerd, 'Who shot that arrow?' So the guards brought him in haste the offender, whose name was Yetrou, and he of his fear fell down on the ground in a swoon. Then said the king, 'Put him to death;' but Yetrou said, 'O King, this that hath befallen was not of my choice nor of my knowledge; so do thou pardon me, in the hour of thy power over me, for that clemency is of the goodliest of things and belike it shall be [in this world] a provision and a good work [for which thou shall be requited] one of these days, and a treasure [laid up to thine account] with God in the world to come. Pardon me, therefore, and fend off evil from me, so shall God fend off from thee evil the like thereof.' When the king heard this, it pleased him and he pardoned the servant, albeit he had never before pardoned any..? ? ? ? ? "Console thou thyself for his love," quoth they, "with another than he;" But, "Nay, by his life," answered I, "I'll never forget him my dear!".Speedy Relief of God, Of the, i. 174..? ? ? ? ? "Forget him," quoth my censurers, "forget him; what is he?" "If I forget him, ne'er may God," quoth I, "remember me!".61. Musab ben ez Zubeir and Aaisheh his Wife dcxlix.Now he feared [to return to the pot then and there], lest the idiot should follow him to the place and find nothing and so his plan be marred. So he said to him, 'O Ajlan, (265) I would have thee come to my lodging and eat bread with me." So the idiot went with him to his lodging and he seated him there and going to the market, sold somewhat of his clothes and pawned somewhat from his house and bought dainty food. Then he betook himself to the ruin and replacing the money in the pot, buried it again; after which he returned to his lodging and gave the idiot to eat and drink, and they went out together. The sharper went away and hid himself, lest the idiot should see him, whilst the latter repaired to his hiding- place and took the pot.?? ? ? ? The huntress of th' eyes (60) by night came to me. "Turn in peace," [Quoth I to her;] "This is no time for visiting, I ween.".There came to a king of the kings, in his old age, a son, who grew up comely, quick-witted and intelligent, and when he came to years of discretion and became a young man, his father said to him, 'Take this kingdom and govern it in my stead, for I desire to flee [from the world] to God the Most High and don the gown of wool and give myself up to devotion.' Quoth the prince, 'And I also desire to take refuge with God the Most High.' And the king said, 'Arise, let us flee forth and make for the mountains and worship in them, for shamefastness before God the Most High.'.The king marvelled at what he saw and questioned him of [how he came by] the knowledge of this. 'O king,' answered the old man, 'this [kind of] jewel is engendered in the belly of a creature called the oyster and its origin is a drop of rain and it is firm to the touch [and groweth not warm, when held in the hand]; so, when [I took the second pearl and felt that] it was warm to the touch, I knew that it harboured some living thing, for that live things thrive not but in heat.' (209) So the king said to the cook, 'Increase his allowance.' And he appointed to him [fresh] allowances..When the king heard this from the vizier, he bade him go away [and he withdrew to his house]..Now, by the ordinance of God the Most High, a company of thieves fell in upon a caravan hard by that mountain and made prize of that which was with them of merchandise. Then they betook themselves to the mountain, so they might share their booty, and looking at the foot thereof, espied the gown of brocade. So they descended, to see what it was, and finding the child wrapped therein and the gold laid at his head, marvelled and said, "Extolled be the perfection of God! By what wickedness cometh this child here?" Then they divided the money between them and the captain of the thieves took the boy and made him his son and fed him with sweet milk and dates, till he came to his house, when he appointed him a nurse, who should rear him..? ? ? ? ? A fair one, to idolaters if she herself should show, They'd leave their idols and her face for only Lord would know;.Three Men and our Lord Jesus, The, i. 282..32. The Mock Khalif cclxxxvi.? ? ? ? e. The Niggard and the Loaves of Bread dcccclxxxiv.My fruit is a jewel all wroughten of gold, ii. 245..Meanwhile, the king and queen abode in the island, over against the old man and woman, and ate of the fruits that were in the island and drank of its waters, till, one day, as they sat, there came a ship and moored to the side of the island, to fill up with water, whereupon they (63) looked at each other and spoke. The master of the ship was a Magian and all that was therein, both men and goods, belonged to him, for that he was a merchant and went round about the world. Now covetise deluded the old man, the owner of the island, and he went up [into the ship] and gave the Magian news of the king's wife, setting out to him her charms, till he made him yearn unto her and his soul prompted him to use treachery and practise upon her and take her from her hnsband. So he sent to her, saying, 'With us in the ship is a woman with child, and we fear lest she be delivered this night. Hast thou skill in the delivering of women?' And she answered, 'Yes.' Now it was the last of the day; so he sent to her to come up into the ship and deliver the woman, for that the pangs of labour were come upon her; and he promised her clothes and spending-money. Accordingly, she embarked in all assurance, with a heart at ease for herself, and transported her gear to the ship; but no sooner was she come thither than the anchors were weighed and the canvas spread and the ship set sail..Queen Shuaaeh was moved to exceeding delight and emptying her cup, gave Tuhfeh an hundred thousand dinars. Then arose Iblis (may God curse him!) and said, 'Verily, the dawn gleameth.' Whereupon the folk arose and disappeared, all of them, and there abode not one of them save Tuhfeh, who went forth to the garden and entering the bath, made her ablutions and prayed that which had escaped her of prayers. Then she sat down and when the sun rose, behold, there came up to her near an hundred thousand green birds; the branches of the trees were filled with their multitudes and they warbled in various voices, whilst Tuhfeh marvelled at their fashion. Presently, up came eunuchs, bearing a throne of gold, set with pearls and jewels and jacinths white and red and having four steps of gold, together with many carpets of silk and brocade and Egyptian cloth of silk welted with gold. These latter they spread amiddleward the garden and setting up the throne

thereon, perfumed the place with virgin musk and aloes and ambergris.

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