

KONKRETISIERUNG VON GENERALKLAUSELN IM EUROPÄISCHEN PRIVATRECHT

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Then the kings of the Jinn came up to the throne and seated themselves thereon; and they were in the semblance of mortals, excepting two of them, who were in the semblance of the Jinn, with eyes slit endlong and jutting horns and projecting tusks. After this there came up a young lady, fair of favour and pleasant of parts; the light of her face outshone that of the flambeaux, and about her were other three women, than whom there were no fairer on the face of the earth. They saluted Tuhfeh and she rose to them and kissed the earth before them; whereupon they embraced her and sat down on the chairs aforesaid..? ? ? ? Thine honour, therefore, guard and eke thy secret keep, Nor save to one free-born and true thy case confess..The eunuch fell a-weeping in the pit and the youth said to him, 'What is this weeping and what shall it profit here?' Quoth the eunuch, 'I weep not for fear of death, but of pity for thee and the sorriness of thy case and because of thy mother's heart and for that which thou hast suffered of horrors and that thy death should be this abject death, after the endurance of all manner stresses.' But the youth said, 'That which hath betided me was forewrit to me and that which is written none hath power to efface; and if my term be advanced, none may avail to defer it.' (136) Then they passed that night and the following day and the next night and the next day [in the pit], till they were weak with hunger and came near upon death and could but groan feebly..95. Abou Suweid and the Handsome Old Woman dclxxxvii.When Jemreh heard her words, she knew that, if she let her not down, she would assuredly destroy herself. So she said to her, 'O Tuhfeh, between thee and them are a thousand fathoms; but I will bring them up to thee.' 'Nay,' answered Tuhfeh, 'needs must I go down to them and take my pleasance in the island and look upon the sea anear; then will we return, thou and I; for that, if thou bring them up to us, they will be affrighted and there will betide them neither easance nor gladness. As for me, I do but wish to be with them, that they may cheer me with their company neither give over their merrymaking, so haply I may make merry with them, and indeed I swear that needs must I go down to them; else will I cast myself upon them.' And she cajoled Jemreh and kissed her hands, till she said, 'Arise and I will set thee down beside them.'33. Ali the Persian and the Kurd Sharper ccxciv.? ? ? ? i. The Spider and the Wind dcxv.Now the king was leaning back; so he sat up and said, 'Tell me of this.' 'It is well,' answered the tither. 'I go to the man whom I purpose to tith and circumvent him and feign to be occupied with certain business, so that I seclude myself therewith from the folk; and meanwhile the man is squeezed after the foulest fashion, till nothing is left him. Then I appear and they come in to me and questions befall concerning him and I say, "Indeed, I was ordered worse than this, for some one (may God curse him!) hath slandered him to the king." Then I take half of his good and return him the rest publicly before the folk and send him away to his house, in all honour and worship, and he causeth the money returned to be carried before him, whilst he and all who are with him call down blessings on me. So is it published in the city that I have returned him his money and he himself saith the like, so he may have a claim on me for the favour due to whoso praiseth me. Then I feign to forget him till some time (242) hath passed over him, when I send for him and recall to him somewhat of that which hath befallen aforesaid and demand [of him] somewhat privily. So he doth this and hasteneth to his dwelling and sendeth what I bid him, with a glad heart. Then I send to another man, between whom and the other is enmity, and lay hands upon him and feign to the first man that it is he who hath traduced him to the king and taken the half of his good; and the people praise me.' (243).No good's in life (to the counsel list of one who's purpose-whole), i. 28..? ? ? ? The herald of good news my hearing shall delight.,The news reached his father, who said to him, 'O my son, this damsel to whom thy heart cleaveth is at thy commandment and we have power over her; so wait till I demand her [in marriage] for thee.' But the prince said, 'I will not wait.' So his father hastened in the matter and sent to demand her of her father, who required of him a hundred thousand dinars to his daughter's dowry. Quoth Bihzad's father, 'So be it,' and paid down what was in his treasuries, and there remained to his charge but a little of the dower. So he said to his son, 'Have patience, O my son, till we gather together the rest of the money and send to fetch her to thee, for that she is become thine.' Therewith the prince waxed exceeding wroth and said, 'I will not have patience;' so he took his sword and his spear and mounting his horse, went forth and fell to stopping the way, [so haply that he might win what lacked of the dowry].III Fortune, Of the Uselessness of Endeavour against Persistent, i 70..The Cadi was perplexed and knew that constraint was not permitted of the law; (269) so he spoke the young merchant fair and said to him, "Protect me, (270) so may God protect thee. If thou divorce her not, this disgrace will cleave to me till the end of time." Then his rage got the better of him and he said to him, "An thou divorce her not with a good grace, I will bid strike off thy head forthright and slay myself; rather flame (271) than shame." The merchant bethought himself awhile, then divorced her with a manifest divorcement (272) and on this wise he delivered himself from that vexation. Then he returned to his shop and sought in marriage of her father her who had played him the trick aforesaid and who was the daughter of the chief of the guild of the blacksmiths. So he took her to wife and they abode with each other and lived the most solaceful of lives, in all prosperity and contentment and joyance, till the day of death; and God [alone] is All-Knowing..When it was the day of the going-in, (110) Bihzad, of his haste and lack of patience, betook himself to the wall, which was between himself and the princess's lodging and in which there was a hole pierced, and looked, so he might see his bride, of his haste. But the bride's mother saw him and this was grievous to her; so she took from one of the servants two red-hot iron spits and thrust them into the hole through which the prince was looking. The spits ran into his eyes and put them out and he fell down aswoon and joyance was changed and became mourning and sore concern. See, then, O king," continued the youth, "the issue of the prince's haste and lack of deliberation, for indeed his haste bequeathed him long repentance and his joy was changed to mourning; and on like wise was it with the woman who hastened to put out his eyes and deliberated not. All this was the doing of haste; wherefore it behoveth the king not to be hasty in putting me to death, for that I am under the grasp of his hand, and what time soever thou desirest my slaughter, it shall not escape [thee]".So she gave him all that she possessed and he sold it and paid the rest of her price; after which there remained to him a hundred dirhems. These he spent and lay that night with the damsel in all

delight of life, and his soul was like to fly for joy; but when he arose in the morning, he sat weeping and the damsel said to him, 'What aileth thee to weep?' And he said, 'I know not if my father be dead, and he hath none other heir but myself; and how shall I win to him, seeing I have not a dirhem?' Quoth she, 'I have a bracelet; do thou sell it and buy small pearls with the price. Then bray them and fashion them into great pearls, and thereon thou shalt gain much money, wherewith we may make our way to thy country.' So he took the bracelet and repairing to a goldsmith, said to him, 'Break up this bracelet and sell it.' But he said, 'The king seeketh a good (183) bracelet; I will go to him and bring thee the price thereof.' So he carried the bracelet to the Sultan and it pleased him greatly, by reason of the goodliness of its workmanship. Then he called an old woman, who was in his palace, and said to her, 'Needs must I have the mistress of this bracelet, though but for a single night, or I shall die.' And the old woman answered, 'I will bring her to thee.' All intercessions come and all alike do ill succeed, ii. 218..So he sat down at the sharper's head, and said to him, 'Know, O Razi, that I will not leave thee till after ten days and their nights, wherein I will wake and sleep by thy grave. So arise and be not a fool.' But he answered him not and El Merouzi [drew his knife and] fell to sticking it into the other's hands and feet, thinking to make him move; but [he stirred not and] he presently grew weary of this and concluded that the sharper was dead in good earnest. [However, he still misdoubted of the case] and said in himself, 'This fellow is dissembling, so he may enjoy all the money.' Therewith he addressed himself to prepare him [for burial] and bought him perfumes and what [not else] was needed. Then they brought him to the washing-place and El Merouzi came to him and heating water till it boiled and bubbled and a third of it was wasted, (40) fell to pouring it on his skin, so that it turned red and blue and blistered; but he abode still on one case [and stirred not]..54. The Poor Man and his Generous Friend cclii. ? ? ? ? ? The pains of long desire have wasted me away; Estrangement and disdain my body sore have tried..When King Shah Bekht heard this, he said, "Most like all they say of the vizier is leasing and his innocence will appear, even as that of the pious woman appeared." Then he comforted the vizier's heart and bade him go to his house..Old Woman, the Merchant and the King, The, i. 265..Vizier, The King of Hind and his, ii. 105..Then he brought out the casket of jewellery [and showed it to an expert,] who told him that the trinkets were gilt and that their worth was but an hundred dirhems. When he heard this, he was sore concerned thereat and presenting himself before the Sultan's deputy, made his complaint to him; whereupon the latter knew that a trick had been put off upon him and that the folk had cozened him and gotten the better of him and taken his stuffs. Now the magistrate in question was a man of good counsel and judgment, well versed in affairs; so he said to the draper, "Remove somewhat from thy shop, [and amongst the rest the casket,] and on the morrow break the lock and cry out and come to me and complain that they have plundered all thy shop. Moreover, do thou call [upon God for succour] and cry aloud and acquaint the folk, so that all the people may resort to thee and see the breach of the lock and that which is missing from thy shop; and do thou show it to every one who presenteth himself, so the news may be noised abroad, and tell them that thy chief concern is for a casket of great value, deposited with thee by a great man of the town and that thou standest in fear of him. But be thou not afraid and still say in thy converse, 'My casket belonged to such an one, and I fear him and dare not bespeak him; but you, O company and all ye who are present, I call you to witness of this for me.' And if there be with thee more than this talk, [say it;] and the old woman will come to thee."..So we abode there, daily expecting death, and whoso of us had with him a day's victual ate it in five days, and after this he died; and whoso had with him a month's victual ate it in five months and died also. As for me, I had with me great plenty of victual; so I buried it in a certain place and brought it out, [little by little,] and fed on it; and we ceased not to be thus, burying one the other, till all died but myself and I abode alone, having buried the last of my companions, and but little victual remained to me. So I said in myself, 'Who will bury me in this place?' And I dug me a grave and abode in expectation of death, for that I was in a state of exhaustion. Then, of the excess of my repentance, I blamed and reproached myself for my much [love of] travel and said, 'How long wilt thou thus imperil thyself?' And I abode as I were a madman, unable to rest; but, as I was thus melancholy and distracted, God the Most High inspired me with an idea, and it was that I looked at the river aforesaid, as it entered in at the mouth of the cavern in the skirt of the mountain, and said in myself, 'Needs must this water have issue in some place.'..? ? ? ? ? The road of right thou hast made straight, that erst was crooked grown; Yea, for its path of old had fall'n to ruin and decay..The Seventh Night of the Month..When the king had read this letter, he rejoiced with an exceeding joy and bestowed on me great store of presents and entreated me with the utmost honour. Some days after this, I sought of him leave to depart, but he granted it not to me save after much pressing. So I took leave of him and shipped with divers merchants and others, intending for my own country and having no desire for travel or traffic. We sailed on, without ceasing, till we had passed many islands; but, one day, as we fared on over a certain tract of the sea, there came forth upon us a multitude of boats full of men like devils, clad in chain-mail and armed with swords and daggers and bows and arrows, and surrounded us on every side. They entreated us after the cruellest fashion, smiting and wounding and slaying those who made head against them, and taking the ship, with the crew and all that were therein, carried us to an island, where they sold us all for a low price. A rich man bought me and taking me into his house, gave me to eat and drink and clothed me and entreated me kindly, till my heart was comforted and I was somewhat restored..? ? ? ? ? She hath an eye, whose glances pierce the hearts of all mankind, Nor can cornelian with her cheeks for ruddiness compare..When the company heard the seventh officer's story, they were moved to exceeding mirth, and El Melik ez Zahir Bibers rejoiced in that which he heard and said, 'By Allah, there betide things in this world, from which kings are shut out, by reason of their exalted station!" Then came forward another man from amongst the company and said, 'There hath reached me from one of my friends another story bearing on the malice of women and their craft, and it is rarer and more extraordinary and more diverting than all that hath been told to you.'..? ? ? ? ? I crave none other than thou for friend, beloved of my heart; So trust in my speech, for the generous are true and trusty still..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..71. Yehya ben Khalid and the Poor Man dcxvi.'Twere fitter and better my loves that I leave, For, if the eye see not, the heart will not grieve..By Allah, but that I trusted that I should meet you again, ii. 266..When the king heard this, he said, 'This proof sufficeth me,' and rising forthright in the night,

let bring the youth and the eunuch. Then he examined the former's throat with a candle and saw [the scar where] it [had been] cut from ear to ear, and indeed the place had healed up and it was like unto a stretched-out thread. Therewithal the king fell down prostrate to God, [in thanksgiving to Him] for that He had delivered the prince from all these perils and from the stresses that he had undergone, and rejoiced with an exceeding joy for that he had wrought deliberately and had not made haste to slay him, in which case sore repentance had betided him. As for the youth," continued the young treasurer, "he was not saved but because his term was deferred, and on like wise, O king, is it with me; I too have a deferred term, which I shall attain, and a period which I shall accomplish, and I trust in God the Most High that He will give me the victory over these wicked viziers." When Belekhsa had made an end of her verses, all present were moved to delight and El Abbas said to her, "Well done, O damsell!" Then he bade the fifth damsel come forward and sing. Now she was from the land of Syria and her name was Rihaneh; she was surpassing of voice and when she appeared in an assembly, all eyes were fixed upon her. So she came forward and taking the rebeck (for that she was used to play upon [all manner] instruments) improvised and sang the following verses: Quoth thou, "The goodliest of things is patience and its use: Its practice still mankind doth guide to all that's fair and fine." Still by your ruined camp a dweller I abide, ii. 209. Wherewith farewell, quoth I, and peace be on thee aye, What while the branches bend, what while the stars abide. ? ja. Story of David and Solomon dcccxcix. Son and his Governor, Story of the Man of Khorassan, his, i. 218. Son, Story of King Ibrahim and his, i. 138. 14. The Mouse and the Weasel cl. Chamberlain's Wife, The King and his, ii. 53. Then he turned to a damsel of the damsels and said to her, "Who am I?" Quoth she, "Thou art the Commander of the Faithful;" and he said, "Thou liest, O calamity! (33) If I be indeed the Commander of the Faithful, bite my finger." So she came to him and bit it with her might, and he said to her, "It sufficeth." Then he said to the chief eunuch, "Who am I?" And he answered, "Thou art the Commander of the Faithful." So he left him and turning to a little white slave, said to him, "Bite my ear;" and he bent down to him and put his ear to his mouth. Now the slave was young and lacked understanding; so he closed his teeth upon Aboulhusn's ear with his might, till he came near to sever it; and he knew not Arabic, so, as often as Aboulhusn said to him, "It sufficeth," he concluded that he said, "Bite harder," and redoubled his bite and clenched his teeth upon the ear, whilst the damsels were diverted from him with hearkening to the singing-girls, and Aboulhusn cried out for succour from the boy and the Khalif [well-nigh] lost his senses for laughter. Then she changed the measure and the mode and sang the following verses: When came the night, the vizier presented himself before the king, who bade him relate the [promised] story. So he said, "Hearkening and obedience. Know, Out. As for Aboulhusn, he gave not over sleeping till God the Most High brought on the morning, when he awoke, crying out and saying, "Ho, Tuffaheh! Ho, Rahet el Culoub! Ho, Miskeh! Ho, Tuhfeh!" And he gave not over calling upon the slave-girls till his mother heard him calling upon strange damsels and rising, came to him and said, "The name of God encompass thee! Arise, O my son, O Aboulhusn! Thou dreamest." So he opened his eyes and finding an old woman at his head, raised his eyes and said to her, "Who art thou?" Quoth she, "I am thy mother;" and he answered, "Thou liest! I am the Commander of the Faithful, the Vicar of God." Whereupon his mother cried out and said to him, "God preserve thy reason! Be silent, O my son, and cause not the loss of our lives and the spoiling of thy wealth, [as will assuredly betide,] if any hear this talk and carry it to the Khalif." So make me in your morning a delight And set me in your houses, high and low. Whenas the couriers came with news of thee, how fair Thou wast and sweet and how thy visage shone with light, . . . She passed the night in his lodging and when she arose in the morning, she said to him, "O elder, may I not lack thy kind offices for the morning-meal! Go to the money-changer and fetch me from him the like of yesterday's food." So he arose and betaking himself to the money-changer, acquainted him 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. The eunuch returned and told the king, who said, "Indeed, we have been neglectful with regard to El Abbas. What shall be our excuse with the king? By Allah, my soul misdoubted me that the youth was of the sons of the kings!" The Lady Afifeh, his wife, saw him lamenting for [his usage of] El Abbas and said to him, "O king, what is it thou regrettest with this exceeding regret?" Quoth he, "Thou knowest the stranger youth, who gave us the rubies?" "Assuredly," answered she; and he said, "Yonder youths, who have halted in the palace court, are his mamelukes, and his father King El Aziz, lord of Yemen, hath pitched his camp in the Green Meadow; for he is come with his army to seek him, and the number of his troops is [four-and-] twenty thousand men." [Then he went out from her], and when she heard his words, she wept sore for him and had compassion on his case and sent after him, counselling him to send for the mamelukes and lodge them [in the palace] and entertain them. a. The Unlucky Merchant ccccxl. O thou that blamest me for my heart and raillest at my ill, ii. 101. When Tuhfeh beheld this, she called to mind her lord and wept sore and said, 'I beseech God the Most High to vouchsafe me speedy deliverance, so I may return to my palace and that my high estate and queendom and glory and be reunited with my lord and master Er Reshid.' Then she walked in that garden and saw in its midst a dome of white marble, raised on columns of black teak and hung with curtains embroidered with pearls and jewels. Amiddleward this pavilion was a fountain, inlaid with all manner jacinths, and thereon a statue of gold, and [beside it] a little door. She opened the door and found herself in a long passage; so she followed it and behold, a bath lined with all kinds of precious marbles and floored with a mosaic of pearls and jewels. Therein were four cisterns of alabaster, one facing other, and the ceiling of the bath was of glass coloured with all manner colours, such as confounded the understanding of the folk of understanding and amazed the wit. Think not that I forget our trothplight after you. Nay; God to me decreed remembrance heretofore. (202). Selim followed him till he brought him to an underground chamber and showed him somewhat of wine that was to his mind. So he occupied him with looking upon it and taking him at unawares, sprang upon him from behind and cast him to the earth and sat upon his breast. Then he drew a knife and set it to his jugular; whereupon there betided Selim [that wherewithal] God made him forget all that He had decreed [unto him], (72) and he said to the cook, 'Why dost thou this thing, O man? Be mindful of God the Most High and fear Him. Seest thou not that I am a stranger? And indeed [I have left] behind me a defenceless woman. Why wilt thou slay me?' Quoth the cook, 'Needs must I slay thee, so I may take thy good.' And Selim said, 'Take my good, but slay me not, neither enter into sin against me; and do with me kindness, for that the taking of my money is lighter (73) than the taking of my life.' When she awoke, she said to the old man, "O elder, hast thou aught of food?" And he answered, "O my lady, I have bread and olives." Quoth she, "That is food fit but for the like of thee. As for me, I will have nought but roast lamb and broths and fat rissold

fowls and stuffed ducks and all manner meats dressed with [pounded nuts and almond-]kernels and sugar." "O my lady," replied the Muezzin, "I never heard of this chapter in the Koran, nor was it revealed unto our lord Mohammed, whom God bless and keep!" (31) She laughed and said, "O elder, the matter is even as thou sayest; but bring me inkhorn and paper." So he brought her what she sought and she wrote a letter and gave it to him, together with a seal-ring from her finger, saying, "Go into the city and enquire for such an one the money-changer and give him this my letter."

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