



THE CENTRE FOR
MUSLIM-CHRISTIAN
STUDIES

O X F O R D

THE CENTRE FOR MUSLIM-CHRISTIAN STUDIES

Newsletter

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The Centre for Muslim-Christian Studies
The Song School
109A Iffley Road
Oxford OX4 1EH
01865 613440

Second Class Citizens?

What is the relationship between politics, theology, and law in the treatment of subordinate religious groups?

Looking back in history, this newsletter focuses on Islamic treatments of non-Muslims through two articles derived from seminars given at The Centre for Muslim-Christian Studies in Autumn 2012 and one by a recipient of a Solomon Academic Trust scholarship. Shainool Jiwa's reflection on *the practical politics* of a minority religious group governing a religiously diverse population in medieval Egypt is of particular interest because the Fatimids were a Shi'ite dynasty governing a largely Sunni Muslim population as well as a variety of Jews and Christians. Jon Hoover's analysis of *a theological discussion* from fourteenth century Syria is of particular interest because of the current popularity in Wahhabi and Salafi circles of the teachings of Ibn Taymiyya, and therefore of his pupil, Ibn Qayyim al-Jawziyya, who was in turn the teacher of the influential Qur'an commentator, Ibn Kathir. Nazirudin Mohd Nasir looks at the key question of *the law*, contrasting the rulings of this same Ibn Qayyim with those of a later jurist writing in a different environment, and suggests that the social and political contexts influenced their respective views. Together, these articles indicate the complexity and variety that characterises Muslim dealings with Christians and Jews. They suggest that a hopeful eschatology for non-believers does not necessarily imply more equal treatment for them in this life; rather, the choice of how to base policy on Islamic foundations seems to reflect contemporary relationships and demands.

Turning to our own times, how far should we see difficulties between Muslims and Christians as theological, how far as legal, and how far as political? And what, then, do we need to discuss with each other? In our fourth annual joint lecture on 28th February, 2012, two people who have greatly contributed to recent reflection on how Muslims and Christians treat each other will ask: Is dialogue going anywhere? Where might we want dialogue to go? Are we trying to reach some kind of theological agreement, or better understanding of disagreements? How far has dialogue been determined by political aims, and how far has it been constrained by social reality? And how do the different relationships between law and theology in the two faiths affect the outcomes of our discussions? We look forward to reflecting with Colin Chapman and Ataullah Siddiqui on how future historians might regard the past hundred years of Christian-Muslim relations.

Ida Glaser
Academic Director

Hilary Term 2012

Seminar Series

Tuesdays 2.30 - 4.00pm

24th January:

Ascension Without Resurrection? Muslim and Christian Debate in the Early Islamic Period on the Ending of Jesus' Life

Mark Beaumont, Senior Lecturer in Islam and Mission, London School of Theology

31st January:

Corrections to Qur'an and New Testament Manuscripts: Snapshots of Textual History

Keith Small, Associate Research Fellow, London School of Theology

7th February:

Hard to Reach Communities: Living in the UK, and Issues Facing British Muslims of Kashmiri Heritage Born & Bred in the UK

Rajput Owais, Doctoral Candidate, University of Bradford

14th February:

Monasticism and Pilgrimage in Early Islamic Palestine c.614-950

Daniel Reynolds, Doctoral Candidate, College of Arts and Law Graduate School, University of Birmingham

21st February:

Muslims and Christians Sharing the Public Square: Theories of Civil Society

Richard Park, Doctoral Candidate, Oriel College

28th February:

Annual Joint Lecture: Details on p3

Is Dialogue Going Anywhere? Reflections on a Century of Christian-Muslim Relations

Ataullah Siddiqui, Reader in Religious Pluralism and Inter-Faith Relations, Markfield Institute of Higher Education, Islamic Foundation, Leicester

Colin Chapman, Formerly Lecturer in Islamic Studies, Near East School of Theology, Beirut, Lebanon

6th March:

The Challenges of the Practice of Polygamy Among Muslims in Kenya

Joseph Mutei, Doctoral Candidate, Catholic University of East Africa

Building respect and seeking truth

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Socio-Historical Contexts in Legal Reasoning: Ibn Qayyim al-Jawziyya and `Abd al-Ghanī al-Nābulusī on *dhimmi* (protected non-Muslims)¹

Nazirudin Mohd Nasir, Doctoral Candidate, Theology, Oxford

Varying conceptions of the status of *dhimmi* can be found within the Islamic legal tradition. This variety in juristic interpretation in structuring relations within multi-religious contexts ought to be given particular attention, as it not only reflects the plurality within Islamic law as an outcome of unique scholarly backgrounds and leanings of individual jurists, but also the role socio-historical contexts play in juristic reasoning. As a case in point, the views of two Damascene scholars, the fourteenth century Ḥanbalī scholar Ibn Qayyim al-Jawziyya (d. 1350), and the seventeenth century Ḥanafī Sufī-Jurist `Abd al-Ghanī al-Nābulusī (d. 1731), are contrasted here. Ibn Qayyim's views are drawn from his work, *Ahkām ahl al-dhimmah* (Rulings on the People under the Covenant of Protection), and those of al-Nābulusī derived mainly from his short treatise *Kitāb al-qawl al-sadīd fī jawāz khulf al-wa'ad wa-al-radd 'alā al-Rūmi al-jāhil al-'anīd*.²

Ibn Qayyim was under the heavy influence of his teacher, Ibn Taymiyya, both favouring a stricter interpretation of rules relating to *dhimmi*s. Ibn Qayyim's work above was a commentary on the 'Pact of `Umar'. In his lengthy discussion on the Qur'anic verse on *jizya* (poll-tax on protected non-Muslims), as found in Sūra 9 (al-Tawba): 29, he classified it as a form of punishment (*'uqūbāt*) meant to subdue and humble the non-believers. However, he also opposed physical acts of humiliation and abuse perpetrated upon *dhimmi*s during payment, and was against imposing taxes that were unaffordable.

Nonetheless, Islam's superiority over such communities must be maintained. Thus, no new places of worship for the *dhimmi*s should be allowed in cities conquered by Muslims, except to honour agreements concluded before the conquests. He also took after the Caliph `Umar's prohibition imposed upon the *dhimmi*s from wearing the type of footwear (*al-ni'āl*) of the Prophet and his Companions.

Contrast the above with al-Nābulusī's more generous attitude towards People of the Book. In his commentary of Ibn `Arabi's *al-Futūḥāt al-Makkiyyah* (Conquests of Mecca), al-Nābulusī shared his master's opinion that Jews and Christians gain happiness (*sa'āda*) by paying the prescribed *jizya*. This became a point of scathing criticism by a Turkish writer, who criticized both Ibn `Arabi and al-Nābulusī, arguing that their view contradicted the concept of *wa'ad* (i.e. God's threat to punish infidels in Hell) and charging them with heresy. Al-Nābulusī's discussion of *dhimmi*s is contained in his rebuttal:

[T]hey (i.e. the Jews and Christians) are legally (*syar'an*) assured of happiness by agreeing to pay the *jizya* and then giving it to the Muslims, because by

this, they save their lives and protect their property and honor. With this, they become like Muslims: It is forbidden to fight against them, to interfere with their property and children, to slander, curse or defame them, or generally to harm them. A Muslim who kills a *dhimmi* is to be put to death, and it is reported that the Prophet executed a Muslim for unjustly killing a *dhimmi*.³

Al-Nābulusī went further to maintain that a *dhimmi*'s refusal to pay the *jizya* does not render the *dhimma* contract void, and he claimed such a view to be authoritative Ḥanafī doctrine. According to al-Nābulusī, the *jizya* has two implications for *dhimmi*s. First it makes them akin to Muslims and hence, endows them with equal rights and duties. Consequently, they should not be discriminated against in any manner. Second, they enter paradise alongside Muslims in the hereafter, because they become Muslims according to the laws of the hereafter (and thus gain happiness). According to al-Nābulusī, *dhimmi*s who pay the *jizya* were able to do so as they were granted the "inner faith (*al-īmān bāṭinan*)" by God.⁴ Al-Nābulusī added that "[f]aith (*īmān*) is believing in the heart only, according to the Ash'aris and the Ḥanafis, whose schools are the true ones" and some *dhimmi*s fall within this category.⁵

Returning to the factors that shape these juristic interpretations, two main social conditions seem to have had an impact on Ibn Qayyim. First, Ibn Qayyim, like his master Ibn Taymiyya, viewed with the utmost disdain the stifled religious thinking that came with the practice of *taqlīd* (strict adherence to the religious rulings of previous jurists). Second, inter-religious relations, particularly those between Muslims and Christians, were at a low ebb. This state of relations is highlighted in the response of two prominent Damascene scholars, Ibn Taymiyya and Ibn Abī Ṭālib al-Dimashqī, to a letter from the Christians in Cyprus, received in the years 1316 and 1321 respectively. Ibn Taymiyya responded with his work *al-Jawāb al-Ṣaḥīḥ li man baddala dīn al-Masīḥ* (The Proper Answer to Those Who Alter the Religion of the Messiah), and his arguments were also reflected in al-Dimashqī's reply to the Christians. Contextual evidence thus suggests that Ibn Qayyim's preference for stricter regulations on *dhimmi*s can be partly attributed to the state of inter-religious relations at his time. His persistent emphasis on the superiority of Islam reveals his concern as to what effect lax regulations on *dhimmi*s might have on Muslims. Furthermore, the volatile political situation in his era, coupled with reports of atrocities committed by the Crusaders towards Muslims in the Holy Land, have a role to play in his cautious attitude in dealing with the subject.

Al-Nābulusī's generous attitude towards non-

Muslims can be attributed to several factors. Doctrinally, his attitude could have been borne out of the mystical vision of God that his master, Ibn `Arabi, had espoused, as well as his own conception of religious truth. For example, in his defence of the poet Shustari's usage of Christian symbols and images, al-Nābulusī suggested that Shustari "invokes the 'Muhammadan Jesus fountain' in its terms and phrases".⁶ In his *al-Faṭḥ al-Rabbāni wa-al-Fayḍ al-Raḥmāni* (The Lordly Disclosure and the Merciful Effusion), al-Nābulusī's explanations of *al-ḥaqīqa* (ultimate reality or truth) reveal partly his concept of sin—that those who lived outside Muslim rule and have not migrated to *dār al-Islam* could not be regarded as sinful. Furthermore, he maintained an image of a merciful and forgiving God, whose doors of forgiveness are open to Jews and Christians 'up to the hour of their death'.⁷ Furthermore, it was customary for al-Nābulusī to gather with Christian groups in his travels to cities like Nazareth and Bethlehem. He had also engaged the Patriarch of Antioch, Athanasios Dabbas, in a theological discussion on the nature of God in 1712, describing the Patriarch as one of the 'brothers in the spiritual journey, whose noble selves and soft nature are like moons in the theological sky'.⁸

At the social level, relations between the legal schools of thought were cordial and harmonious, with no tense juristic disputes or displays of extreme sectarianism. Similarly, inter-religious relations were generally positive. The different communities intermingled and joined in certain religious celebrations. It seems that mysticism, which was such a key feature of Damascene society then, helped build cohesion and understanding between different religious communities. This context sheds light on al-Nābulusī's relative tolerance towards the *dhimmi*s.

References

1. The *dhimma* was an agreement guaranteeing protection to certain non-Muslims, notably Jews and Christians, living under Muslim rule, in return for certain requirements or limitations placed on them.
2. Translated as "The pertinent discourse concerning the possibility that God will not carry out his threats (to punish the infidels with Hell fire) against the ignorant and stubborn Turk." See M. Winter, 'A polemical treatise by `Abd al-Ghani al-Nābulusī against a Turkish scholar on the religious status of the *dhimmi*s.' *Arabica* 35 (1988): 92–103.
3. al-Nābulusī, fols. 12b-13b, cited in Winter (1988), 98.
4. Winter, op. cit., 99.
5. Ibid.
6. Omaima Abou-Bakr, 'The Religious Other: Christian Images in Sufi Poetry' in *Images of the Other: Europe and the Muslim World Before 1700*, ed. David R. Blanks, (Cairo: American University in Cairo Press, 1997), 96–108.
7. E. Sirriyeh, *Sufi Visionary of Ottoman Damascus: `Abd al-Ghani al-Nābulusī, 1641-1731* (New York: RoutledgeCurzon, 2005) 33.
8. See Bakri Aladdin (1987-88) 'Deux fatwās du Ṣayḥ `Abd al-Ghanī al-Nābulusī (1143/1731) : présentation et édition critique.' *Bulletin Detudes Orientales* 39-40: 9-37.

Can Non-Muslims be Saved? Ibn Taymiyya and Ibn Qayyim al-Jawziyya on Universal Salvation

Jon Hoover, Lecturer in Islamic Studies, University of Nottingham

The Damascene theologian Ibn Taymiyya (d. 1328) wrote the longest refutation of Christianity in the Islamic tradition, and he is well known for his view that religious interaction between Christians and Muslims should be minimized to protect the integrity of Islam. His foremost disciple Ibn Qayyim al-Jawziyya (d. 1350) also composed a refutation of Judaism and Christianity, as well as a monumental work on the legal status of non-Muslims in non-Muslim societies. Both scholars' works on Christianity have seen many editions in Arabic, and they have received substantial attention in modern scholarship.¹

There is, however, one aspect of their thought affecting non-Muslims that is not well known: their arguments for universal salvation. There is no evidence that Ibn Taymiyya and Ibn al-Qayyim broached this question following contacts with Jews and Christians, and they express no interest in our contemporary concern for interfaith dialogue and the theological implications of religious pluralism. Nonetheless, their thought on the final destiny of unbelievers is still instructive. It reveals a deeply human and reflective side to two figures often cited for their harsh views toward non-Muslims, and it shows where their theology of God's mercy can lead.

Toward the end of Ibn Taymiyya's life, Ibn al-Qayyim asked him about the destiny of unbelievers.² Ibn Taymiyya was not sure what to say; apparently he had not thought about the question before. Ibn al-Qayyim brought the matter up again later. This time, he asked Ibn Taymiyya to comment on traditions such as this one attributed to the second caliph 'Umar: 'Even if the People of the Fire stayed in the Fire like the amount of sand of 'Alij [i.e. a large sand track outside Mecca], they would have, despite that, a day in which they would come out'. Ibn Taymiyya responded with a treatise that I have dubbed *The Annihilation of*

the Fire,³ which was the last thing that he wrote before he died.

The Annihilation of the Fire explains that the tradition 'Even if the People of the Fire stayed in the Fire like the amount of sand of 'Alij, they would have, despite that, a day in which they would come out' interprets the Qur'anic witness that those in Hell will be "staying in it for long stretches of time".⁴ Ibn Taymiyya's point is that 'long stretches of time' will eventually come to an end. He also observes that the many Qur'anic references to unbelievers 'abiding in [the Fire] forever' need not be taken in an absolute sense. They need only mean that unbelievers will be in the Fire as long as the Fire lasts. Ibn Taymiyya argues as well from the tradition 'My mercy overcomes my anger' that God's mercy does not allow everlasting chastisement, and he reasons that God could have no wise purpose in chastising any of His creatures forever. Rather, the purpose of chastisement is purification and expiation of sin. Ibn Taymiyya is well aware that he is opposing the consensus of the medieval Muslim scholars that unbelievers will spend eternity in Hell-Fire. However, a medieval consensus is of no account to him because he does not believe that it can be verified. He will only accept a consensus of the early Muslims (the Salaf), which he does not believe exists on this question.

Several years later, Ibn Taymiyya's disciple Ibn al-Qayyim took up this matter in three books dating from 1345 onward. The first two works follow Ibn Taymiyya's *Annihilation of the Fire* closely with Ibn al-Qayyim expanding on the therapeutic qualities of Hell-Fire. He writes, for example, 'Trial and punishment are the remedies appointed to remove maladies. They are not removed by any other means. And the Fire is the Great Remedy'. Despite this, Ibn al-Qayyim cannot quite bring himself to affirm universal salvation without

reservation, and he takes refuge in leaving the matter to God's will. In the third work, however, Ibn al-Qayyim does affirm clearly that chastisement for unbelievers will end, and this appears to have landed him in trouble with the Shafi'i chief judge of Damascus Taqi al-Din al-Subki. Al-Subki and Ibn al-Qayyim had come into conflict on other matters beginning in 1345, and Ibn al-Qayyim had to acquiesce. Then, in 1348, al-Subki wrote a refutation of Ibn Taymiyya's *Annihilation of the Fire* asserting that it was unbelief to oppose the Muslim consensus that unbelievers would spend eternity in the Fire. This appears to have stopped Ibn al-Qayyim in his tracks. His last major work before he died in 1350 briefly affirms eternal damnation for unbelievers and leaves no trace of his earlier deliberations.

Given Ibn Taymiyya's and Ibn al-Qayyim's reputations for polemic and harshness toward non-Muslims, their arguments for universal salvation may come as a surprise. Yet, their theologies of God's wise purpose and mercy led them to the conclusion, albeit hesitantly, that chastisement for even unbelievers will not last forever. This threatened the reigning orthodoxy of the day, and Taqi al-Din al-Subki saw to it that that orthodoxy was sustained.

References

1. For details see my articles, 'Ibn Taymiyya', and 'Ibn Qayyim al-Jawziyya', in Volume 4 of *Christian-Muslim Relations: A Bibliographical History*, ed. David Thomas, et al. (Leiden: Brill, forthcoming).
2. For full details of what follows, see my 'Islamic Universalism: Ibn Qayyim al-Jawziyya's Salafi Deliberations on the Duration of Hell-Fire', *The Muslim World* 99.1 (2009): 181-201, and 'Against Islamic Universalism: 'Ali al-Harbi's 1990 Attempt to Prove that Ibn Taymiyya and Ibn Qayyim al-Jawziyya Affirm the Eternity of Hell-Fire', in *Neo-Harbalism Reconsidered: The Impact of Ibn Taymiyya and Ibn Qayyim al-Jawziyyah*, ed. G. Tamer and B. Krawietz (Berlin: de Gruyter, forthcoming).
3. Ibn Taymiyya, *Al-Radd 'ala man qala bi-fana' al-janna wa al-nar*, ed. Muhammad b. 'Abd Allah al-Samhari (Riyadh: Dar al-balansiyya, 1415/1995).
4. See Sūra 78 (*al-Naba*): 23

ANNUAL JOINT LECTURE 2012

Tuesday, 28th February from 5-7pm (Refreshments available from 4pm)

Venue: Examination Schools, 75-81 High Street, Oxford

Is Dialogue Going Anywhere? Reflections on a Century of Christian-Muslim Relations

Ataullah Siddiqui, Reader in Religious Pluralism and Inter-Faith Relations, Markfield Institute of Higher Education, Islamic Foundation, Leicester

Colin Chapman, formerly Lecturer in Islamic Studies, Near East School of Theology, Beirut, Lebanon

Governing Diverse Communities: A Medieval Muslim Illustration

Shainool Jiwa, Head of Department of Community Relations, The Institute of Ismaili Studies

What constitutes good governance and how is the quest for good order to be fulfilled? One way to respond to this question is to examine models of authority and leadership which Muslims themselves have crafted through the course of their millennial historical experience. This article focuses on illustrating one such model which the Fatimid dynasty (909-1171), the founders of Cairo, instituted upon their arrival in Egypt in 969 CE.

One of the distinctive characteristics of the Fatimid caliphate is the model of leadership and governance that they espoused and its durability over two and a half centuries in lands that were historically inhabited by diverse confessional communities. In governing North Africa for over half a century (909-969 CE), the Fatimids had to translate their utopian notions of righteous rule into a pragmatic model of governance over a populace that was religiously and ethnically varied, and among whom were groups who were ideologically antagonistic to their minority rule. The Fatimid conquest of Egypt in 969 CE added to the complexity, as Egypt's populace had a relatively greater indigenous ethnic and religious diversity. The longevity of the Fatimid reign, which lasted two and a half centuries, and its notable periods of stability and prosperity indicate that the dynasty was, by and large, able to foster a viable model of governance.

Restoration of social, economic, and political order was among the primary features of the proclamation of security which the Fatimid sovereign, Imam-caliph al-Mu'izz li-Din Allah, vouchsafed upon the Fatimid conquest of Egypt. The guarantee of safety which they issued (*aman* document) provided an instructive formulation of the Fatimid principles of governance.¹ Invoking their claim to the universal imamate, it articulated the notion of protection as one that encompassed all their subjects, irrespective of their race, ethnicity, or belief. It referenced this declaration to that of the Prophet Muhammad and his provision of the protection over all the people of Medina, including its resident Jewish tribes, as recorded in the so-called Constitution of Medina.

The Fatimid guarantee of safety stipulated the relationship between the new caliph and his subjects. In principle, it outlined the essential responsibilities of good governance. It promised economic reforms through a variety of means, including the maintenance of coinage and the elimination of

metal impurities from them, facilitation of trade through the upkeep of roads, curbing brigandage, ensuring that laws of inheritance adhered to scriptural and prophetic norms, and ensuring that the state would regulate financial legacies. Essentially, it provided a reiteration of the safety that a Muslim ruler was required to provide for his community.

While the provision of good governance provided the theoretical paradigm upon which the Fatimids legitimised their entry into Egypt, it is in the reign of Imam-caliph al-Aziz bi'llah (975-996), the first Fatimid sovereign to begin his reign in Egypt, that the precepts of governance stipulated in the *aman* document were translated into state policy and incorporated into its institutional infrastructure.

Under Fatimid rule, Egypt continued to possess sizeable and established indigenous Christian denominations, in particular, Copts, Melkites, and Nestorians, as well as a number of Jewish communities including the Rabbanites and Qaraites. Over the centuries, their social and economic roles had become woven into the fabric of Egyptian society, particularly as seasoned bureaucrats and traders, medical professionals, gold and silversmiths, and money-lenders. The *aman* declaration guaranteed that the customary regulations accorded to the People of the Book (*Ahl al-Kitab*) would be upheld. Like his predecessor, al-Muizz li Din Allah, the Imam-caliph al-'Aziz is known to have provided state support for the renovation as well as the upkeep of Christian houses of worship.² He is noted to have permitted the Copts, the largest indigenous Egyptian Christian community, to rebuild the Church of St. Mercurius near Fustat, despite its reconstruction being challenged by some Muslims.

Imam-caliph al-'Aziz also established familial relations with the Melkite Christian community, which had an established presence in Egypt and Syria. His life-long companion, the mother of the well-known Fatimid princess, Sitt al-Mulk, was a Melkite. Al-'Aziz appointed her two brothers, Arsenius and Orestes, as Melkite Patriarchs over Alexandria and Jerusalem respectively. Towards the later part of his reign in 994 CE, al-'Aziz promoted the Christian bureaucrat 'Isa b. Nestorius to assume responsibility for the overall administration of the state. 'Isa, in turn, appointed the Jewish administrator, Manashsha b. Ibrahim, as the financial controller over Syria. The appointment

of Christian and Jewish administrators to the senior most state positions demonstrated the Fatimid commitment to inclusive governance across their religious and ethnic populace.

The Fatimids faced challenges in instituting their governance over the religiously and socially stratified Egyptian society. This required them to develop a finely tuned balancing act in regulating their relationships with each of the significant communities. The sources reference specific incidents where different communities were held in check to ensure public order. The Fatimids also created legal and social frameworks that enabled people from various religious and ethnic communities to be involved in their administration. However, none of these communities were allowed to establish their total dominance. The appointment of a Jewish convert, Ya'qub b. Killis to the post of Chief Minister in 979 CE by Imam-caliph al-'Aziz is a case in point. The most famous of his chief ministers and arguably among the most competent administrators of his age, Ya'qub was nonetheless temporarily dismissed from his post at the pinnacle of his power in 985 CE. He was arrested and imprisoned for actions that were considered to be a travesty of justice. While Ya'qub was subsequently reinstated in his post and continued to occupy it until his death in 991 CE, his temporary banishment served as a salutary reminder to the Egyptian subjects of the imperative for the maintenance of just order.

The Fatimids faced their own dynastic challenges, yet, judged by the yardstick of history, their rule is remembered in subsequent Muslim Egyptian historiography as a period of relatively peaceful prosperity and inclusive governance. Moreover, it suggests a sustainable model of inclusive and equitable governance, as they were understood in that time and age.

References

1. For the detailed analysis and English translation of this significant document, see, S. Jiwa, 'Inclusive Governance: A Fatimid Illustration', in *A Companion to the Muslim World* (London, 2010), 157-176.
2. The 'Pact of 'Umar' forbade this, but as Shi'i Imam-caliphs, the Fatimids claimed to follow the precepts set by the Prophet and Ali b. Abi Talib, and did not feel obliged to follow the other caliphs' precedence.

This is an abridged version of the article posted on the Institute of Ismaili Studies Website: <http://www.iis.ac.uk>