



RESEARCH ARTICLE

Section: *History and Anthropology***The influence of Fatimid jurists on public life in Egypt**Reem Hadi Marhaj Al-Dhahibawi¹ , & Fatima Jan Ahmadi² ¹University of Misan, Iraq²Tarbiat Modares University, Iraq*Correspondence: ream@uomisan.edu.iq**ABSTRACT**

Fatimid jurists played a major role in public life in Egypt and gained a high position within the Fatimid state. They had significant influence in managing the affairs of the populace. Due to their importance, these jurists enjoyed social support and had a substantial impact on building society and the state through their influence on economic life and their role in solving economic crises. The challenges faced by their state were not limited to the economic realm; their influence also extended to the social sphere by promoting justice and equality in Egyptian society and advocating for moral values. They stood firmly in upholding public morals, which was not limited to punishing offenders but also included shaming them. The jurists also made efforts to address people's needs, resolve disputes, and promote reconciliation among them.

KEYWORDS: the jurists, the Fatimids, the Fatimid state, Egypt, the Fatimid caliphs.

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Introduction

The Fatimid state serves as a clear model of a religious state in Islamic history. It was established based on its lineage to Lady Fatima al-Zahra, the daughter of the Prophet Muhammad, may God bless him and his family and companions, and it relied on Ismaili preachers throughout the Islamic world who advocated for the imminent appearance of Imam Mahdi from Fatima's lineage (peace be upon her). In a short period, the Ismaili movement achieved great success, one outcome of which was the establishment of the Fatimid state. The Fatimid jurists played a major role in public life in Egypt, particularly in economic and social aspects, which is why we have limited our research to them. The term "jurists" in the Fatimid state was not restricted to a single category but was instead applied to many categories, including the imam, the caliph, the interpreter, the hadith scholar, the legal theorist, and the theologian, among others. They had a significant impact on Egyptian society. Upon examining numerous historical book titles, we recognized the significance of the topic "The Impact of the Fatimid Jurists on Public Life in Egypt," as they were concerned with all aspects of public life. However, we have chosen to focus solely on the economic and social aspects in Egypt during the most crucial stages of the Fatimid state. We highlighted the jurists to emphasize their role and impact on these aspects in Egypt. Through this study, we noticed that its importance is not confined to the Middle Ages but extends into the modern and contemporary periods, reflected in the religious holidays and customs practiced by some Egyptians, as well as their economic implications. The jurists proposed solutions to many economic and social problems, thus gaining prominence in the construction of Egyptian Fatimid society. The topic of Fatimid jurists is of great significance. This subject has always captured our attention, and we have not found any studies concerning the role of Fatimid jurists in various aspects of public life. Additionally, we have a passion for learning about the history of the Fatimid state, especially its religious institutions. The Fatimid state was keen on religious institutions to provide itself with a religious character and to support its efforts in spreading the Ismaili doctrine within Egyptian society and its affiliated regions. Therefore, it is necessary to identify the jurists of the Fatimid state and their impact on economic and social life by addressing the following questions:

1. Who were the jurists of the Fatimid state, and to whom was the term "jurist" applied within the Fatimid state?
2. Did Egypt encounter economic crises? What were these crises, and were the Fatimid jurists able to address them?
3. What were the problems present in social life, and how were the Fatimid jurists able to address and impact these issues?

The study includes an introduction and three main sections: In the first section, we discuss the concept of the Fatimid jurists and to whom the term "jurist" was applied. The second section examines the impact of jurists on economic crises and their role in addressing these issues, as well as their positions on seditions, disturbances, taxes, monopolies, endowments, inheritances, and orphaned funds. The third section explores the impact of jurists on social life through their promotion of justice and equality, moral advocacy, charitable activities, meeting people's needs, dispute resolution, and their positions on women and dhimmis in Egyptian society. The study concludes with a summary of the findings and a list of sources and references.

Fatimid State Jurists

The term "jurists" in the Fatimid state was not limited to a specific category but was applied to numerous roles, including the Fatimid caliph (Imam), the Ismaili preacher, the jurist, the judge, the interpreter, the modernizer, the fundamentalist, the speaker, and the grammarian. The Fatimid Caliph is considered the head of the state pyramid, with authority including leadership of the army as its supreme leader, heading the executive authority, appointing ministers, governors, princes, and other officials, and distributing fiefdoms. He is also the supreme judge, presiding over the Board of Grievances, known as the judge of judges. His religious authority is affirmed by mentioning his name in sermons and inscribing it on currency. He holds the right to reward and punishment, including dismissing officials and confiscating funds and property if they were obtained illegally.

In the Fatimid state, the imamate was passed from the current Fatimid imam to his successor by divine right, chosen to be the guardian of the Prophet—may God bless him and grant him peace—and Ali ibn Abi

Talib (may God be pleased with him). The imamate was inherited from father to eldest son, meaning it must remain within the family, with the only condition being the “testament” or “text” from the preceding imam. For the Fatimids, the imamate was one of the pillars of religion, or rather, it was considered to be faith itself. Al-Karmani stated: “The imamate is one of the pillars of religion, indeed, it is faith itself, and it is the best and strongest pillar. Religion cannot be established without it, just as the circle around the obligatory duties is not valid without its presence” Al-Naysaburi maintained that “the imam takes the place of the Messenger in his time and era.” Because the Messenger established the Sharia before his ascent, he is among the Imams, and the Imam, who is not absent from the world, oversees it because he preserves the Sharia and its truths”. The Fatimids referred to themselves in records and on their coins as “Imam” and “Commander of the Faithful,” deliberately avoiding the title “Caliph” in official documents to emphasize their spiritual character and religious authority. Since the judiciary is a branch of jurisprudence, and one of its applied fields frequently required in public life, jurists have diligently studied it in their jurisprudence books. No jurisprudence book exists without an independent chapter on it. As life expanded and more incidents occurred, jurists referred to legal texts to derive jurisprudential rulings, which differed according to the methods of deduction and principles they followed. This led to increased discussion and branching of topics, necessitating separate discussions of the judiciary in independent books, alongside expanded jurisprudential texts. The Fatimids adopted the path of publicity and concealment in their calls, studying Ismaili jurisprudence openly as a means to enter Egyptian society, dominated by the Shafi’i school. The people’s need for jurisprudence was urgent for managing their affairs, determining personal status, and outlining rights and duties. Ismaili jurisprudence, while complex in issues, did not widely contradict Sunni doctrines, having incorporated diverse teachings infused with the principles of monotheism. This became a vehicle for spreading their call, primarily executed by the “caller of callers,” typically a senior official who often held both chief judge and caller positions. A significant portion of Fatimid palaces was dedicated to these callers and their deputies, who spread Ismaili teachings with assistance from twelve leaders. Lectures on the Ismaili principles were held on Mondays and Thursdays—ahead reviewed by the Caliph himself.

The Fatimids honored jurists with respect and distinction. They allowed jurists, like senior state officials, to ride horses, unlike merchants and craftsmen, who were restricted to donkeys. Caliph Al-Aziz (365-386 AH/975-996 AD) honored the jurists: at the minister Yaqub bin Kallis’s request concerning the welfare of jurists, he “provided for them sufficiently,” ordered the purchase of a house near Al-Azhar Mosque, and on Eid al-Fitr, awarded them robes of honor and paraded them on mules. Thus, Fatimid caliphs, alongside preachers and judges, were deeply integrated into the public life of Egyptian society.

The Impact of Jurists on Economic Life

Egypt’s geographical location has historically made it a crucial trade center, acting as a link between East and West and lying between Africa, Asia, and Europe. Egypt is bordered by the Mediterranean Sea to the north and the Red Sea to the east and is intersected by the Nile River, which connects it to the peoples of Africa to the south. . Egypt has close ties to Nubia, Sudan, and other African regions via the Nile River.. And the importance of Arab Muslims’ interest in postal and pilgrimage routes highlight its significance. These pilgrimage routes also facilitated trade, with the Gulf of the Commander of the Faithful serving as a navigation route used by pilgrims. Egypt’s strategic location, its coastal borders, and the Nile contributed significantly to its economic prosperity.

Economic Crises and the Role of Jurists in Addressing Them

Since the era of the Ikhshidid dynasty (323–358 AH/935–969 AD), Egypt has experienced economic crises that did not cease but rather contributed to the arrival of the Fatimids. During the Fatimid era, Egypt also witnessed numerous economic challenges, including those related to the Nile River:

First - The Nile River: The Nile River has held great importance and impact on Egypt’s social and economic life, and the Fatimids focused closely on its management. When Caliph Al-Mu’izz li-Deen Allah (362-365 AH/973-975 AD) arrived in Egypt, he criticized Cairo’s location, telling Jawhar, “This city was built in a state of treachery that is neither marine nor mountainous”.

However, Al-Mu’izz’s objections did not consider certain geographical advantages. The establishment

of Cairo north of Al-Fustat provided strategic defenses, such as protection against the threat posed by the Qarmatians from the Levant at the time. This northern location made Cairo a bulwark for Egypt. Additionally, the northern winds improved Cairo's climate, making it more pleasant than Al-Fustat. Conversely, the city of Al-Maqs, situated on the Nile shore, was vulnerable to flooding. Among the most important dangers facing the Nile River are :

1-The Scale of the Nile (Low and High Water Levels of the Nile River)

The scale is a white octagonal column situated at a location where the water is confined when it flows. It is detailed on twenty-two arms divided into twenty-four sections known as fingers. If the flood ends within these sections until the water reaches nineteen arms, it marks a good year. However, beyond this, the threat of flooding increases. Seventeen arms is considered ideal for the aforementioned increase. . Ibn Jubayr (T: 614 AH/1217 AD) explained the times of the Nile River flood by stating: "It is considered that the increase of the Nile at its flood occurs every year and typically begins in June, mostly ending in August, with the conclusion in October". . If the water level falls below twelve cubits (a state known as thirst), there is a crop shortage. Conversely, a high flood (sailing) that reaches eighteen cubits can lead to erosion of agricultural land and destruction of crops and pastures. Both situations of sailing and thirst are dangerous, and the Fatimid Caliphate struggled in the latter half of its reign due to the absence of a consistent and scientifically based irrigation system. Fluctuating water levels posed a threat to the nation, often accompanied by drought and epidemics.

It was customary to broadcast the results of the scale to the public, with officials announcing them on roads and in other Egyptian cities. However, Caliph al-Mu'izz of the Fatimid dynasty ordered the concealment of these results. If people sensed a decline in the Nile, anxiety would spread, leading them to hoard grain and refrain from selling it until prices rose. Traders would store grain, causing prices to soar. Conversely, if people sensed an increase in the Nile, prices would drop dramatically, severely impacting major traders. Thus, he saw benefit in concealing the results from the public to protect both general interests and traders' benefits, showcasing the Fatimid caliphs' commitment to social interests.

The significance of the Nile was immense for the Fatimid state, prompting the Fatimid caliphs to mitigate the resulting dangers and stave off famine in Egypt. As Al-Maqrizi noted, the ruling caliph of Amrallah (386-411 AH/996-1021 AD) heard of a man in Iraq, Abu Ali Al-Hasan bin Al-Haytham, who boasted engineering expertise. He claimed, "If I were in Egypt, I would undertake work to make it beneficial in cases of both increase and decrease." The ruler sent him funds and invited him to Egypt. Upon his arrival, the ruler instructed that Al-Haytham be received with honor and accompanied by craftsmen throughout Egypt until they reached Aswan. However, Ibn al-Haytham could not fulfill his promise and expressed his apologies. The ruler, nonetheless, regarded him with esteem until his death. This narrative reveals the ruler's affection for his people in averting danger, as well as his respect for scientific expertise and willingness to reward it financially. Ultimately, the Nile's fluctuations led to recurrent economic crises, contributing to national disintegration. The Fatimid government actively responded, implementing measures to counter floods, provide supplies, and protect the populace from distress.

2. Digging Canals and Bays and Building Bridges

Successive governments in Egypt have consistently worked to improve irrigation, deepen canals, and maintain the bridges built on the Nile River. The maintenance of these bridges was a compulsory task. as the Fatimid caliphs undertook extensive efforts to dig and deepen channels to stimulate economic progress and achieve prosperity for their people. There were two types of bridges: those in the eastern and western regions, which were supervised by the central government, and local municipal bridges, which were established and maintained by local owners and managers during designated months. The dry soil and fluctuating levels of Nile water led the Fatimid caliphs to prioritize the maintenance of canals and the restoration of state-established bridges to maximize the benefits of Nile water during the flood season. They dug numerous bays, seas, and canals. By the Fatimid era, the infrastructure included eight bays and twenty-five seas, with canals increasing to approximately one hundred and seventeen throughout the country. These canals and bays were renewed as needed. In the year 502 AH/1109 AD, the digging of the Cairo Bay was renewed as was the digging of the Jewish Sea of Abu al-Manja in the year 506 AH/1112 AD, under the administration of the minister Al-Afdal ibn Amir al-Juyushi Badr

al-Jamali. The Fatimid caliphs also funded the construction of canals, bays, seas, and bridges.

Second: Sedition and Unrest and Their Impact on the Economy

Sedition has a significant impact on the occurrence of economic crises in Egypt. After the victory of the followers of the revolutionary Ibn Abi Rakwah in 396 AH/1005 AD, by seizing several cities, including Barqa, unrest spread to Fayoum and throughout Egypt, creating widespread panic. The markets were affected, and prices rose, as unrest and sedition are among the most critical factors influencing economic life. However, the surge in prices did not persist due to measures implemented by the Fatimid jurists, who coordinated with traders to ensure the availability of essential goods in the markets, forbidding price increases and prohibiting hoarding while imposing strict penalties on violators. The threat posed by Abu Rakwah instilled fear regarding security and stability, adversely impacting economic conditions.

In the year 450 AH/1058 AD, a severe conflict erupted between two factions of the Fatimid army, namely the Turks and the Slavs. The mother of the Caliph Al-Mustansir Allah was a black slave of Abu Sa'id Al-Tustari. The conflict between the military divisions escalated, resulting in severe unrest and instability: The state did not see peace or rectitude; its affairs contradicted, and a minister praised its way but did not measure up to it... As a result, the kingdom became increasingly chaotic". This crisis persisted from 457 AH/1064 AD to 464 AH/1071 AD, largely due to a lack of security and ongoing conflicts between soldiers rather than conditions along the Nile. Consequently, agricultural lands remained uncultivated due to a shortage of manpower; the responsibility for plowing and planting mainly fell to soldiers accompanying their groups aptly summarized the causes of the crisis: "As for the plots, they have weakened; the causes of corruption have culminated and ended, control has deteriorated, and prestige has faded. . During this time, widespread looting, burning of neighborhoods, and interrupted transportation devastated the country, disrupting trade, industry, and agriculture for seven years. In this context, Caliph Al-Mustansir Billah recognized that restoring his authority and rescuing the country from this crisis required a strong minister capable of governing effectively. He appointed Badr al-Jamali, an Armenian military leader from Acre, in the year 466 AH/1073 AD. Badr worked to reestablish security, unify territory, quell sedition among soldiers, and defeat the fifty thousand rebels from the Luwatah tribe. He also vanquished the Arab factions in al-Bawadi. Through his policies, Badr al-Jamali successfully restored normalcy and encouraged traders to return to Egypt after being displaced during the turmoil by securing roads and cracking down on looters. Commercial convoys resumed their journeys to and from Egypt, leading to lower prices, improved public morale, strengthened energy, and secured routes.

Third: Taxes

One of the most important taxes in Egypt during the Fatimid era was the Kharaj tax. Kharaj is the tax imposed on land or its crops. It is one of the oldest types of taxes. When Muslims began to conquer the Levant, Egypt, Iraq, and other countries, they established special departments for Kharaj. . Al-Kharj is part of the financial system and reflects the changes implemented by the Fatimid state. Its resources varied, primarily derived from the land tax imposed on cultivated areas, which encompassed payments due annually on cultivated land, as well as duties on yields, palms, vineyards, fruits, sheep, chickens, and honey (shahd).

The Fatimid jurists divided the tax collection into two parts, placing one portion in the hands of Ali bin Muhammad bin Tabataba and Abdullah bin Ata, and the second part with Al-Hasan bin Abdullah and Al-Hasan bin Ahmed Al-Rudhbadi, all under the supervision of Yaqub bin Kals and Asluj bin Al-Hasan Al-Maghribi. The jurists also paid great attention to the affairs of farmers, addressing petitions on one hand and complaints on the other. The Caliph relied on Al-Mu'izz li-Din Allah in collecting the land tax using a system of residuals, whereby the guarantor is obliged to pay an amount to the government in exchange for granting him the collection of land tax from the farmers, benefiting from the remaining amounts as profits after fulfilling his obligations once the old system was abolished.

The reason for the Fatimid Caliphs taking strict measures in collecting the tax was to ensure that the Fatimid state obtained fixed and guaranteed financial resources from these lands, not affected by natural factors that may impact the lands. This can be considered a means of increasing the state's power and financial resources, especially when facing internal and external challenges such as wars and rebellion movements that prevent farmers from practicing their activities, making it difficult for them to pay any financial obligations they

owe to the state. .

In addition to the tax and the guarantee, there is the fiefdom, which was not widespread at the beginning of the Fatimid Caliphate, so it was subject to state supervision through the fiefdom office. Caliph Al-Aziz Billah ordered the estimation of the tax imposed on the divided land without the two divisions, showing the continuation of the central state's authority over ownership even in the form of fiefs. Fiefs multiplied in the late Fatimid era.

As for the zakat tax, the Fatimid jurists did not introduce any amendments, considering it a religious duty emphasized by Sharia. Additionally, there was the secret tax (al-fitrah), which Ismaili preachers had to pay to the Fatimid government through the preacher or his leaders. The amount was three dirhams and a third, collected in significant amounts, with the preacher carrying it to the Caliph. The Caliph would allocate from it as deemed appropriate for himself and his leaders. Among the Ismaili financiers, some carried thirty-three dinars and two-thirds of a dinar according to the secret tax. Accompanying it was a note with his name, to ensure distinction in the transfer and its return, bearing the Caliph's handwriting: "May God bless you, your wealth, your children, and your religion".

As for the jizya tax, it was imposed on the people of the covenant: free adults, excluding children, women, monks, slaves, the insane, and the elderly, poor individuals without income, and anyone who died or converted to Islam during the year. The Fatimid jurists imposed the jizya on individuals according to their wealth. The upper class paid four dinars and a sixth of a dinar, the middle class paid two dinars and two qirats, and the lower class paid one dinar, a third, a quarter, and two grains. To each category were added two dirhams and a quarter of a dirham, which were paid to the employees responsible for collection.

The rationale behind imposing jizya was to maintain an international balance among the various tax categories. Moreover, regarding foreign traders, Ibn Mamati noted that "the Fatimid government did not treat non-Muslim foreign traders on a single basis". This treatment was due to political and economic reasons. The government frequently reduced fees for local merchants, thereby providing essential materials for shipbuilding.

Initially, the Fatimids did not impose taxes heavily and remained tolerant with Egypt's people in collecting money by state laws, only pursuing the legitimate taxes of alms, land tax, and jizya. However, more taxes were imposed toward the state's end. Al-Maqrizi recorded eighty types of taxes on manufactured and sold goods indicating that no production, profession, or craft was exempt from taxes. Al-Maqrizi, who visited Egypt around 375 AH/985 AD, expressed astonishment at the heavy taxes, especially in Tanis, Damietta, and along Fustat's Nile coast, as taxes were imposed throughout all manufacturing, transportation, and sale stages.

Fourth: Monopoly and Its Impact on High Prices

The Fatimid jurists attributed the reasons for high prices, often regarded as unnatural, to the actions of warehousers and monopolists. They did not hesitate to implement legal measures against these individuals, imposing strict punishments. For instance, Jawhar al-Sikli punished a group of millers by parading them in the markets of the city to publicly shame them during the years 359-361 AH/969-971 AD. Similarly, during the reign of Caliph al-Hakim, he adopted this approach with millers and bakers. When citizens complained to the ruler about the scarcity of sustenance, he would announce that he was heading the next day to Rashida mosque, threatening those who had stored grains with punishment if they did not release their supplies. These measures aimed to benefit the populace; as traders and brokers hurried to sell their grain in the markets, prices subsequently fell, alleviating the crisis.

Among the other strategies employed by the Fatimid jurists was setting prices for essential goods, mandating that they be sold under the supervision of the **Muhtaseb** and his aides during periods of crisis. The Fatimids also resorted to confiscation and regulated the sale of grain. During the crisis of 397 AH/1006 AD, orders were issued to Masoud Al-Sikli Metwally Al-Ulster. He collected grain from millers and bakers, confiscated supplies on the coast, and mandated pricing: each wheat **tilis** was priced in dinars (Amir) while barley was limited to ten shops in dinars.

These actions demonstrate the Fatimid jurists' keen interest in daily living conditions, as they directly relate to the lives of the people. Minister Al-Yazouri ordered crops to be sold at low prices, which resulted in a decline in market prices. This was a wise decision in principle, but in practice, a stock of grain was necessary to address sudden crises. Unfortunately, the stores only contained provisions for the palaces and the Caliph's

kitchen. Minister Al-Yazouri also mandated consumption restrictions and regulated the grain distribution process to prevent manipulation. This measure was crucial to retain yields for future emergencies, and it effectively resolved the crisis. Similarly, during the reign of the Commander of the Rulings of God, his minister, Mamoun Al-Bataihi, sealed grain stores with the state seal. He mandated that traders either seal their grain with the state's seal or release it on the market at a fixed price of thirty dinars for every hundred wheat **arbs**. By implementing this strategy, Minister Al-Bataihi successfully addressed the crisis by eliminating monopolistic practices and ensuring adequate grain availability in the markets.

Fifth: The Position of Jurists on Endowments, Inheritances, and Orphans' Money

Awqaf (endowments), as one of the financial systems in Islam, are divided into two categories: atomic endowments, attributed to the descendants of the waqf, which aim to ensure social solidarity among the waqf's family by supporting charitable works such as aiding the poor or promoting education; and benevolent endowments, which encompass all endowments aimed at acts of kindness for the sake of God, seeking to balance society through expenditures on building mosques, zippers, caverns, repairs, public roads, and similar initiatives. For example, the Caliph al-Hakim, successor ordered the confinement of agricultural lands and various sources in the year 405 AH/1014 AD, designating funds for readers, the poor, mosque muezzins, and for maintaining the **Maristans** (hospitals) and the sustenance of their users, as well as the cost of coffins.

Prior to the arrival of the Fatimids, the inheritance system in Egypt followed Sunni doctrine, which asserted that if a person died without heirs, their wealth would go to the **Bayt al-Mal** (state treasury). Any remaining inheritance after distributing shares among the lawful heirs would also revert to the treasury. Upon the Fatimids' entry into Egypt, they reformed the inheritance system according to their own doctrine. They mandated that inheritance be reserved for those directly related to the deceased—not allowing heirs such as daughters, brothers, sisters, uncles, or nephews to inherit unless they were the spouse, parent, or grandparent. This doctrine was based on a saying attributed to Imam Jaafar al-Sadiq (peace be upon him), who stated that if a man dies leaving a daughter and the daughter of a son or a sister, the entire inheritance goes to the daughter; similarly, if he leaves behind a son or a sister, the daughter receives all the wealth, half by inheritance and half by mercy. The Fatimid system unequivocally recognized kinship claims to inheritance, meaning that those closest to the deceased had priority in inheriting, regardless of gender. It was announced that whoever died leaving behind a daughter, brother or sister, the entire money goes to the daughter, so the work became according to the Ismaili school of thought. The Fatimid jurists took their responsibilities regarding orphan rights very seriously. When a man complained to the ruler's successor that his father died, leaving him twenty thousand dinars in the judge's office, but he had only been granted a limited allowance, Judge Al-Hussein ibn Ali informed the man that his funds were complete. The ruler, upon hearing this, brought the matter to his judges. Al-Hussein informed the ruler that the man had received part of his wealth, prompting the ruler to order the judge to go to the treasury and confirm this. Upon review, it was determined the man was entitled to the remaining funds, leading to the ruler ordering the judge's execution for having wrongfully consumed an orphan's wealth.

The impact of jurists on social life

Society is composed of individuals and groups who coexist within a shared environment. These individuals and groups belong to various sects, differing in their beliefs, ideas, and lifestyles, as well as in their customs, traditions, and behaviors across different facets of life. One notable characteristic of social life during the Fatimid era in Egypt was its lavishness, which was unique among Islamic sects, particularly during religious occasions of the Shiite doctrine.

First: The role of jurists in spreading justice and equality and encouraging morality

One of the fundamental principles emphasized in Islam is the concept of enjoining good and forbidding evil, as stated in the Quran: "Let there be a nation among you who call upon the good and enjoin the good and forbid the evil. The Fatimid jurists in Egypt actively promoted goodness, kindness, and the prohibition of evil through charitable efforts, aimed at alleviating the needs of the poor, reconciling disputes, and solving societal problems. These efforts served as both a method and a means employed by jurists, which could be communicated through formal education or via advice and fatwas, fostering familiarity and love among individuals. Jurists did not

remain passive in the face of individuals who harmed society. Particularly, judges worked diligently to protect the vulnerable from the transgressions and injustices perpetrated by powerful figures. Moreover, jurists stood firmly against those known for their disbelief, defending Islamic values. Their commitment to societal cohesion also extended to issues of theological error, as seen with the preacher Idris, who identified challenges posed by the deification of rulers, cautioning against the influence of those who strayed from right belief particularly referring to the excesses of al-Hasan bin Haidar al-Farani, known as Akhram . In response to the hyperbolic claims made by Fargani, the caliph summoned preacher Hamid al-Din al-Kurmani who addressed the issues through his renowned work, “The Preaching Message”. Al-Kurmani employed logical reasoning to affirm the Ismaili doctrine of God’s oneness and to portray the ruler as an exemplary Shiite, dedicated to worship and assisting his people in understanding their faith. The Fatimid caliphs and ministers were attentive to the welfare of Egyptian society, standing alongside jurists in their efforts to cleanse the state of corruption. Notably, Judge Abdulaziz bin Al-Nu’mān was dismissed after being implicated in a scandal involving drunkenness. The jurists in Egypt served as exemplars within their communities, as evidenced by the account of Judge Malik bin Saeed, who provided for a destitute individual by presenting him with twenty dinars, ensuring that he would not suffer from poverty for the rest of his days. Jurists actively participated in councils focused on the poor and needy, consistently demonstrating their commitment to welfare.

In application of public morals, the Caliph Al-Hakim bi-Amr Allah ordered the wearing of a loincloth when entering the bath and prohibited the exposure of private parts, which was called for by heavenly laws. He also prohibited singing, entertainment, the sale of female singers, and people gathering in the desert to limit the spread of moral corruption in Egyptian society. He also threatened violators with punishment. Spreading justice among people is imposed by God Almighty in His saying: (God commands justice and doing good). Consequently, it achieves the victory of the oppressed, and the one who takes the hand of the oppressor, and the delivery of rights to those who deserve them, and the resolution of disputes and conflicts, and the reconciliation between people, and this is not achieved except by the integrity of the jurists, their chastity and their pursuit of justice and their assistance in it, and their distance from injustice and favoritism and their distancing from it, and their distancing from everything that causes doubt and accusation in their rulings and obligating them to do so., and the failure to achieve justice in society corrupts the subjects, and the subjects are only reformed by justice -and in the year (358 AH / 969 AD) the jurists were able to impose manners The public, when they ordered the flogging of a man and a woman and that they be paraded around as punishment for the abomination of adultery, mentioning the heinous act they had committed. The aim of this procedure was to ensure that women preserve their chastity and not be drawn into forbidden things, let alone fall into sin The Caliphate of Al-Zahir li-Izz ad-Din Allah also witnessed many incidents aimed at preserving public morals in the country. Before that, there also happened what happened in the year (362 AH / 972 AD) when police officers arrested a man and his wife and they were beaten and disgraced. He ordered that it be announced about them: This is the punishment of one who leads his family with the Jews and Christians,. The state of chaos and unrest caused by the famines, and the accompanying deterioration of the individual’s economic level, and the weakness of the security aspect in the country led to many thefts. Al-Masbahi mentioned that a person was beaten and disgraced on a camel in the streets of Cairo because he tried to rob a shop and was then imprisoned What we notice is that the Fatimid jurists stood firmly in applying public morals and did not limit the punishment of the offender to only the defamation of them as well.

Second: The position of jurists on women

Islam elevated the status of women, recognizing their inherent dignity. Fatimid Egypt, characterized by its religious diversity, included not only Muslim women but also Christian and Jewish dhimmis who contributed to society. The period was marked by a general atmosphere of religious tolerance, facilitating an increased role for women in public life as they sought their rights and freedoms. Qalqashandi recorded that, in the early fourth century AH (tenth century AD), women began vocally asserting their rights to participate in larger societal roles , the Caliph al-Hakim’s policy of preventing women from going out and his strictness in this regard was due to their excessive display of ostentation, and his witnessing during his night-time pilgrimage many forms of debauchery, licentiousness, and socializing with men. However, his enemies distorted the truth of his behavior toward women as well. They attributed it to a complex in his soul, arising from his passion for marriage, which

a religious man like him would not be pleased with. What negates the psychological complex in al-Hakim toward women is his asceticism toward them, such that he removed from his palace his concubines, the mothers of his children, and freed them for the sake of God Almighty, and gave them control over their own souls and the disposal of what they owned and acquired from him and his fathers.

Third: The position of jurists on the People of the Covenant

The term “dhimmis” refers to Jews and Christians, specifically the Copts in Egypt, most of whom are Christians. The dhimmis played a significant role in the Fatimid state, influencing political, economic, and social life. The Fatimid administration adopted a sympathetic and caring approach towards them., promoting a policy characterized by religious tolerance that facilitated their integration into public life.

The era of Caliph Al-Aziz Billah witnessed religious tolerance with the people of the covenant, as some Jews and Christians reached the highest financial and administrative positions in the Fatimid state, and the Egyptian economy was in the hands of the people of the covenant. The people of the covenant enjoyed freedom. The Egyptian Muslims were upset about the dhimmis monopolizing state positions, or the latter’s promotion of their Christian and Jewish relatives and acquaintances at the expense of the Muslims. They submitted protests to the Fatimid Caliph al-Aziz Billah to keep the Christians and Jews away.. The Caliph al-Aziz Billah issued a set of measures, arresting Isa bin Nestorius and his fellow scribes, as well as Mansha bin Ibrahim al-Fazari and other Jewish employees. He returned the Muslim scribes to their jobs in the offices.

The Egyptians also submitted protests and complaints to the Fatimid Caliph al-Aziz Billah against the evils committed by the dhimmis on their holidays, which hurt the feelings of the Muslims. This includes what happened in the year (367 AH/977 AD), when the Fatimid Caliphate intervened in determining the Copts’ celebration of two of their religious holidays, the Feast of Epiphany and the Feast of the Cross. The Copts were prevented from displaying debauchery and amusement, and from committing various reprehensible acts on these holidays, and the Fatimid Caliph Al-Aziz Billah threatened them with punishment and exile from the country. What we note is that the Fatimid state intervened only to prevent reprehensible acts that offended the laws of Islam and caused the feelings of Muslims to be stirred up. The Caliph Al-Hakim bi-Amr Allah did not impose strict rulings on the People of the Covenant, but rather they were issued to all classes of Egyptian society, whether Muslims or dhimmis in the year 393 AH/1002 AD, the Muslims revolted against them and demolished it.. In the face of the Muslims’ opposition to this, the Caliph Al-Hakim bi-Amr Allah saw that he would reduce the influence of the People of the Covenant, so his measures were represented by preventing Coptic celebrations, and he issued In the year 395 AH/1004 AD, Caliph Al-Hakim recorded that the People of the Covenant were distinguished from Muslims by special marks. Despite these measures, Caliph Al-Hakim bi-Amr Allah kept the People of the Covenant in the offices and in his palace throughout his reign, preserving their religion and granting those titles like Muslims. Caliph Al-Hakim did not continue with this policy, as he changed his mind and issued a register ordering the construction of churches and the return of their endowments. He also granted the People of the Covenant security, reassuring them of his protection. The reason for Al-Hakim bi-Amr Allah’s retraction of his harsh decisions towards the People of the Covenant is attributed to the People of the Covenant’s commitment to his orders and obedience to him, as is evident in the book of security that he issued to them. It may also be due to the discontent of the Christian kingdoms surrounding his country with his treatment of the People of the Covenant and his threat to them with holy war in addition to his fear that Muslims would be mistreated in Christian countries.

Conclusion

The analysis of the role of jurists in the Fatimid state has led us to several key conclusions:

1. **Role of Jurists:** Jurists are individuals who have deeply studied Sharia sciences, enabling them to comprehend and interpret religious rulings. In the Fatimid state, this body included caliphs (imam), preachers, judges, and scholars.
2. **Economic Crises Impact:** Frequent economic crises resulted in skyrocketing prices and widespread epidemics in Egypt, leading to significant human suffering and loss.
3. **Crisis Management:** Fatimid jurists effectively addressed various crises by undertaking projects such as digging canals and bays, promoting agricultural production, dismantling monopolies, and imposing

penalties on those who engaged in price-gouging.

4. **Superstition and Famine:** Some accounts related to the consequences of famines in Egypt drifted into the realms of superstition, revealing exaggeration and a detachment from rational thought.
5. **Tax Collection Policies:** Fatimid jurists exhibited variability in their approach to tax collection, at times employing strict measures and, at other times, demonstrating flexibility and tolerance.
6. **Promotion of Public Morals:** They emphasized the importance of public morality, actively urging ethical behavior in Egyptian society and imposing punishments against violators to uphold moral standards.
7. **Attention to Women's Issues:** The Fatimid jurists tended to focus on issues related to women, although there were exceptions during certain periods of the ruling caliph's reign, particularly when he imposed restrictions on women's freedom to leave their homes due to concerns about moral behavior.
8. **Treatment of Dhimmis:** Generally, Fatimid jurists were tolerant towards the dhimmis (religious minorities), although there were times of increased scrutiny and regulation under the ruling caliph that affected their practices

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