Aḥmad b. ‘Umar (or ‘Amr) b. Muhayr al-Shaybānī is commonly known as Abū Bakr al-Khaṣṣāf or simply al-Khaṣṣāf. There is some confusion over how he acquired the eponym “al-Khaṣṣāf.” One report suggests that “al-Khaṣṣāf” might have been a family name, since his father was known as ‘Amr b. Muhayr al-Khaṣṣāf. Other reports allege that he received this appellation because he lived a life of piety and asceticism and ate only from the meager earnings he attained from repairing sandals (yakhṣīfu al-naʿl).4

As a jurist, al-Khaṣṣāf was known for his expertise in the calculation and division of inheritance shares (kāna faqīh an fārid an, or fārdīy an ḥāsib an), and as a prolific author of legal texts. Of the fourteen books attributed to him, only five are extant: a treatise on pious endowments (Aḥkām al-awqāf); a treatise on the decorum and practices of jurists (Kitāb adab al-qādī); a discussion of legal fictions (Kitāb al-ḥiyal); a work on expenditures and maintenance (Kitāb al-nafaqāt); and a treatise on wet-nurses and foster relationships (Kitāb al-ridāʾ).6 The nine non-extant works covered bequests (Kitāb al-waṣāyā), inheritance (Kitāb iqrār al-waratha), taxation (Kitāb al-kharāj), maintenance for close relations (Kitāb al-nafaqāt ʿalā al-aqārib), contracts (Kitāb al-shurūṭ al-kabīr and Kitāb al-shurūṭ al-ṣaghīr), court documents and records (Kitāb al-maḥādir waʾl-sijīlāt),

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2 Al-Khaṣṣāf’s father reportedly was a student of al-Shaybānī. See al-Laknawī, Kitāb al-fawāʾid al-bahiyya fi tarājim al-ḥanafiyya, 246.
3 Al-Khaṣṣāf, Kitāb adab al-qādī, 3.
4 Al-Khaṣṣāf, Kitāb al-nafaqāt, 8; al-Ziriklī, al-ʾAlām, 1178.
5 Al-Khaṣṣāf, Kitāb adab al-qādī, 3; idem, al-Nafaqāt, 7; al-Ziriklī, al-ʾAlām, 1178; al-Nadīm, al-Fihrist (Cairo, 1991), 1:428.
6 These five works are the only ones mentioned in Sezgin, GAS, 1:436–8.
the rules for prayer (Kitāb al-ʿāṣr7 wa-ahkāmuhu wa-hisābuhu), and a discussion of the holy sites in Mecca and Madīna (Kitāb dharʿ al-kaʿba waʾl-masjid waʾl-qabr).8

In addition to writing legal treatises, al-Khaṣṣāf was a qāḍī in Baghdad. Apart from the following (unflattering) tradition, nothing is known about the length of his tenure as qāḍī or the level of his position:9

He [Ibn al-Najjāʾ] said: I heard Abū Sahl Muḥammad b. ʿUmar, a shaykh from Balkh, say: When I came to Baghdad, there was a man standing on the bridge and shouting for three days. The qāḍī Aḥmad b. ʿAmr al-Khaṣṣāf was asked for a responsum on such-and-such a question and gave such-and-such an answer, but that is wrong! The answer is such-and-such, may God have mercy on whomever reports it to one who ought to know it.10

Al-Khaṣṣāf’s life ended in disgrace and failure, in part because of his close ties to the ʿAbbāsid regime. His first recorded intersection with the ʿAbbāsid regime occurred during the caliphate of al-Muʿtazz (r. 252–55/866–69) when he failed to secure a judgeship. According to the account in al-Ṭabarī’s Taʾrīkh, Muḥammad b. ʿImrān al-Ḍabbī, al-Muʿtazz’s teacher (muʾaddib), had appointed al-Khaṣṣāf and seven other men as qāḍīs.11 The letters of appointment had already been written when three of al-Muʿtazz’s advisors warned the caliph that the eight men were followers of Ibn Abī Duʿād (d. 240/854)—the Muʿtazilī qāḍī who had persuaded al-Maʾmūn to enforce acceptance of the createdness of the Qurʾān during the Miḥna or Inquisition—and members of various heterodox and Shiʿī groups: “Verily, they are among the followers of Ibn Abī Duʿād, and they are Rāḍīḍa, Qadariyya, Zaydiyya, and Jahmiyya.”12 Wary of appointing qāḍīs with links to such groups,13 al-Muʿtazz rescinded the appointments, demoted

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7 The Fihrist gives the spelling of this word as “al-ʿAṣīr” which refers to the juice that is extracted from a grape. It is difficult to see how this meaning could pertain to the remainder of the book’s title. The word “al-ʿAṣr,” on the other hand, provides a meaning more consistent with the rest of the title.
8 Al-Nadīm, al-Fihrist (Cairo, 1991), 1:428.
9 It does not appear that al-Khaṣṣāf ever attained the position of chief qāḍī (qāḍī al-quḍāt), as the title page to the Aḥkām al-awqāf alleges.
12 Ibid.
13 For an analysis of the impact of theological beliefs on political and judicial appointments during the 2nd/8th and 3rd/9th centuries, see Tsafir, The History of an Islamic School of Law, 41–9. The chief view associated with the Jahmiyya was a belief in the createdness of the Qurʾān. Montgomery Watt, however, concluded that “Jahmite” was a vituperative term meaning “renegade” or “quisling” and that there never was a body of men