The Musnad of al-Shāfiʿī

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Abstract

A collection of hadith called Musnad al-Shāfiʿī is associated with the Nishapuran traditionist Abū al-ʿAbbās Muḥammad ibn Yaʿqūb al-Aṣamm (d. Nishapur, 346/957). It was apparently assembled by students from what al-Aṣamm had heard from al-Rabīʿ ibn Sulaymān al-Murādī (d. 270/884) in his youth. Around 40 percent of the hadith in the K. al-Umm of al-Shāfiʿī (d. 204/820) shows up also in the Musnad of al-Aṣamm. Comparisons between the Musnad and the Umm can tell us something of the state of the Umm as al-Rabīʿ dictated it near the end of his life. Books in the Musnad correspond only roughly to books in the Umm, so there was still some fluidity of organization. There are also many minor differences of wording, especially to isnāds. However, the order of hadith within books of the Musnad agrees well with their order in the Umm, confirming that the Umm as we have it is close to the state in which al-Rabīʿ left it.

Keywords

al-Aṣamm – al-Shāfiʿī – hadith – Islamic law

Résumé

Une collection de hadiths appelée Musnad al-Shāfiʿī est associée au traditionniste de Nishapur Abū al-ʿAbbās Muḥammad ibn Yaʿqūb al-Aṣamm (D. Nishapur, 346/957). Elle a apparemment été compilée par des étudiants de ce qu’al-Aṣamm avait entendu d’al-Rabīʿ ibn Sulaymān al-Murādī (D. 270/884) dans sa jeunesse. Environ 40 % des hadiths du K. al-Umm d’al-Shāfiʿī (D. 204/820) apparaissent également dans le Musnad d’al-Aṣamm. Les comparaisons entre le Musnad et le K. al-Umm peuvent nous dire quelque chose sur l’état du K. al-Umm tel qu’al-Rabīʿ l’a dicté vers la fin de sa vie. Les livres du Musnad ne correspondent qu’en gros aux livres du K. al-Umm, il y avait donc...
encore une certaine fluidité d’organisation. Il existe également de nombreuses différences mineures de formulation, en particulier pour les isnāds. Cependant, l’ordre des hadiths dans les livres du Musnad est bien conforme à leur ordre dans le K. al-Umm, confirmant que ce dernier, tel que nous l’avons, est proche de l’état dans lequel al-Rabī l’a laissé.

Mots-clés
al-Aṣamm – al-Shāfiʿī – hadith – Droit musulman

A collection of hadith called Musnad al-Shāfiʿī is associated with the Nishapuran traditionist Abū al-ʿAbbās Muhammad ibn Yaʿqūb al-Aṣamm (d. Nishapur, 346/957).1 He was born in 247/861-2. After collecting some hadith in his home town, he travelled west in the company of his father to collect hadith in Fars, Iraq, Mesopotamia, Syria, and Egypt in his teen-age years, the mid-250s to the mid-260s/late 860s-late 870s. He lost his hearing at about the time he returned to Nishapur but was able to dictate what he knew until he went blind in 344/955, which meant that he could no longer check his notes and could relate only fourteen hadith reports and seven other narrations (ḥikāyāt) he had from al-Rabīʿ from al-Shāfiʿī. He disliked to accept payment for hadith and so would support himself as an occasional copyist (warrāq). As early as 277/890-1, he was dictating Kitāb al-Maʿānī by al-Farrāʾ (d. 297/823-4), a philosophical commentary on the Qur’an.

Biographers stress mainly his transmission of the works of al-Shāfiʿī (d. 204/820), which he had heard from the Egyptian al-Rabīʿ ibn Sulaymān al-Murādī (d. 270/884). The story is told that he was once asked to make the call to prayer. He stood up and said loudly, ‘There related to me al-Rabīʿ there related to me al-Shāfiʿī’, then laughed together with those around. That was what he was normally asked to stand up and say in a loud voice. Ibn Abī Ḥātim al-Rāzī (d. 327/938), early biographer of al-Shāfiʿī, is quoted as saying, ‘There is no one left to recite Kitāb al-Mabsūṭ except Abū al-ʿAbbās the copyist.’ (Al-Mabsūṭ is evidently the original name for the Umm, used by Ibn al-Nadim and even

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1 Fuat Sezgin, Geschichte des arabischen Schrifttums, 15 vols (Leiden: E. J. Brill, 1967-2010), 1:488, no 111. For biographies of al-Aṣamm, see al-Dhahabī, Tārīkh al-islām, ed. ʿUmarʿAbd al-Salām Tadmuri, 52 vols (Beirut: Dār al-Kitāb al-ʿArabī, 1407-21/1987-2000), 25 (331-350 H.): 362-9 with further references.
al-Aṣamm.²) Al-Aṣamm would then have been in his seventies. (Ibn al-Nadīm names him among three major transmitters of the Mukhtaṣar of al-Muzani, but the Shāfiʿi tradition takes oddly little notice of this.³)

Medieval traditionists identify Musnad al-Shāfiʿi as the compilation of al-Aṣamm's disciples. Al-Dhahabī says, ‘Al-Shāfiʿī did not assemble it as a separate work. Rather, Abū Jaʿfar Muḥammad ibn Jaʿfar ibn Maṭar derived it (kharrrajahu) for Abū al-ʿAbbās al-Aṣamm from what he related from al-Rabīʿ from al-Shāfiʿī from Kitāb al-Umm and other works.⁴ Ibn Ḥajar and al-Suyūṭī report that the text they knew came through another disciple, the qadi Abū Bakr Ḥmad ibn al-Ḥasan al-Ḥirī < Abū al-ʿAbbās Muḥammad ibn Yaʿqūb ibn Yūsuf al-Aṣamm < al-Rabīʿ ibn Sulaymān < al-Shāfiʿī.⁵ (Perhaps Abū Bakr took down hadith as selected by Abū Jaʿfar.) Elsewhere, Ibn Ḥajar just says, ‘It was gathered by certain Nishapurans from al-Umm and other things that Abū al-ʿAbbās al-Aṣamm heard, which he alone related from al-Rabīʿ.’⁶ It was published in Arrah, northeastern India, in the 1880s, in the margin of the early-1900s Bulaq edition of the Umm, then most significantly in 2002 as edited by Ayyūb Abū Khashrīf, in 2005 as edited by Rifʿat Fawzi ʿAbd al-Muṭṭalib, and in 2012 as edited by Muḥammad Anas Muṣṭafá al-Khinn.⁷ Sezgin lists 13 manuscripts

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² Ibn al-Nadīm, Kitāb al-Fihrīṣt, ed. Ayman Fuʾād Sayyid, 4 vols, Silsilat al-nuṣūṣ al-muḥaqqaqah, 2nd edn (London: Mu’assasat al-Furqān lil-Turāth al-Islāmī, 1435/2014), 2:399 (maqālah 6, fann 3); ‘This is what I have heard of his big book, al-Mabsūṭ,’ presumably al-Aṣamm speaking, at the beginning of a section of al-Shāfiʿī, Musnad al-imām, with Sanjar ibn ‘Abd Allāh al-Nāṣiri, Tartīb Musnad al-imām, ed. Rifʿat Fawzi ʿAbd al-Muṭṭalib, 3 vols (Beirut: Dār al-Bāšāʾir al-Islāmīyah, 1426/2005), 2:220-20.

³ Ibn al-Nadīm, Fihrīṣt 2:47. None of the three is found in, for example, al-Subkī, Tabaqāt al-shāfiʿīyāh al-kubrā, ed. Maḥmūd Muḥammad al-Ṭanāḥī and ʿAbd al-Fattāḥ al-Ḥulw, 10 vols (Cairo: Isā al-Bābī al-Ḥalabī, 1964-76).

⁴ Al-Dhahabī, Tārīkh al-islām 25:367.

⁵ Ibn Ḥajar, Taʿjīl al-manfaʿah (Hyderabad: Maṭbaʿat Majlis Dāʾirat al-Maṭbūʿāt al-Niẓāmīyah, 1324), 5 = ed. Ikrām Allāh Ḥmad al-Ḥaqq, 2 vols (Beirut: Dār al-Bāšāʾir al-Islāmīyah, 1416/1996), 128-9.

⁶ Al-Shāfiʿī (attrib.), al-Musnad (Arrah: al-Maṭbāʿa al-Khalīlī, 1306); ibid., in margin of K. al-Umm, 7 vols in 4 (Bulaq: al-Maṭbāʿa al-Kubrā al-Amīrijah, 1321-5), vol. 6; idem, Musnad al-imām, ed. Ayūb Abū Khashrīf, supʾd Ahmad Yūsuf al-Daqqāq (Damascus: Dār al-Thaqāfah al-ʿArabiyyah, 1423/2002); and idem, Musnad al-imām, ed. Muḥammad Anas Muṣṭafā al-Khinn, 2 vols (Damascus: al-Risālāh al-ʿĀlimiyah, 2012/1333). Not useful for the purpose of studying the early Shāfiʿī tradition are various rearrangements published over the years, of which I have been able to inspect ‘Abd al-ṣāḥib Ahmad al-Sāʿātī, Badāʾiʿ al-manān fī jām’ wa-tartīb Musnad al-Shāfiʿī wa-al-Sunan, 2 vols (Cairo: n.p., 1369/1950), Abū Umāray Majdī ibn
of the *Musnad*, far more than the basis of any edition to date.\(^8\) However, because it seems relatively the most careful and is the easiest to use alongside his edition of the *Umm* (by far the best available), this study will normally cite the edition of ‘Abd al-Muṭṭalib.

The *Musnad* comprises 1,835 hadith reports as numbered by ‘Abd al-Muṭṭalib.\(^9\) All of them are expressly transmitted by al-Aṣamm from al-Rabī’, all in turn from al-Shāfi‘ī, almost always directly. Over 98 percent of them are also in the *Umm*. The *Umm* (including *Ikhtilāf al-ḥadīth* but not counting the *Risālah*) comprises 4,663 as numbered by ‘Abd al-Muṭṭalib. Both numbers include some repetition. Ayyūb Abū Khashrī apparently counts 1,324 unique hadith reports in the *Musnad* along with about 470 repeats under different headings (although some of these with variant *isnāds*), 26 percent of the total. My own survey of a sample of 200 hadith reports in the *Umm* itself (excluding both *Ikhtilāf al-ḥadīth* and the *Risālah*) turns up 29 percent repeats. The *Musnad* has a somewhat higher proportion of hadith from the Prophet to hadith from other Muslims, about 2:1 as opposed to 3:2 in the *Umm*. Thus, the *Musnad* omits more hadith from Companions than from the Prophet but still omits over half the *Umm*’s hadith from the Prophet.

The extent to which our text of the *Umm* is what al-Shāfi‘ī left at his death has been controversial.\(^10\) Ahmed El Shamsy stresses evidence that it is identi-

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\(^{8}\) Sezgin, *GAS* 1:488.

\(^{9}\) Cf. 1,812 as numbered by Khinn, 1,859 as numbered in al-Rāfi‘ī al-Qazwīnī, *Sharḥ Musnad al-Shāfi‘ī*, ed. Abū Bakr Wā’il Muḥammad Bakr Zahrān, 4 vols (Qatar: Wizārat al-Aqwāf wa-al-Shu‘un al-Islāmiyyah, 1428/2007). Discrepancies are due mainly to editorial preference as to counting together or separately alternative *isnāds*, secondarily discrepancies among the manuscripts. For example, nos 55-6 in *Musnad*, ed. ‘Abd al-Muṭṭalib, together constitute no 54 in *Musnad*, ed. Khinn; nos 69-70 in *Musnad*, ed. ‘Abd al-Muṭṭalib, together constitute no 67 in *Musnad*, ed. Khinn; nos 85-6 in *Musnad*, ed. ‘Abd al-Muṭṭalib, together constitute no 83 in *Musnad*, ed. Khinn; nos 135-4 in *Musnad*, ed. ‘Abd al-Muṭṭalib, together constitute no 149 in *Musnad*, ed. Khinn; nos 215-16 in *Musnad*, ed. ‘Abd al-Muṭṭalib, together constitute no 210 in *Musnad*, ed. Khinn. The Khinn edition is missing (for example) nos 2, 204, and 385-90 of the ‘Abd al-Muṭṭalib edition.

\(^{10}\) Zakī Mubārak, *Iṣlāḥ ashnaʿ khaṭa ʾ fī tārīkh al-tashrī ʿ al-islāmī* (Cairo: Maktabat Miṣr, 1352/1934; repr. Cairo: Dār Miṣr, 1991); Norman Calder, *Studies in early Muslim jurisprudence* (Oxford: Clarendon Press, 1993), chap. 4; Christopher Melchert, *The meaning of qāla ‘l-Shāfi‘ī in ninth century sources*, *‘Abbasid studies*, ed. James E. Montgomery,
cal. His optimism strikes me as nonfalsifiable, while my scepticism may well strike him the same way. For example, a note in the Musnad at the end of the section wa-min kitāb mukhtaṣar al-ḥajj al-kabīr says, ‘Abū al-ʿAbbās al-Aṣamm said, “We finished hearing the book of al-Shāfiʿī on Wednesday 15 Shaʿbān 266 [31.iii.880]. We heard it from first to last being read before al-Rabī’” (Musnad 2:2000). El Shamsy takes it that ‘the book of al-Shāfiʿī’ refers to the whole of the Umm.11 This is possible, but I would say it more likely refers to Mukhtaṣar al-ḥajj al-kabīr alone, a title not found in the surviving Umm but matching one of the books named by Ibn al-Nadīm among its constituent parts (also an odd topic to be the last of the Umm for al-Rabī’ to dictate, as El Shamsy reckons).12

El Shamsy professes to be impressed by a high degree of agreement among various lists of the books that constitute the Umm.

A second indication of the authenticity of the present-day text of al-Shāfiʿī’s works can be gleaned from the Umm’s chapter divisions. Although the order and in some cases the titles of the Umm’s chapters remained fluid at least until the second generation of Shāfiʿī scholars, the broad contents of the Umm appear to have possessed a remarkable degree of stability already in the mid-ninth century. This can be seen through a close comparison of the chapters of the Umm as we have it today with different versions of the Umm’s table of contents that can be found in the works of Abū Bakr al-Aṣamm, Ibn al-Nadīm (d. 385/995), al-Bayhaqī, and Yāqūt al-Ḥamawī (d. 626/1229), as well as in the Mukhtaṣar of al-Buwaytī.13

The different lists of books making up al-Shāfiʿī’s seem to me more remarkable for their disagreement than otherwise. I have just mentioned the apparent presence in the Musnad of a section based on a book apparently missing from the Umm. (Ibn al-Nadīm’s list of constituent sections includes Mukhtaṣar al-ḥajj al-ṣaghīr and Mukhtaṣar al-ḥajj al-kabīr.)14 At any rate, it is hoped that inspection of the Musnad, although unlikely to tell us anything about the state

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11 El Shamsy, Canonization, 137.
12 Ibn al-Nadīm, Fihrist, 40, I. 22.
13 El Shamsy, ‘Al-Shāfiʿī’s’, 212. In Canonization, El Shamsy corrects his error and refers to al-Aṣamm as Abū al-ʿAbbās.
14 Ibn al-Nadīm, Fihrist 2:40, ll. 17-18, 22.
of the *Umm* as al-Shāfiʿī left it in 204/820, may shed some light on its state as al-Rabīʿ had fixed it by the mid-260s/late 870s.

Although, like the *Umm*, the *Musnad* is mostly arranged by topic, it is plainly futile to infer anything from the *Musnad* about the order of books in the *Umm*. Ritual purity and prayer come at the start, as one expects of a law book, but then fasting is interrupted by reports on the permissibility of divorce. Extracts from the *Risālah*, apparently the introduction to the *Umm*, show up about three-quarters of the way through the *Musnad*. Similarly, Ibn al-Nadīm’s list of the constituent parts of *al-Mabsūṭ*, although beginning with the *Risālah* and proceeding from there to ritual purity and prayer, names two books on apostates before it gets to the alms tax. The coincidences that El Shamsy detects seem to be mainly the standard categories of Islamic law, presumably formed over the eighth century. Some section titles are common to all three; e.g. *kitāb jirāḥ al-ʿamd*. Most are different, though.

More remarkable are some odd pairings. For example, Ibn al-Nadīm’s list includes a *kitāb al-ḥudūd wa-kary al-dawābb* (*qurʾanic penalties and the renting of riding animals*), two topics not obviously related and not near each other in either the *Umm* or the *Musnad*.\(^{15}\) Devin Stewart has suggested correcting our text to *kitāb al-ḥadw wa-kary al-dawābb* (*driving and renting riding animals*).\(^{16}\) This is conceivable, but also that penalties and renting were joined not because the two topics seemed related, rather because the first left a certain amount of space in a fascicle, which the second exactly filled. The same would explain such odd pairings in the *Musnad* as *kitāb ibāḥat al-ṭalāq wa-kitāb al-ṣiyām al-kabīr* (*the permissibility of divorce and fasting, although the six hadith reports in this section concern only divorce, not fasting*). It would explain why one manuscript of the *Musnad* includes six hadith reports from the *Umm*, *kitāb ṣalāt al-khawf* (*the fear prayer*), at the end of the section *kitāb al-ʿīdayn* (*the two festivals; Musnad 1:513-20; Umm 2:437-64*). Such variant combinations and sections seem incompatible with El Shamsy’s assertion that Ibn al-Nadīm’s list and the *Musnad* show remarkable stability of organization. It seems likely from the manuscript evidence of Mālikī books, among other things, that long books like the *Umm* circulated in the form of separate fascicles in the ninth and tenth centuries, so that the order of books could easily change.\(^{17}\) Another example is the earliest commentary on the *Sunan* of Abū Dāwūd from the

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15 Ibn al-Nadīm, *Musnad* 2:40, l. 8.
16 Devin J. Stewart, ‘Emending the chapter on law in Ibn al-Nadīm’s *Fihrist*, *ʿAbbasid studies II*, ed. John Nawas, Orientalia Lovaniensia analecta 177 (Leuven: Peeters, 2010), 211-43, at 231.
17 See Miklos Muranyi, *Die Rechtsbücher des Qairawāners Saḥnūn b. Saʿīd*, Abhandlungen für die Kunde des Morgenlandes 52.3 (Stuttgart: Franz Steiner, 1999).
littérature al-Khaṭṭābī (d. 388/998?), which presents books in a different order from what we are accustomed to but within each book reviews hadith reports in very near the familiar order.18

The sequence of hadith within books of the Musnad often matches the sequence in corresponding books of the Umm, suggesting fixed content; that is, something like the books of the Umm as we know it really did underlie the Musnad. For example, the Umm includes a long book Ikhtilāf al-ḥadīth (mentioned also by Ibn al-Nadīm19) that includes (by 'Abd al-Muṭṭalib's count) 359 hadith reports. The Musnad has a corresponding section, wa-min kitāb ikhtilāf al-ḥadīth, that comprises 53 hadith reports. Here is the sequence of reports in the Umm, Ikhtilāf al-ḥadīth, in the order in which they appear in the Musnad, wa-min kitāb ikhtilāf al-ḥadīth:

34, 33, 35, 41, 42, 43, 45, 47, 49, 50, 51, 52, 53, 54, 55, 56, 60, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 81, 83, 84, 85, 86, 87, 88, 243, 244, 246, 248, 234, 235, 236, 237, 238, 239, 240, 232, 233, 89, 90, 91.

In this example, the Musnad generally follows the order of hadith in the Umm but does not get beyond the topic of ritual purity except for thirteen reports having to do with the penalty for adultery. This section of the Musnad seems to be indeed an extract of the Umm but very incomplete. It is also somewhat disordered, for it seems much more likely that hadith in the Musnad about adultery were somehow interpolated into a sequence of hadith about ritual purity than it is that Ikhtilāf al-ḥadīth as dictated by al-Rabīʿ jumped back and forth between ritual purity and adultery, to be set straight by subsequent redactors. It seems impossible to know whether the Musnad omits most of Ikhtilāf al-ḥadīth because al-Aṣamm knew only part of it or for some reason his disciples heard only part of it, left their extract unfinished, or compiled a longer extract that was mostly lost some time later.

A similar example is Wa-min kitāb Ikhtilāf Mālik wa-al-Shāfiʿī in the Musnad, comprising 136 hadith reports, corresponding to Kitāb Ikhtilāf Mālik

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18 Al-Bātilī, al-Imām al-Khaṭṭābī, Silsilat al-rasāʾil al-jāmiʿīyah 45, 2 vols (n.p.: al-Mamlakah al-ʿArabīyah al-Saʿūdīyah, Wizārat al-Taʿlīm al-ʿĀlī, Jāmiʿat al-Imām Muḥammad ibn Saʿūd al-Islāmīyah, ʿImādat al-Baḥth al-ʿIlmī, 1426/2005), 567-71. See also Joseph Lowry, ‘A preliminary study of al-Shāfiʿī’s Ibṭāl al-istiḥsān’, Abbasid studies IV: occasional papers of the School of Abbasid Studies, Leuven, July 5-July 9, 2010, ed. Monique Bernards (n.p.: Gibb Memorial Trust, 2013), 180-206, at 195-7, wrestling with confusion between Ibṭāl al-istiḥsān and al-Iqrār bi-ḥukm al-ẓāhir in various lists of al-Shāfiʿī’s works, including the Musnad.

19 Ibn al-Nadīm, Fihrist 2:43, l. 3.
wa-al-Shāfi‘ī in the Umm, which includes 398 hadith reports (about three times as many).

3609, 3621, 3639, 3640-1, 3643, 3646, 3650-1, 3655-6, 3658, 3662-4, 3668-9, 3665, 3670-4, 3678-84, 3687, 3691-2, 3698-9, 3705-7, 3709-13, 3715, 3721, 3724-8, 3733, 3737-8, 3741, 3744, 3749, 3751, 3753, 3762-5, 3768-70, 3777-9, 3781-3, 3786-7, 3797-8, 3800-1, 3803-5, 3807, 3809, 3812, 3817, 3822, 3827, 3836, 3849, 3855, 3857, 3860-1, 3868, 3871, 3893, 3898, 3900, 3902, 3904-5, 3908, 3911, 3913, 3915-20, 3926-7, 3930, 3932, 3944, 3948, 3951-2, 3954, 3957-8, 3962, 3964-5, 3967, 3988, 3993, 3999, 3990, 3994, 3997, 3998, 3999.

All but one report in the Musnad is in Ikhtilāf Mālik wa-al-Shāfi‘ī (no 1187 appearing in the Umm, kitāb al-hajj 78, bāb al-ṭawāf ba‘da ʿArāfah). All but two of the rest appear in exactly the same order as in Ikhtilāf Mālik wa-al-Shāfi‘ī. Moreover, unlike with Ikhtilāf al-ḥadīth, the selection in the Musnad ranges from beginning to end of Ikhtilāf Mālik wa-al-Shāfi‘ī. This strongly confirms that Ikhtilāf Mālik wa-al-Shāfi‘ī was available to al-ʿAṣamm in just the form in which we have it. Comparison between shorter books in the Umm and Musnad usually gives similar results. For example, the section wa-mīn kitāb ‘ishrat al-nisāʾ of the Musnad comprises 19 hadith reports (Musnad 2:1627-44). The first three also appear in the Umm, kitāb ‘ishrat al-nisāʾ. Then come a series of hadith reports from the Umm, kitāb mā yaḥillu wa-mā yaḥrumu min al-nikāḥ, all in the same order as in the Umm (although including just 14 out of 40). Here also is fairly strong evidence that the Umm was available to al-ʿAṣamm in just the form in which we have it, although differently divided into sections. Many more such overlaps could be cited.

The Musnad also includes occasional comments on organization from al-ʿAṣamm; for example,

These two hadith reports are not in the kitāb al-wuḍū’, but we have brought them out because this is their place. In this place in kitāb al-wuḍū’, al-Shāfi‘ī said that Abū al-Ḥuwayrith related < al-ʿAraj < Ibn al-Ṣimmah that the Messenger of God ... pissed, then performed tayammum (the minor ritual ablution without water) (Musnad 1:102).

On the one hand, this bespeaks consciousness of the order of hadith in one book of the Umm, from which al-ʿAṣamm was dictating with some rearrangement by himself. On the other hand, the previous four hadith reports in the Musnad have these numbers as they appear in the Umm: 12, 43, 46, 44. The next four are 45, 50, 51, 52. It is conceivable that someone subsequently altered the
arrangement of hadith in the *Umm* in the same way al-Aṣamm had thought to rearrange them but more likely that either al-Aṣamm's notes were confused or his remark about two hadith reports from elsewhere is misplaced in the *Musnad*.

There is extant a separate book with the title *Aḥkām al-Qurʾān* attributed to al-Shāfiʿī, well known to be an extract from the *Umm* and a few other works (mostly no longer extant) by al-Bayhaqi (d. 458/1066). However, *Aḥkām al-Qurʾān* is also mentioned by Ibn al-Nadīm and apparently even the *Risālah*. The *Musnad* sheds some light on the contents of this evidently lost book. *Wa-min* kitāb aḥkām al-Qurʾān begins with eleven hadith reports in the same order of appearance as in the *Umm*, kitāb ‘ishrat al-nisāʾ (*Musnad* 2:1508-21; *Umm* 6:224-301), then a series of 42 from kitāb al-furqah bayna al-azwāj (*Musnad* 2:1521-69; *Umm* 6:303-455), all in order, interrupted just once by an apparent interpolation from kitāb siyar al-Wāqīdī (*Musnad* 2:1557; *Umm* 5:652), plainly a parallel to the one following from kitāb al-furqah; that is, corroborating evidence. Then comes one from kitāb jarḥ al-ʿamd (*Musnad* 2:1570, fuller version *Umm* 7:75), two in order with partial parallels in kitāb al-aqḍiyah (*Musnad* 2:1572; *Umm* 7:117; *Umm* 8:119), one from kitāb al-rahn al-kabīr (*Musnad* 2:1570, isnād only in *Umm* 8:117; *Musnad* 2:1571, isnād only in *Umm* 8:119), one from kitāb al-ṣiyām (*Musnad* 2:1572; *Umm* 7:491), finally two in order from kitāb al-aymān wa-al-nudhūr (*Musnad* 2:1573-4; *Umm* 7:212-13). The suggestion is that the original *Aḥkām al-Qurʾān* reviewed examples from just a few areas of the law, mostly marriage and divorce. Citations in the *Mukhtaṣar* of al-Muzanī suggest the same.

Harder to reconcile with fixed content are certain references to large and small books. Ibn al-Nadīm’s list includes kitāb al-rahn al-kabīr and kitāb al-rahn al-ṣaghīr; the *Umm* includes both (4:289-412), the *Musnad* neither. Ibn al-Nadīm’s list includes kitāb al-ṣiyām. The *Umm* includes kitāb al-ṣiyām al-ṣaghīr (3:231-63), suggesting a lost kitāb al-ṣiyām al-kabīr. The *Musnad* includes a section *wa-min* kitāb al-ṣiyām al-kabīr (1:631-51), but it comprises 16 hadith reports all included in the *Umm*, kitāb al-ṣiyām al-ṣaghīr, and all but one in the same order. Thus, the *Musnad* neither disproves that there was once a distinct kitāb al-ṣiyām al-kabīr left out of our recension of the *Umm* nor provides any evidence of what, if it existed, distinguished it from al-ṣaghīr. Ibn al-Nadīm’s list includes kitāb mukhtaṣar al-ḥajj al-ṣaghīr and kitāb mukhtaṣar

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20 Al-Shāfiʿī, *Aḥkām al-Qurʾān*, ed. Muḥammad Zāhid ibn al-Ḥusayn al-Kawthārī, 2 vols (Cairo: Maktatat al-Khānjī, 1370-1/1951-2); GAS 1:489-90.
21 Ibn al-Nadīm, *Fihrist* 2:43, l. 1; al-Shāfiʿī, *al-Risālah*, ed. Aḥmad Muḥammad Shākir (Cairo: Maṭbaʿat Muṣṭafā al-Bābī al-Ḥalabī wa-Awlādih, 1358/1940; repr. Beirut: n.p., n.d.), ¶ 416.
22 Al-Muzanī, *al-Mukhtaṣar*, in margin of *K. al-Umm* (Bulaq) 3:256, 293, 294, 4:41, 47, 48, 156, 170.
al-ḥajj al-kabīr. The Umm includes kitāb al-ḥajj, kitāb mukhtaṣar al-ḥajj al-mutawassit, and kitāb mukhtaṣar al-ḥajj al-ṣaghīr (3:269-575). The section of the Musnad wa-min kitāb mukhtaṣar al-ḥajj al-kabīr (2:1980-97) comprises 16 hadith reports, all of which are in the Umm, two in kitāb al-ḥajj, the rest in kitāb mukhtaṣar al-ḥajj al-mutawassit in the same order. Similarly, then, the Musnad does not disprove that there was once a distinct kitāb mukhtaṣar al-ḥajj al-kabīr heard by al-Āṣamm but lost from the Umm as we know it. Neither does it disprove that mukhtaṣar al-ḥajj al-kabīr in Ibn al-Nadīm’s list refers to the same text as kitāb mukhtaṣar al-ḥajj al-mutawassit in the Umm as we know it.

El Shamsy professes to have found in the lists only one reference to a work not found in the Umm, ‘namely, Kitāb al-Amālī, which is mentioned by al-Āṣamm and appears to be lost.’ It seems to me he ought to have added kitāb al-ijmāʿ and kitāb al-ḥukm bi-al-ẓāhir, two other titles on Ibn al-Nadīm’s list not in the Umm as we know it. At most, kitāb al-ijmāʿ may refer to the extant kitāb jīmāʿ al-ʿilm (or else, as Devin Stewart conjectures, this is a distortion of k. al-ijārāt al-ṣaghīr24). By contrast, at any rate, the sections of the Musnad identified as coming from al-amālī (sessions of dictation) not only confirm that they are based on documents not found in the Umm but may shed significant light on the composition of the Umm. Near the beginning of the Musnad is wa-min kitāb al-amālī fi al-ṣalāḥ (1:306-32), comprising 26 hadith reports. Here is the sequence of intersections with the Umm in the order in which they appear in the Musnad, wa-min kitāb al-amālī fi al-ṣalāḥ:

388 387 203 402 362 47 3520 275 404 336 176 347 348 291 3654

The number in italics refers to a report that appears in Ikhtilāf al-ḥadīth, separately numbered by ‘Abd al-Muṭṭalib. Considering how closely the Musnad usually agrees with the Umm as to the sequence of hadith, it seems plain that al-Āṣamm and his students did not extract this section from a book in the Umm as we know it. The high proportion of hadith in this section of the Musnad not found anywhere in the Umm, over a third, suggests the same.

A similar example is the section of the Musnad set off as wa-min kitāb al-ḥajj min al-Amālī (2:1942-79). Whereas all of the section of the Musnad wa-min kitāb mukhtaṣar al-ḥajj al-kabīr appears somewhere in the Umm, just over half the reports in this section are also to be found in al-Umm. Here are the numbers in the Umm of those reports that are found there, roman indicating

23 El Shamsy, ‘Al-Shāfiʿīʾs’ , 213-14.
24 Stewart, ‘Emending’, 231.
kitāb al-ḥajj, italics kitāb mukhtāsar al-ḥajj al-mutawassīt, and underlining kitāb al-ṣalāh:

1322 1341 1324 1260 1362 1113 1311 1332 1317 996 998 989 195 1185 1350 1348 1352 1353 1354 1355

It is possible that the 19 hadith reports not found in al-Umm were in a lost mukhtāsar al-ḥajj al-kabīr, but it seems unlikely that al-Aṣamm and his students based this section on that book. Also telling, although less so because so short, are the sections wa-min kitāb al-nikāḥ min al-Imlā’, comprising four hadith reports (Musnad 2:1998-2000), and wa-min kitāb al-nikāḥ min al-Imlā’, comprising just one (Musnad 2:2001). One from the former section and the only one in the latter are not found in al-Umm.

Al-Muzanī also refers to various transcripts of al-Shāfiʿī’s dictation as sources for the Mukhtāsar. Sometimes, he simply cites the imlā’, which might be the same as the Amālī referred to in section titles of the Musnad. More often, he cites al-Imlā’ ‘alā masā’il Mālik or, more elaborately, al-Imlā’ ‘alā al-Muwaṭṭa’ and al-Imlā’ ‘alā masā’il Mālik wa-Ibn al-Qāsim. Some of this may well have gone into Kitāb Ikhtilāf Mālik wa-al-Shāfiʿī (Umm 8:513-778), a book the Musnad unfortunately ignores. What al-Muzanī refers to as imlā’ ‘alā kitāb ikhtilāf Abī Ḥanīfah wa-al-Awzāʾī and kitāb al-Imlā’ ‘alā Muḥammad ibn al-Ḥasan may well describe Siyar al-Awzāʾī (Umm 9:171-277) and al-Radd ‘alā Muḥammad ibn al-Ḥasan (Umm 9:85-169), respectively, for both of them comprise independent texts by other jurisprudents overlaid by comments from al-Shāfiʿī.

The question arises whether the amālī referred to in the Musnad actually comprised the raw notes from which al-Rabī’ assembled the books of the Umm. Al-Muzanī refers to a wide variety of notes, including notes from al-Shāfiʿī never dictated to anyone, notes taken down by others from al-Shāfiʿī’s dictation, and things he himself took down from al-Shāfiʿī’s dictation. Later Shāfiʿī writers also quote al-Imlā’, suggesting a body of notes haphazardly available.

25 Shāfiʿī, Umm 1:2127, 2:222, 3:173, 5:261.
26 Shāfiʿī, Umm 1:201, 202, 3:255, 256, 4:57.
27 I am unaware that the base text of Siyar al-Awzāʾī, apparently the compilation of Abū Yusuf, survives independently. Al-Radd ‘alā Muḥammad ibn al-Ḥasan interpolates comments from al-Shāfiʿī into what its editor takes to be part of the otherwise-lost second half of al-Shaybānī, K. al-Hujjah ‘alā ahl al-Madīna, ed. Abū al-Wafā’ al-Afghānī, &al., Silsilat al-Maṭbūʿāt 1, 4 vols (Hyderabad: Maṭbaʿat al-Maʿārif al-Sharqīyah, 1385/1965, repr. Beirut: ‘Ālam al-Kutub, 1403/1983), 4:255-418.
28 For references to notes known only in writing, see Shāfiʿī, Umm (Bulaq) 3:102, 131, 159, 175; to others’ notes, Umm 1:102, 113, 4:207, 5:144, 147; to dictation, 3:92, 131, 5:223.
29 Some examples in Melchert, ‘The meaning of qāla ʾl-Shāfiʿī’, 280, 291.
Of the last five books of the *Musnad*, four are identified by title as things al-Rabīʿ did not hear from al-Shāfiʿī: *wa-min* kitāb *al-waṣāyā alladhī lam yusmaʿ minh* (*Musnad* 2:2002-3), *wa-min* kitāb al-ṭaʿām wa-al-sharāb wa-ʾimārāt al-ardīn mimmā lam yasmaʿ al-Rabīʿ min al-Shāfiʿī wa-qāla aʾlamu ann dhā min qawlīh wa-baʿḍ kalāmīh (*Musnad* 2:2010-27), *wa-min* kitāb *al-waṣāyā alladhī lam yusmaʿ min al-Shāfiʿī* (*Musnad* 2:2028-30), and *wa-min* kitāb ikhtilāf ‘Ali wa-ʿAbd Allāh mimmā lam yasmaʿ al-Rabīʿ min al-Shāfiʿī (*Musnad* 2:2031-60).

Altogether, these comprise 56 hadith reports, of which 54 are found in the *Umm*. Of these 54, the *Umm* begins with al-Shāfiʿī’s source for 36 but asserts that al-Rabīʿ transmitted 18 directly from al-Shāfiʿī. To begin with al-Shāfiʿī’s source is not odd: overall, where the *Umm* provides a complete isnād from al-Shāfiʿī to a Companion or the Prophet, language indicating who heard this from al-Shāfiʿī (normally al-Rabīʿ) is about half as common as its absence. However, if the titles of these sections of the *Musnad* are correct, then the *Umm* should have asserted direct transmission for none of the 54. The best that can be said for the reliability of the text of the *Umm* as to its transmission from al-Shāfiʿī is that the *Musnad* directly throws into doubt only this small portion of it.30 The *Musnad* confirms the text of the *Umm* at a point where it announces, ‘From here are four hadith reports that al-Rabīʿ heard from al-Buwayṭī from al-Shāfiʿī’ (*Musnad* 1:268-72; *Umm* 2:253-5).

There are many other small discrepancies as well between the *Musnad* and the *Umm*. Sometimes these look like minor copying errors such as were inevitable in the age of manuscripts; for example, where the *Umm* includes a conjunction (*wa-*) but the *Musnad* not (*Umm* 2:43-4; *Musnad* 1:107). Occasionally, the *Musnad* offers a shorter version; for example, leaving out most of the setting for the Prophet’s instruction to a Companion not to recite the Qurʾān at great length when leading the prayer (*Musnad* 1:329; *Umm* 2:346). Sometimes the *Musnad* offers a longer version. For example, the *Musnad* reports < al-Rabīʿ < al-Shāfiʿī < Mālik < Nāfiʿ < Ibn ʿUmar ‘that he performed the minor ritual ablution in the market, washing his face and hands, wiping his head. Then he was called to a funeral, so he went into the mosque to pray over it. There he wiped his leather socks (*khuffayhi*), then prayed in them’ (*Musnad* 1:126). The *Umm* reports < Mālik < Nāfiʿ ‘that Ibn ʿUmar pissed in the market, then performed the minor ritual ablution, wiping his leather socks, then prayed’ (*Umm* 8:263-4).

30 Another example of disagreement over what al-Rabīʿ did or did not hear: Kitāb ikhtilāf ahl al-ʿIrāq ʿalá ʿAlī wa-ʿAbd Allāh is listed by Yāqūt (d. 626/1229) among sections of the *Umm* not heard by al-Rabīʿ from al-Shāfiʿī, but Ikhtilāf ʿAlī wa-ʿAbd Allāh ibn Masʿūd in the *Umm* begins, akhbaranā al-Rabīʿ ibn Sulaymān qāla akhbaranā al-Shāfiʿī…. See Yāqūt, *Irshād al-arīb ilá maʿrifat al- adīb*, ed. Iḥsān ʿAbbās, 7 vols (Beirut: Dār al- Gharb al-Islāmī, 1993), 6:2412, l. 3 from bottom, and al-Shāfiʿī, *Umm* 8:391.
For all but one word (tawāḍḍaʿa or bāla), the longer version in the Musnad agrees with the text of the Muwattaʿ of Mālik.31 As for what Ibn ʿUmar did in the market, the Musnad agrees with the manuscripts of the Umma that he performed the minor ritual ablution, whereas the editor, ‘Abd al-Muṭṭalib, has corrected the Umma on the basis of the Bulaq edition (7:210). The main question here is whether the long version in the Musnad was al-Asamm’s reconciliation with the Muwattaʿ (except for the one word tawāḍḍaʿa) or the short version in the Umma an abridgement of what al-Rabīʿ originally dictated at this place. The coincidence of ritual ablutions in the Musnad and the manuscripts of the Umma make it seem most likely that (1) the Musnad testifies to just what al-Rabīʿ dictated and (2) there was some fluidity to al-Rabīʿ’s dictation, such that he might sometimes dictate a full version that was going to end up abridged in the Umma. By contrast, the Musnad seems probably the less accurate when it quotes the Prophet as saying, ‘Do not forbid the handmaids of God (to go to) God’s mosques’ (Musnad 2:232). By the same isnād, the Umma quotes him as saying, ‘If the wife of one of you asks permission (to go) to the mosque, let him not forbid her’ (Umma 10:128). The version in the Umma agrees with one in Bukhārī’s Sahih, among other places, whereas the version in the Musnad agrees with one in matn but not in isnād.32 Therefore, it seems likely that someone misremembered in putting together the Musnad (unless the Musnad presents a correct version of what al-Shāfiʿī dictated, corrected in the Umma by a later transmitter).

The Musnad sometimes offers comments not found in the Umma. Following a report of Ibn Ḥabīb’s advice, the Musnad includes this apparent quotation of al-Shāfiʿī: ‘This is also the position of Ibn ʿUmar, by which we go’ (Musnad 1:315). There is a similar report in Ikhtilāf ‘Alī wa-ʿAbd Allāh ibn Masʿūd (Umma 8:493) but lacking any mention of Ibn ʿUmar’s position, also with a different Follower in the isnād: the Musnad version goes through ‘Aṭāʾ ibn Abī Rabāḥ (Meccan client, d. 114/732?), the Ikhtilāf version through ‘Aṭāʾ ibn Yasār (Medinese qāṣṣ, client, d. 103/721-2?). At one point, the Musnad gives a longer version of a hadith report found also in the Umma, then adds, ‘Al-Rabīʿ said that al-Shāfiʿī asserted there was no one more given to disagreeing with the people of Medina.

31 Mālik, Muwattaʿ, rec. Yahyā, al-ṣalāh 16, mā jāʾa fī al-maṣḥ ʿalá al-khuffayn, no 81; rec. Abū Muṣʿab, al-ṣalāh 8, bāb mā jāʾa fī al-maṣḥ ʿalá al-khuffayn, no 89; rec. Shaybānī, al-ṣalāh 13, bāb al-maṣḥ ʿalá al-khuffayn, no 50.
32 Bukhārī, Sahih, k. al-nikāḥ 17, bāb istiʿḍān al-marʿah zawjahā fī al-khurūj ilā al-masjid wa-ghayrih, no 5238; k. al-jumʿah 13, no 900.
than Mālik’ (*Musnad* 2:1362; *Umm* 8:768). This joins other warnings not to take Mālik’s word for it that he represents Medinese consensus.33

Almost half the time, men in isnāds are named differently in the *Musnad* and the *Umm*; for example, ‘Sufyān’ in one, ‘Sufyān ibn ‘Uyaynah’ in the other, or ‘Ayyūb ibn Abī Tamīmah’ in one, ‘Ayyūb al-Sakhtiyānī’ in the other. Occasionally, words between names, indicating the mode of transmission, will be different; for example, *samī’a* in one (‘he heard’), ‘*ʿan* (‘on the authority of’) in the other. Several hundred hadith reports in the *Umm* are ascribed to ‘someone trustworthy (*al-thiqah*)’, ‘someone I do not suspect (*man lā attahimu*)’, and other such expressions.34 Occasionally, too, al-Shāfī‘ī’s anonymous source in the *Umm* is named in the *Musnad*. One example is where *Ikhtilāf al-ḥadīth* has only ‘there related to me someone trustworthy’ whereas the *Musnad* quotes this hadith report, then adds the gloss *yaʿnī Yaḥyā ibn Ḥassān* (*Umm* 10:199; *Musnad* 1:984). Another example is where the *Umm* says something came from ‘someone trustworthy, meaning either Sufyān or someone else’, whereas the *Musnad* says it came from Ibn Abī Yahyā. The two versions sound like alternative guesses. The version in the *Musnad* is also longer, including Ibn Ḥabbā’s comment, ‘What does God care about our filth?’ (*Musnad* 2:1948; *Umm* 3:529).

It is easy to imagine al-Aṣamm’s guessing at anonymous transmitters as he dictated hadith, but these many differences also raise the possibility that many identifications in the *Umm* are not precisely what al-Shāfī‘ī dictated or wrote but the guesses of al-Rabī‘ or later redactors.

The *Musnad* describes the *tashahhud* near the end of the ritual prayer with *al-salāmu ʿalayka ayyuhā Ṽ-l-nabīyu wa-raḥmatu Ṽ-Lāh*, against the *Risālah*, which endorses the slightly longer formula *al-salāmu ʿalayka ayyuhā Ṽ-l-nabīyu wa-raḥmatu Ṽ-Lāhi wa-barakātuh* (*Musnad* 2:1394; *Risālah*, ¶ 743). The isnād in the *Musnad* agrees with one in the *Muwaṭṭa* of Mālik, which, however, includes *wa-barakātuh* in agreement with the *Risālah*.35 Wider disagreement among early scholars is indicated by a version in which Ibn Ṭālib identifies *wa-barakātuh* as his own addition to what he had heard from the Prophet.36

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33 Cf. Joseph Schacht, *The origins of muhammadan jurisprudence* (Oxford: Clarendon Press, 1950), 69, 84, quoting Shāfī‘ī, *Umm* 8:739.

34 See Abū Asmāʾ al-Miṣrī ʿAṭīyah ibn Ṣidqī ʿAlī Sālim ʿAwdah, *Iltizām al-diqqah fī taḥqīq qawl al-Shāfiʿī akhbaranā al-thiqah* (Mansoura, Egypt: Maktabat Ibn ʿAbbās, 2013), and Asmāʾ al-Bughā, *al-Taʿdīl ʿalá al-ibhām ʿinda al-imām al-Shāfiʿī*, *Silsilat al-rasāʾil al-jāmiʿah* 11 (Beirut: Dār al-Nawādir, 1435/2014), trying to identify the men not named.

35 Mālik, *Muwaṭṭa*’, rec. Yahyā, *al-salāḥ 53, al-tashahhud fi al-salāḥ*, no 24; rec. Abū Muṣ‘ab, *wuqūṭ al-salāḥ 68, bāb al-tashahhud fi al-salāḥ*, no 499; rec. al-Shaybānī, *awwāb al-salāḥ 41, bāb al-tashahhud fi al-salāḥ*, no 146. Likewise Muzani, *Mukhtaṣar*, *Umm* 178marg.

36 Abū Dāwūd, *Sunan, al-salāḥ 177*, bāb al-tashahhud, no 971. After the next hadith report, no 972, Abū Dāwūd remarks that Aḥmad ibn Ḥanbal did not say *wa-barakātuh*. The Ḥanbalī
Early hadith collections also show some confusion between the second *tashahhud* and the concluding *taslim*. Here, then, the *Musnad* testifies to disagreement within the early Shāfiʿī school over the wording of the *tashahhud*.\(^37\)

The *Musnad* is not the only extant collection of hadith related by al-Shāfiʿī, for there is another conventionally called the *Sunan*. It seems to be the collection of the prominent Ḥanafi ʿAlī al-Ṭahāwī (d. 321/933) of somewhat fewer than 700 hadith reports, all but 15 of which he heard from al-Muzanī (d. 264/877?). About one-seventh is made up of hadith from Companions, nearly all the rest from the Prophet. A little less than half of its hadith reports are also found in the *Umm*. It was first published in 1986 as edited by Ḥabīb al-Muḥammadī Muḥammad, then in 1989 as edited by Khalīl Ibrāhīm Mullā Khāṭir.\(^38\) Some of the reports in the *Musnad* not found in the *Umm* are found in the *Sunan*, confirming that they both go back to al-Shāfiʿī’s dictation.\(^39\) But there are also small discrepancies between the *Sunan* and the *Umm*, such as shorter or longer scene-setting for the Prophet’s exemplary word or deed, suggesting that al-Rabī’ and al-Muzanī worked from discrepant notes of what al-Shāfiʿī dictated.\(^40\)

My conclusions are modest, as one rather expects of comparing what are largely alternative recensions. The *Musnad* suggests caution in interpreting the *Umm* by itself when there is no corroborating parallel. It has been remarked before that the *Umm* occasionally identifies hadith that al-Rabī’ did not himself hear directly from al-Shāfiʿī. The *Musnad* also identifies a number of hadith reports that al-Rabī’ did not himself hear directly from al-Shāfiʿī, some of which are identified to the contrary in the *Umm*; that is, as al-Rabī’’s direct transmission from al-Shāfiʿī. This limits the usefulness of express descriptions in the *Umm* of how different passages reached its redactor. On the other hand, 250 H. is widely accepted as a boundary after which texts became effectively

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\(^{37}\) Abū Isḥāq al-Shīrāzī considers *wa-raḥmatu 'Llāh* the required minimum, *wa-raḥmatu 'Llāhi wa-barakātuḥ* the best form: *al-Muhadhdhab*, 2 vols (Cairo: Muṣṭafā al-Bābī al-Ḥalabī wa-Awlādih, n.d., repr. 1396/1976), 112.

\(^{38}\) e.g. *Musnad* 1:323, corresponding to *Sunan*, ed. Qal‘ajī, 196; ed. Khāṭir, 1:235.  
\(^{39}\) e.g. *Musnad* 1:324, corresponding to *Sunan*, ed. Qal‘ajī, 154; ed. Khāṭir, 1:235, neither version found in the *Umm*.  
\(^{40}\) school after him was divided, for which see al-Mardāwī, *al-Insāf fi maʿrifat al-rājiḥ min al-khilāf ‘alā madhhah al-imām Ahmad ibn Ḥanbal*, ed. Muḥammad Ḥāmid al-Fiqī, 12 vols (Cairo: Maṭbaʿat al-Sunnah al-Muḥammadīyah, 1955-8, repr. Dār Iḥyāʾ al-Turāth al-ʿArabī, 1419/1998), 2:62-3, 84.

\(^{39}\) Al-Shāfiʿī, *al-Sunan al-maʿthūrah*, ed. ‘Abd al-Muṭṭī Aḥmad Qal‘ajī (Beirut: Dār al-Maʿrifah, 1976), 1406/1986; idem, *al-Sunan*, ed. Khalīl Ibrāhīm Mullā Khāṭir, Madrasat al-imām al-Shāfiʿī 8, 2 vols (Jeddah: Dār al-Qiblah lil-Thaqāfah al-Islāmīyah and Damascus: Muʾassasat ʿUlūm al-Qurʾān, 1409/1989). The latter edition is textually superior but Qal‘ajī’s editing and notes better serve comparison with the *Umm*.  
\(^{40}\) e.g. *Musnad* 1:323, corresponding to *Sunan*, ed. Qal‘ajī, 154; ed. Khāṭir, 1:235.
stable, no longer just the lecture notes of one or another student. Similarities between the Musnad and the Umm sufficiently outweigh discrepancies to confirm that acceptance.

The Musnad and the Sunan both confirm that there was a larger body of al-Shāfiʿī’s teaching on which different disciples might draw, as Norman Calder proposed to account for discrepancies between the Mukhtaṣar of al-Muzani and the Umm.41 Comparison between the Musnad and the Umm shows specifically that al-Rabīʿ himself transmitted more from al-Shāfiʿī than what made its way into the Umm, or at least than what survives to our day. Jonathan Brockopp has similarly proposed that early Mālikī authors drew on a body of Mālik’s doctrine, some but not all of which found its way into the recensions of the Muwaṭṭa’.42 Calder and Brockopp disagree as to how much later jurisprudents added pseudonymously to these bodies: very much according to Calder, negligibly little according to Brockopp. Study of the Musnad shows that some adjustment of al-Shāfiʿī’s doctrine was still going on after the mid-ninth century but very little. As for the extent of it in the earlier ninth century, the Musnad cannot be expected to provide significant evidence.

41 Calder, Studies, 92.
42 Jonathan E. Brockopp, Early Mālikī law, Studies in Islamic law and society 14 (Leiden: Brill, 2000), 95-100.