I am honoured to have been asked to deliver the 2003 Professor Noel Coulson Memorial lecture. I was not Professor Coulson’s student, but like so many students of Islamic law, I am very much indebted to his scholarship and insights. In particular, I have found his book, _Conflicts and Tensions in Islamic Jurisprudence_, an inspiration. Published in 1969, the book contains the texts of six lectures delivered at the newly founded Center for Middle Eastern Studies in the University of Chicago. In these lectures he examined the principal currents of Islamic legal theory through a series of conflicting concepts: six polarities, or areas of tension in Islamic law, namely those between: revelation and reason; unity and diversity; authority and liberty; idealism and realism; law and morality; and finally, stability and change.

In this lecture, I shall explore another set of tensions and conflicts in Islamic jurisprudence that was not explored by Professor Coulson – that is, the one stemming from the conflict between, on the one hand, the patriarchal ethos embedded in “orthodox” interpretations of Islamic law, and on the other, Muslim women’s demand for gender justice and equality. This is an area of tension that has come much more into focus since Professor Coulson’s day, in particular since the late 1970s, when Islamist groups came to power in some Muslim countries and started to enforce Islamic law as the law of the land. These developments gave a new lease of life to the tired old debate over the “status” or “position” of women in Islam.

For many, the treatment of women in Islamic law encapsulates the essence of Islam’s incompatibility with modernity. It is widely argued – though not so firmly these days – that Islam is essentially irreconcilable with central features of modernity, such as secularism, democracy, pluralism, civil society, religious tolerance, and gender equality. This conventional argument has not only been
falsified by recent developments in the Muslim world but is also now effectively challenged by emerging feminist voices in Islam. These voices are also changing the terms of the relationship between Islamic law and feminism – a relationship that was marked until recently by antagonism and distrust.

The argument I shall develop in this lecture is exploratory. It ranges widely and is still evolving. At times, I am forced to paint with a quick hand and broad strokes. Discussing a process that is still emerging and contingent is risky – especially in the shadow of a conflict that is threatening the security of the whole Muslim world, upsetting existing balances and putting Muslims once more on the defensive, making them more inclined to cling to tradition. But the connections that I see, and the trends that are emerging, are compelling enough to lead me to take the risk of presenting them. If my analysis and my hunches are correct, we will look back at this time as the formative period of a feminism and a secularism that are indigenous to Islam. Both, I shall argue, are the paradoxical and unintended consequences of the rise of political Islam and of the Islamist project of a ‘return to the \textit{shari’a}’.

\textbf{ISLAMIC FEMINISM – NEW FEMINIST VOICES IN THE MUSLIM WORLD}

Let me begin with connections that I see between the rise of political Islam and the emergence of a new gender consciousness and movement among Muslims.

Muslim women, like other women in the world, have always been aware of – and have resisted – gender inequality, yet the emergence of a sustained, home-grown (indigenous) feminism was delayed until recently. This delay at least partly reflects the complex relation between demands for equal rights for women and the anti-colonial and nationalist discourses of the first part of the 20\textsuperscript{th} century. At a time when feminism, both as a consciousness and as a movement, was being shaped and making its impact in Europe and North America, as Leila Ahmed and others have shown, it also “functioned to morally justify the attacks on native societies and to support the notion of the comprehensive superiority of Europe.”\textsuperscript{2}

Western authorities (travellers, diplomats, scholars) regularly reported on “the subjection of women” in Muslim societies. With the rise of anti-colonialist and nationalist movements, Muslims were thrown on the defensive with regard to traditional gender relations. Muslim women who acquired a feminist consciousness and advocated equal rights for women were under pressure to conform to anti-colonialist or nationalist priorities. Any dissent could be construed as a kind of betrayal. Western feminists could criticise patriarchal elements of their own cultures and religions in the name of modernity, liberalism and democracy, but Muslim women were unable to draw either on

\begin{footnotesize}
\begin{itemize}
\end{itemize}
\end{footnotesize}