

Why Can't a Muslim Be a Refugee?: Refugees and the Rise of the Novel.

Sharif Youssef

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The refugee is a literary invention. How is it that Anglo-American literature conceptualized the refugee first and with greater complexity than law did? Sharif Youssef turns to seventeenth and eighteenth-century texts such as Hobbes' *Leviathan*, Daniel Defoe's *A Journal of the Plague Year*, and Kant's *The Metaphysics of Morals* to trace how the concept of the refugee emerges and proves incompatible with the Muslim concept of dutiful exile as understood by the Orientalist William Marsden. Why is it that the liberal conception of the refugee is at odds with the Muslim doctrine of hijrah (هِجْرَة)?

Sharif Youssef is a JD Candidate in his final year of study at the University of Toronto Faculty of Law. He holds a PhD from the University of Chicago and a post-doctoral MsL (Master of Studies of Law) from the University of Toronto where he has returned to complete his JD after two years of leave spent as a Visiting Assistant Professor of Law, Jurisprudence, and Social Thought at Amherst College and a Lecturer in English at Clemson University. His book project, *The Actuarial Form: Moral Hazard in the Early Novel*, is about the emergence of the categories of risk and information in the use of mass casualty statistics in eighteenth-century works of literature and political economy. He has edited "Inevitability," a special issue of *Modern Language Quarterly* on the subject of inevitability in legal and literary theory, and an anthology entitled, *The Hostile Takeover: Human Rights after Corporate Personhood*. His writing has appeared in *Law and Literature*, *Modern Language Quarterly*, *Criticism*, and *Humanity*.