

EZRA ROSSER

American University Washington College of Law
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EDUCATION

University of Cambridge, U.K., M.Phil in Land Economy, October 2004

Harvard Law School, J.D., *magna cum laude*, June 2003

Transfer from Georgetown Law Center

Summer Clerkships: Office of Native American Programs, HUD (Colorado); Native American Rights Fund (Alaska); DNA-Peoples' Legal Services (Navajo Nation)

Honors: Georgetown *IL Outstanding Public Service Award* 2000-2001

Yale University, B.A. in English and Economics, May 2000

ACADEMIC POSITIONS

American University Washington College of Law, Washington, DC

Associate Professor, Fall 2009 – present; *Assistant Professor*, Fall 2006 – Spring 2009

Courses: Property, Indian Law, Poverty Law, Housing Law

Loyola University School of Law, New Orleans, LA

Westerfield Fellow, 2004-2006

Yale Law School, New Haven, CT

Visiting Scholar, Fall 2005

Harvard University, Cambridge, MA

1665 Fellow, Harvard University Native American Program, 2002-2003

PUBLICATIONS

Anticipating de Soto: Allotment of Indian Reservations and the Dangers of Land-Titling, Book Chapter in *HERNANDO DE SOTO AND PROPERTY IN A MARKET ECONOMY* (D. Benjamin Barros ed., forthcoming 2010)

On Becoming “Professor”: A Semi-Serious Look in the Mirror, 36 *FL. ST. U. L. REV.* 215 (2009)

Customary Law: The Way Things Were, Codified, 8 *TRIBAL L.J.* 18 (2008)

Immigrant Remittances, 41 *CONN. L. REV.* 1 (2008)

Protecting Non-Indians from Harm? The Property Consequences of Indians, 87 *ORE. L. REV.* 175 (2008)

Obligations of Privilege, 32 *N.Y.U. REV. L. & SOC. CHANGE* 1 (2007)

Promises of Non-State Representatives, 116 *YALE L.J. POCKET PART* 118 (2007)

Caution, Cooperative Agreements, and the Actual State of Things: A Reply to Professor Fletcher, 42 TULSA L. REV. 57 (2006)

Ambiguity and the Academic: The Dangerous Attraction of Pan-Indian Legal Analysis, 119 HARV. L. REV. F. 141 (2006), *reprinted in* CONTEMPORARY QUESTIONS OF THE PEOPLE'S RIGHTS IN THE MODERN WORLD (Tatar State University, Russia, 2009)

Rural Housing and Code Enforcement: Navigating Between Values and Housing Types, 13 GEO. J. POVERTY LAW & POL'Y 33 (2006)

The Nature of Representation: The Cherokee Right to a Congressional Delegate, 15 B.U. PUB. INT. L. J. 91 (2005)

This Land is My Land, This Land is Your Land: Markets and Institutions for Economic Development on Native American Reservations, 47 ARIZ. L. REV. 245 (2005)

The Trade-off Between Self-Determination and the Trust Doctrine: Tribal Government and the Possibility of Failure, 58 ARK. L. REV. 291 (2005)

Indigenous Justice Systems and Customary Law in the United States: Between Colonization and Self-Determination. Presented by co-author S. James Anaya at the United Nations Meeting of Experts on the Administration of Justice and Indigenous Peoples (2003) (available at: www.unhchr.ch/indigenous/bp7.doc), *translated and reprinted as* "Systemas de Justicia Indígena y Derecho Consuetudinario en Los Estados Unidos de América: Entre Colonización y Autodeterminación," in CAMINOS HACIA EL RECONOCIMIENTO: PUEBLOS INDÍGENAS, DERECHOS Y PLURALISMO (Marco Aparicio Wilhelmi ed., 2005)

OP-EDS, ARTICLES, AND SHORTER PUBLICATIONS

Editor, Poverty Law Professor Blog, <http://lawprofessors.typepad.com/poverty/> (continual postings on matters of interest to the Poverty Law community)

Book Review, 19 (1) GREAT PLAINS RESEARCH 136 (2009) (reviewing JEFF CORNTASSEL & RICHARD C. WITMER II, FORCED FEDERALISM (2008))

Letter to the Editor, "Anti-Immigrant Fallout," THE NEW YORK TIMES, Nov. 21, 2008

The Diné's Dilemma: Balancing Economic Development and Environmental Protection, THE CRESSET, *Valparaiso University*, Trinity 2008

Letter to the Editor, HARVARD MAGAZINE, May - June 2008 (responding to an article on collective trauma affecting indigenous communities)

Op-Ed, "Cautiously Optimistic about Court's Perspective," INDIAN COUNTRY TODAY, April 28, 2008

Op-Ed, "Rethinking international law and indigenous peoples," INDIAN COUNTRY TODAY, Oct. 4, 2007

Letter to the Editor, THE NEW YORK TIMES SUNDAY MAGAZINE, May 6, 2007 (responding to DeParle, "A Good Provider is One Who Leaves," April 22, 2007)

Letter to the Editor, THE NAVAJO TIMES, Feb. 8, 2007 (on options of tribal council following bribes and ineffectiveness of contractors and Navajo Housing Authority)

Op-Ed, "Suspension of Indian housing leader impacts all tribes," INDIAN COUNTRY TODAY, Nov. 23, 2006

"Felix S. Cohen," "Johnson v. M'Intosh (1823)," "President Nixon's Special Message to Congress on Indian Affairs, July 8, 1970" in TREATIES WITH AMERICAN INDIANS: AN ENCYCLOPEDIA OF RIGHTS, CONFLICTS, AND SOVEREIGNTY (2007)

CONFERENCES ORGANIZED

Poverty and Economic Mobility, American University WCL, Oct. 2009

Indian Nations and Institution Building, American University WCL, Feb. 2009

What Do We Know About Tribal Courts? An Examination on the 30th Anniversary of Oliphant, American University WCL, March 2008

Poverty Law Junior Faculty Symposium, American University WCL, June 2007

Navajo Nation Supreme Court Oral Arguments at Washington College of Law, March 2007
(Justices heard oral arguments at law school and met with J. Ginsburg)

SELECTED SCHOLARLY PRESENTATIONS

"Remittances and Poverty," *LatCrit XIV*, American University WCL, Oct. 2009

"Poverty Credits," *Building the Unsettling Force: A National Conference to End Poverty*, sponsored by the Poor People's Economic Human Rights Campaign and the Social Welfare Action Alliance, Louisville, KY, July 2009

"Market Failure and Individual Responsibility," *Law and Society Association Annual Meeting*, Denver, CO, May 2009

"Economic Development on Native American Reservations: Impact of the Current Economic Crisis," *Securities and Exchange Commission*, Washington, DC, Mar. 2009

"Ahistorical Indians and Reservation Resources," *18th Navajo Studies Conference*, Diné College, Shiprock, NM, Mar. 2009

Keynote Speaker, "Public Interest, Individual Responsibility, and Markets," *22nd Annual Robert M. Cover Public Interest Law Retreat*, Peterborough, NH, Feb. 2009

Invited Participant: *Legal, Policy, and Administrative Framework for Native Nation Building*, Univ. of Arizona Law, Feb. 2009

- “Anticipating de Soto: 200 Years of ‘Civilizing’ Native Americans through Imposition of Land-Titling,” *AALS Annual Meeting 2009*, San Diego, CA, Jan. 2009
- “Empirical Analysis of the Effect of Tribal Ownership of Land on Non-Indians,” *The Public Nature of Private Law Conference*, Georgetown Law Center, Nov. 2008
- “Rethinking Representation in Light of Indigenous Rights and Demands” *LatCrit XIII*, Seattle University School of Law, Oct. 2008
- “Poverty Off-Sets,” *Critical Legal Conference 2008*, University of Glasgow, Sep. 2008
- “The Effect of Indian Ownership on Non-Indian Property Owners,” *DU-CU Indian Law Works in Progress Symposium*, University of Colorado Law School, Aug. 2008
- “Indian Economic Development through Environmental Degradation,” *Anchorage Museum of History and Art*, Alaska Inter-Tribal Council, Anchorage, AK, July 2008
- “Environmental Degradation as an Anti-Poverty Program of Indian Nations,” *Law, Poverty and Economic Inequality Conference*, Valparaiso School of Law, Apr. 2008
- “The Property Consequences of Disruptive Indians,” *Junior Property Scholars Works-In-Progress Conference*, Widener University School of Law, Feb. 2008
- “Remittances,” *Faculty Workshop*, Georgetown Law Center, Feb. 2008
- “Remesas y Desarrollo,” Universidad del Pacifico, Lima, Peru, Dec. 2007
- “Integración económica al nivel de las familias pobres: el poder y los límites de las remesas,” *CLASCO-CROP Seminario Internacional: Pobreza, integración económica y comercio internacional*, Universidad Andina Simón Bolívar, Quito, Ecuador, Nov. 2007
- “Hermanos Cercanos: Improving Regulation and Competition in the Remittance Market,” *Southeastern Association of Law Schools Annual Meeting*, Amelia Island, FL, July 2007
- “Development, Freedom, and Immigrant Remittances,” *Fourth Annual Gloucester Summer Legal Conference*, University of Gloucester, United Kingdom, July 2007
- “Protecting Non-Indians From Harm?” *Emerging Indian Law Scholars Roundtable*, Lewis & Clark Law School, July 2007
- “Obligations of Privilege,” *Conference on Value Inquiry: Social Justice and Individual Responsibility*, Adrian College, Adrian, MI, Apr. 2007
- “Remittances and the Family,” *A Conversation on Comparative Family Law*, American University Washington College of Law, Apr. 2007
- “Cooperation in the Shadow of Conquest,” Cornell University Law School, Mar. 2007
- “Obligations of Privilege,” *Association for the Study of Law, Culture & Humanities*, Hosted by Georgetown University Law Center, Mar. 2007

- “Policing Spending: (Im)Proper Regulation of Remittances,” *Interrogating Diversity Conference*, hosted by American University Department of Anthropology, Mar. 2007 (co-presented with research assistant Eduardo Pezo)
- “Competitive Remittance Mechanisms,” *Congreso Internacional Sobre Migraciones (International Migration Conference)*, hosted by Universidad Centroamericana, in San Salvador, El Salvador, Oct. 2006
- ““Discovery” of Indians: International Legal Doctrines & Cooperation with the Conqueror,” *International Law after the Age of Three Worlds Conference*, American University Washington College of Law, Washington, DC, Sep. 2006
- “The Responsibilities of Privilege,” Orville H. Schell Jr. Center for International Human Rights, Yale Law School, New Haven, CT, Feb. 2006
- “Legal Barriers to Indian Housing Development,” *National American Indian Housing Council Legal Symposium*, Las Vegas, NV, Dec. 2005
- Moderator “Homelessness and Poverty: The Effects of Katrina and Beyond,” *Emory Law Public Interest Law Conference*, Emory Law School, Atlanta, GA, Oct. 2005
- “Rural Housing & Code Enforcement: Navigating between Values and Housing Types,” *Law and Society Association Annual Meeting*, Las Vegas, NV, June 2005
- “The Last Unbroken Treaty Promise in an Indian Treaty: The Cherokee Right to a Congressional Delegate,” *Law and Society Association Annual Meeting*, Las Vegas, NV, June 2005
- “International Humanitarian Law,” *Public Health Seminar*, Tulane University, New Orleans, LA, June 2005
- “Building Codes in Rural Areas: Two Southwest Case Studies,” *Western Social Science Association 47th Annual Conference*, Albuquerque, NM, April 2005
- “This Land is My Land, This Land is Your Land: Markets and Institutions for Economic Development on Native American Reservations,” *New Voices in Indigenous Research Conference*, University of California Berkeley, Berkeley, CA, March 2005
- “Building Codes in Rural Areas: Usage, Significance, and Policy,” *International Conference on Social Science Research*, New Orleans, LA, Nov. 2004
- “Customary Law: The Way Things Were, Codified,” *Maintaining Connections, Natives in Academia: Community, Activism, and Responsibility*, Cornell University, Ithaca, NY, Nov. 2004
- “The Formation of Customary Law by the Navajo Courts,” *15th Navajo Studies Conference*, Fort Lewis College, Durango, CO, Oct. 2004
- “The Cherokee Delegate Right Understood Historically, Domestically, and Internationally,” *Cherokee Delegate Planning Summit*, invited by Principal Chief Chad Smith, Tahlequah, OK, Aug. 2002

SELECT ACADEMIC SERVICE

National Advisory Committee to Equal Justice Works, Member, 2008 – 2010
AALS Poverty Law Section, Chair-Elect, 2009
Chile Summer Program 2009 (instructor for Trade and Investment in Latin America)
Turkey Summer Program 2008 (instructor for Comparative Business Law)
Faculty Supervisor: *Student Alternative Spring Break Service trip to the Navajo Nation*, March
2007 (students volunteered with DNA-People's Legal Services)
Dean's Diversity Advisory Council, 2007 – present
Reviewer: *American Indian L. Rev.*; Editorial Advisory Board: *Indigenous Policy J.*

GRANTS AND AWARDS

Emalee C. Godsey Scholar Award, American Univ. Washington College of Law, 2008, for
“Rural Housing and Code Enforcement”
1665 Fellowship, Harvard University Native American Programs, 2002-2003
HLS Native American Alumni Students Association Fellowship, 2002 Summer
AmeriCorps Summer Educational Grant through NAPIL, 2001 Summer

PERSONAL

Grew up in part on the Navajo Nation (I am a non-Indian)
Functional Spanish with experience living in El Salvador
Licensed to practice law in Arizona
Married to Elvia Maria Castro Galo