

EZRA ROSSER

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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 and Awards: Georgetown *IL Outstanding Public Service Award* 2000-2001

HLS *Native American Alumni Students Association Fellowship* 2002 Summer

NAPIL *Americorps Summer Educational Grant*, 2001 Summer

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

ACADEMIC POSITIONS

American University Washington College of Law, Washington, DC

Professor of Law, Fall 2009-Present; *Assistant and Associate Professor*, Fall 2006-Spring 2012

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

Honors and Awards for Scholarship: Emalee C. Godsey Scholar Award 2017; Elizabeth Payne

Cubberly Scholar Award 2012; Emalee C. Godsey Scholar Award 2008

National Poverty Center, University of Michigan, Ann Arbor, MI

Research Affiliate, Fall 2009 - Present

Ritsumeikan University Law School, Kyoto, Japan

Visiting Professor, April - July 2012, April - July 2014, April - July 2015

Courses: Introduction to Anglo-American Law

Loyola University New Orleans College 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

BOOKS

EXPLOITING THE FIFTH WORLD: NAVAJO LAND AND ECONOMIC DEVELOPMENT (in progress)
(under contract with Chicago Press)

[THE POVERTY LAW CANON: EXPLORING THE MAJOR CASES](#) (Marie Failinger & Ezra Rosser eds.,
Univ. of Michigan Press, 2016)

[POVERTY LAW, POLICY, AND PRACTICE](#) (with Juliet Brodie, Clare Pastore, and Jeffrey Selbin)
(Aspen / Wolters Kluwer 2014)

Reviewed by: Peter Edelman, [Creating a Good Casebook on Poverty Law](#), 48
CLEARINGHOUSE REV. 174 (2014).

Reviewed by: Stephen Wizner, [Book Review: Poverty Law, Policy, and Practice](#), 22
GEORGETOWN JOURNAL ON POVERTY LAW & POLICY 441 (2015).

[TRIBES, LAND, AND THE ENVIRONMENT](#) (Sarah Krakoff & Ezra Rosser eds., Ashgate, 2012)
(including jointly authored introductory chapter)

LAW REVIEW ARTICLES

[Exploiting the Poor: Housing, Markets, and Vulnerability](#), 126 YALE LAW JOURNAL FORUM 458
(2017) (*reviewing* MATTHEW DESMOND, *EVICTED: POVERTY AND PROFIT IN THE
AMERICAN CITY* (2016))

Laying the Foundation: The Private Rental Market and Affordable Housing, forthcoming
FORDHAM URBAN LAW JOURNAL (2017)

[Destabilizing Property](#), 48 CONNECTICUT LAW REVIEW 397 (2015)

[The Ambition and Transformative Potential of Progressive Property](#), 101 CALIFORNIA LAW
REVIEW 107 (2013)

[Poverty Offsetting](#), 6 HARVARD LAW & POLICY REVIEW 179 (2012)

[Offsetting and the Consumption of Social Responsibility](#), 89 WASHINGTON UNIVERSITY LAW
REVIEW 27 (2011)

[Getting to Know the Poor](#), 14 YALE HUMAN RIGHTS & DEVELOPMENT LAW JOURNAL 66 (2011)

[Children's Consumption of Migration: Remittances and Food Security](#), 5 BORDER-LINES 181
(2011) (peer reviewed) (UN World Food Program Symposium)

[Displacing the Judiciary: Customary Law and the Threat of a Defensive Tribal Council](#), 34
AMERICAN INDIAN LAW REVIEW 379 (2011)

[Ahistorical Indians and Reservation Resources](#), 40 ENVIRONMENTAL LAW 437 (2010)

[On Becoming "Professor": A Semi-Serious Look in the Mirror](#), 36 FLORIDA STATE UNIVERSITY
LAW REVIEW 215 (2009)

[Customary Law: The Way Things Were, Codified](#), 8 TRIBAL LAW JOURNAL 18 (2008)

[Immigrant Remittances](#), 41 CONNECTICUT LAW REVIEW 1 (2008)

[Protecting Non-Indians from Harm? The Property Consequences of Indians](#), 87 OREGON LAW
REVIEW 175 (2008)

[Obligations of Privilege](#), 32 NEW YORK UNIVERSITY REVIEW OF LAW & SOCIAL CHANGE 1 (2007)

[Promises of Non-State Representatives](#), 116 YALE LAW JOURNAL POCKET PART 118 (2007)

[Caution, Cooperative Agreements, and the Actual State of Things: A Reply to Professor Fletcher](#), 42 TULSA LAW REVIEW 57 (2006)

[Ambiguity and the Academic: The Dangerous Attraction of Pan-Indian Legal Analysis](#), 119 HARVARD LAW REVIEW FORUM 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 GEORGETOWN JOURNAL OF POVERTY LAW & POLICY 33 (2006)

[The Nature of Representation: The Cherokee Right to a Congressional Delegate](#), 15 BOSTON UNIVERSITY PUBLIC INTEREST LAW JOURNAL 91 (2005)

[This Land is My Land, This Land is Your Land: Markets and Institutions for Economic Development on Native American Reservations](#), 47 ARIZONA LAW REVIEW 245 (2005)

[The Trade-off Between Self-Determination and the Trust Doctrine: Tribal Government and the Possibility of Failure](#), 58 ARKANSAS LAW REVIEW 291 (2005)

Indigenous Justice Systems and Customary Law in the United States: Between Colonization and Self-Determination (co-authored with Professor S. James Anaya). Presented at U.N. Meeting of Experts on the Administration of Justice and Indigenous Peoples (2003). *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)

BOOK CHAPTERS

Self-Determination, the Trust Doctrine, and Congressional Appropriations: Promise and Pitfalls of Federal Disentanglement from Indian Health Care, in FÉDÉRALISME ET GOUVERNANCE AUTOCHTONE/FEDERALISM AND ABORIGINAL GOVERNANCE (Ghislain Otis & Martin Papillon eds., 2013)

[United States: Developing Tribal Trust Land for Native Americans](#), in UNTYING THE LAND KNOT: MAKING BUSINESS ACCESS TO LAND EQUITABLE, EFFICIENT AND SUSTAINABLE (Xiofang Shen & Xiaolun Sun eds., World Bank, 2012)

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

OP-EDS, ARTICLES, AND SHORTER PUBLICATIONS

Editor, Poverty Law Blog, <http://maximinlaw.wordpress.com/> (continual postings on matters of interest to the Poverty Law community), Jan. 2007 - present

[Land Tenure Complications and Development Challenges on Indian Reservations](#), JOTWELL (Mar. 9, 2017) (reviewing Jessica A. Shoemaker, *Complexity's Shadow: American Indian Property, Sovereignty, and the Future*, 115 MICH. L. REV. 487 (2017))

Op-Ed, "DNA: Challenging the Local Sovereign," NAVAJO TIMES, Feb. 16, 2017

Letter to the Editor, "[Time to Speak Up](#)," GREAT FALLS CONNECTION, Jan. 31, 2017

Op-Ed, "[The Bullshit Era](#)," COMMONDREAMS.ORG, Dec. 19, 2016

Op-Ed, "[Heads in the Sand](#)," COMMONDREAMS.ORG, Nov. 29, 2016

Op-Ed, "[Time to Recognize Standing Rock's National Significance](#)," LAW360, Nov. 29, 2016

[Robbing the Poor](#), JOTWELL (Nov. 23, 2016) (reviewing DANIEL L. HATCHER, THE POVERTY INDUSTRY: THE EXPLOITATION OF AMERICA'S MOST VULNERABLE CITIZENS (2016))

Letter to the Editor, "[Mr. Trump's Unworkable Ultimatum](#)," WASHINGTON POST, Apr. 7, 2016

Op-Ed, "[Resisting the Triangulation of the Democratic Party](#)," COUNTERPUNCH, Feb. 15, 2016

[The Political Possibilities of Reparations](#), 1 LAW AND SOCIAL INQUIRY FORUM 20 (2015)

[Property Law, Law & Economics, and Means for Reaching Distributive Goals](#), JOTWELL (Nov. 23, 2015) (reviewing Lee Anne Fennell & Richard H. McAdams, *The Distributive Deficit in Law and Economics*, MINN. L. REV. (forthcoming 2015))

[The Other Thing Professors Do: Reflections on Duncan Kennedy as a Teacher](#), 10 UNBOUND: HARV. J. LEGAL LEFT 78 (2015)

[A Story Well Told](#), JOTWELL (October 9, 2015) (reviewing Oliver A. Houck, *The Reckoning: Oil and Gas Development in the Louisiana Coastal Zone*, 28 TUL. ENVTL. L.J. 185 (2015))

Op-Ed, "[Recognizing Gains and Losses: National and Local Interests in the Olympics](#)," Harvard Law & Policy Review Blog, Mar. 30, 2015

[Creating Space for Reservation Growth](#), 9 FLORIDA INTERNATIONAL UNIVERSITY LAW REVIEW 351 (2014) (Invited Symposium Article reviewing ROBERT J. MILLER, RESERVATION 'CAPITALISM': ECONOMIC DEVELOPMENT IN INDIAN COUNTRY (2012))

Letter to the Editor, "[How Best to Lift People Out of Poverty](#)," NEW YORK TIMES, Oct. 19, 2012

[Reclaiming Demographics: Women, Poverty, and the Common Interest in Particular Struggles](#), 20 JOURNAL OF GENDER, SOCIAL POLICY & THE LAW 767 (2012) (Symposium Introduction)

Letter to the Editor, "[A Healthy Initiative? Or a Nanny State](#)," NEW YORK TIMES, Oct. 11, 2010

Guest Blogger, SALTLAW Blog, <http://www.saltlaw.org/blog>, Sep. 2010

[Assumptions Regarding Indians and Judicial Humility: Thoughts from a Property Law Lens](#), 45
COURT REV. 40 (2009)

[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](#)," 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, 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 SOVERIEGNTY (2007)

CONFERENCES ORGANIZED

[Poverty Law: Academic Activism, Seattle Univ. School of Law](#), Feb. 2016 (with Sara Rankin)

[Mid-Atlantic People of Color Conference](#), American University WCL, Jan. 2016 (with Atiba
Ellis, Kim Ford, William Rhee, and Reginald Robinson)

[Poverty Law: Cases, Teaching, and Scholarship](#), American University WCL, Oct. 2013 (with
Marie Failingner)

[Workshop on Poverty, Immigration, and Property](#), AALS Midyear Workshop, June 2013 (with
B. Ben Barros, Sheila Foster, Bill Hing, and Beth Lyon)

[ClassCrits IV](#), American University WCL, Sep. 2011 (with Angela Harris, Martha McCluskey,
Athena Mutua, and Teri Miller)

[Tribes, Land, and the Environment](#), American University WCL, Feb. 2011 (with Sarah Krakoff)

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, Mar. 2008

Poverty Law Jr. Faculty Symposium, American University WCL, June 2007 (with Susan Carle)

Navajo Nation Supreme Court Oral Argument, American University WCL, Mar. 2007

SELECT SERVICE

AALS Property Law Section, Chair, 2016

AALS Indian Nations and Indigenous Peoples Section, Chair, 2013

AALS Poverty Law Section, Chair, 2010

Indian Country Grassroots Support, Board Member, 2016-present

Mid-Atlantic People of Color Conference Planning Committee, 2014-present

Faculty Supervisor: *Spring Break Navajo Nation Service Trip*, 2007, 2010, 2012-2017

WCL Public Interest Committee, Chair, 2011-2012, 2015-2016, 2016-2017

Dean's Diversity Advisory Council, 2007 – present

National Advisory Committee to Equal Justice Works, Member, 2008-2010

Chile Summer Program 2009 (instructor for Trade and Investment in Latin America)

Turkey Summer Program 2008 and 2013 (instructor for Comparative Business Law)

Peer Reviewer: IFC Access to Land, Investment Climate Advisory Service, World Bank, 2009

Reviewer: Yale L.J.; Columbia L. Rev.; American Indian L. Rev.; American Indian Culture & Research J.; American Indian Q.; Australian Indigenous L. Rev.; Cambridge Univ. Press; McGill Int'l J. Sustainable Dev. L. & Pol'y; American Univ. L. Rev.; Yale J. Health Pol'y, Law & Ethics.

Editorial Advisory Board: Indigenous Pol'y J.; Kazan Univ. L. Rev.; J. Gender, Soc. Pol'y & L.

Co-Editor, Jotwell Lex: Poverty Law, <http://lex.jotwell.com/>, Jan. 2016 - present

PERSONAL

Grew up in part on the Navajo Nation (I am a non-Indian)

Functional Spanish with ongoing experience living in El Salvador