Kathleen Brown-Perez Makes Headway in Indigenous Studies Fields with Publications

By: Claire Healy  
Mon, 12/18/2017

Kathleen Brown-Perez, professor in both the Anthropology Department and the Honors College, will have two articles published in scholarly journals in the upcoming year.

Professor Brown-Perez’s article, titled “Clearing the Landscape: The U.S. Government’s Ongoing Attempts to Remove Indigenous Peoples,” will be published in a special issue of New Diversities called “Indigenous Politics of Resistance: From Erasure to Recognition.” New Diversities, an international and peer reviewed scholarly journal published by the Max Planck Institute for the Study of Religious and Ethnic Diversity, is a journal that focuses on broadcasting policy-related social science research relating to diversity and human rights. Brown-Perez’s article explores contemporary conflict between the U.S. government and indigenous cultures.

"We’re at a point now where the U.S. government has taken over definitions of the terms ‘tribe’ and ‘Indian,’ so if you don’t meet their definitions, then you are not considered to be in a tribe or to be an indigenous person, and that can have very serious effects . . . the U.S. Supreme Court determined long ago that American Indian isn’t a racial classification in the sense that African-American or Latino is, so it’s not
about having a blood test or a grandma who’s Indian, you have to be associated with a tribal entity.” Brown-Perez explained. “So in other words, you have to be enrolled in a tribe. If the U.S. government has determined that your tribe isn’t really a tribe, then you don’t have that association, therefore you don’t meet the definition. The U.S. is a settler-colonial society, and the goal of a settler-colonial society is to destroy and replace.”

Brown-Perez was asked to contribute to the journal because of her teaching, research, and legal consulting, which addresses indigenous identity and the removal of indigenous peoples over the past decades. She has written and taught on topics ranging from the genocide of American Indians to the U.S. government’s efforts to eradicate indigenous cultures, and contemporary manifestations of the age-old struggle of indigenous peoples.

Manuela Picq, a visiting professor at Amherst College, is the guest editor of the special edition of New Diversities and asked Brown-Perez to contribute a piece. Picq, who is originally from Brazil, recently lived in Ecuador fighting for indigenous rights. In an incident in 2015, police in Ecuador attempted to beat her husband; Picq confronted the officers, but was beaten instead. The incident resulted in Picq temporarily losing vision in one eye and being sentenced to prison. She was released only after the president of Brazil interfered. Picq is unable to return to Ecuador because the current governing political party included in their platform a promise to keep her out of the country.

In addition to the New Diversities article, Brown-Perez has been requested to write a review on ethnographies of high courts for the Political and Legal Anthropology Review (PoLAR), an online publication by the American Anthropological Association. PoLAR has commissioned Brown-Perez to look at high courts around the world, the decisions that they are making, and the impacts of these decisions. This research does not focus on indigenous populations, but rather important historical events, including significant United States Supreme Court cases.

“We often don’t think about legislation or executive orders, we look at Supreme Court cases.” Brown Perez explained. “One of the reasons that the courts are able to make these really significant social changes is because there are things that legislatures just don’t want to touch with a 10-foot pole because they have to get re-elected, so they let the Supreme Court deal with it.”

One example Brown-Perez cited was the famous Supreme Court decision Roe v. Wade: “With Roe v. Wade, Congress could’ve said ‘no abortion is illegal or legal,’ and then protected it with legislation that was clearer than a Supreme Court case. However, because Roe v. Wade was just a Supreme Court case, we can see that it’s been chipped away to the point where it’s almost meaningless. So women often have to drive hundreds of miles to get an abortion.”

Brown-Perez has a law degree and MBA from the University of Iowa, and is licensed to practice law in Arizona and Massachusetts. She is a member of the Brothertown Indian Nation in Wisconsin. While she specializes in federal acknowledgment of Indian tribes, federal Indian law and policy, tribal sovereignty, colonization, and indigenous identity, she limits her legal practice to consulting law firms that are representing tribes who are suing the federal government. Before coming to UMass, she worked as a corporate attorney in Boston. At UMass she teaches a Senior Honors Thesis seminar for the
Anthropology Department and two seminars for the Commonwealth Honors College.

Brown-Perez’s article for New Diversities will be published in spring 2018, and her PoLAR article is expected to be available in winter 2018.