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To U.S. Anti-Fascists: Resist Joseph Scott Pemberton's Return to the United States

**An open letter by Filipino and Filipinx autonomists in the
so-called Philippines and diasporas.**

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September 2020

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To our comrades in Turtle Island,

The long shadow of white supremacy reaches all the way to the archipelago known as the Philippines. Joseph Scott Pemberton — the transphobe who was convicted for the murder of transwoman Jennifer Laude — has been pardoned by President Rodrigo Duterte.

Pemberton committed a heinous hate crime by brutally murdering Jennifer Laude on October 11, 2014. Jennifer was murdered precisely because she was transgender, with Pemberton's legal team even trying the so-called "trans panic" defense as a justification for her murder. The state appears to have sided with Pemberton's excuse that Jennifer's identity was a provocation in itself, inducing Pemberton to kill her. This defense frames Pemberton as the victim and sets a dangerous precedent for trans women in the archipelago and beyond.

Jennifer Laude is fondly remembered by her friends and family fondly as a beautiful person who was confident in her identity and sexuality. However, Pemberton did not care for Jennifer Laude as a human being. He was unrepentant at his trial, even going so far to dehumanize Jennifer Laude by referring to her as "it."

Pemberton's case was discussed again when the Philippine government considered him for an early release due to "good conduct" in early September, a charge that the Laude family questioned on the grounds that Pemberton could not have proved good behavior. Indeed, how could Pemberton have proven his "good conduct" if he had not interacted with any prisoner in his specially-designed cell?

The point is now moot, as Pemberton has received an absolute pardon from Duterte. He can now walk free, absolved of any criminal liability. We have no doubt that the government of the United States has had a hand in President Duterte's granting of absolute pardon unto Pemberton.

As anti-fascists, we know all too well how the state employs a double standard in their policing between the privileged and the dispossessed. Pemberton's whiteness protected him from facing any meaningful consequences, just as whiteness protected countless murderers in the so-called United States. His case has been rife with special treatment from the beginning and his pardon from Duterte only confirms that. Pemberton has known nothing but lenience and special treatment in his trial and during his imprisonment. He was detained separately during his trial and is — at the time of writing this letter — the only occupant of a Camp Aguinaldo detention facility that was specially constructed for him after his conviction. As the pandemic rips through overcrowded prisons, the state in the Philippines is dragging its feet on releasing non-violent offenders — potentially condemning countless prisoners to a slow death by COVID-19. Yet the white man,

the American national, the violent offender, the prisoner at no risk of contracting COVID-19 is the one being prioritized for release.

The reason Pemberton's whiteness protected him is due to the imperialized position of the Philippines in the U.S. empire. Since the U.S. invasion of the so-called Philippines in 1898, U.S. troops have enjoyed free reign in the archipelago. Pemberton was in the Philippines due to *Balikatan*, annual military exercises between U.S. and Philippine armed forces — a recurring program established following the ratification of the 1999 Visiting Forces Agreement (VFA).

The VFA is reminder of the neocolonial presence of the United States in the Philippines. It allows for the presence of U.S. military personnel, aircraft, and vessels in the Philippines. It also complicates the custodial process for U.S. troops accused of committing crimes while in the archipelago. Though Duterte's administration moved to suspend the agreement earlier this year, Duterte reneged 3 months before pardoning Pemberton.

Militarization of the archipelago by U.S. troops has been correlated time and again with violence and sexual assault against women and against sex workers. The violence that occurs at the intersections of racism, sexism, fetishization, and dehumanization are compounded for transwomen who experience violence simply for being trans.

We anti-fascists already know there is no justice to be had from the state, whether Philippine or American. This transphobic murderer will walk free as far as the states in the Philippines and the United States are concerned, so we Filipinos and Filipinx in the archipelago and its diasporas now call anti-fascists in the so-called United States to act.

You anti-fascists in the so-called United States have already acted valiantly in protesting the deaths of Black people like George Floyd and Breonna Taylor. You have stepped up and defended communities where the state willfully failed. We ask you act again to thunder the demands that trans lives matter and to call for justice for Jennifer Laude.

We ask that you resist and protest the return of Joseph Scott Pemberton to the United States. Do not allow Pemberton to forget the vile crime he committed. You must prevent Pemberton from committing harm again. This can include petitioning Pemberton's prospective universities and employers to not accept him on account of his violent past.

We also ask you to remember Jennifer Laude as a victim of white supremacy and include her in your commemorations of the victims of white supremacy. Remember her as kind and generous. Remember her family as brave and steadfast in their demands for justice. While Jennifer's story is not well known in the so-

called United States, the injustice surrounding her case deserves your anger and solidarity.

Let our voices thunder:

Trans lives matter!

Justice for Jennifer Laude!

Oust Duterte!

Victory to the uprisings in Turtle Island!

In anger and solidarity,

Filipino and Filipinx autonomists in the so-called Philippines and its diasporas