

A Scandalous Spectacle

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mater dolorosa, grieving for his son, now being crucified in a Golgotha of public opinion. "She's the reason why my son got hooked with drugs," the mothers says, referring to Halili, who had shed tears as well in public interviews, pleading people not to watch the videos anymore.

Before the weekend, both parties appeared at the Senate for an inquiry, "in aid of legislation." It must be remembered that Halili was accompanied by one of the senators, Ramon "Bong" Revilla, Jr., when she went to the National Bureau of Investigation (NBI). Questions had been foisted all over, and the drama continued to unfold. Retired policeman and tabloid columnist, Abner Afuang, known to have burned flags in several rallies in Metro Manila in the past, doused a bottle of mineral water on Kho, while the young man was explaining his side. Afuang was arrested for disturbing public proceedings. He was however released without necessary bail by a Pasay City fiscal the next day.

Filipinos have received the Katrina Halili-Hayden Kho, Jr. scandal, among others, differently. In the past few weeks, it has been the major talk of the town, a multimedia spectacle. Sales of DVDs with the filmed sexual encounters allegedly soared, and this was not lost on the Optical Media Board which raided all known pirated DVD stores around the Metro to confiscate the DVD copies of the much-talked about videos.

In TV interviews, some of the vendors have been clever enough to keep the videos away from hot eyes; some of them even deny selling the videos. But despite the flagging of the videos at YouTube.com, where it first appeared, the videos could still be accessed not only through sellers but also via other web platforms and sites. The videos are, to say the least, sensational because there has been a steady demand for access. People have turned it into an unimaginable entertainment item, where, one critic noted, the bounds of decency and propriety have been pushed

to the limits. The limits thus have become the newest spectacle of the Filipino people.

But the issue has very big legal implications, and this was the point of calling a Senate Inquiry. No matter how it looks, this case calls for specific laws that would address violations like this. At present, what Halili could depend upon are the existing provisions from the Revised Penal Code and the Act Against Violence to Women and Children. These are not enough, says politics of culture expert Dr. Antonio Contreras, former dean of the College of Liberal Arts at the De La Salle University in Manila. Contreras, currently a Fulbright visiting professor at the University of Hawaii Manoa, suspects that "except for those responsible for reproducing and uploading the videos, and those who supplied the drugs, no other character in this reality soap opera will ever land in jail, not even Hayden (Kho, Jr.)."

"The worst that can happen to him is that his license as a doctor will be revoked, and he can be sued for damages. I am not at all convinced that the videotaping of a sex act for private consumption can be classified as a crime under the Anti-Violence against Women and Children act.

"It is despicable. It is atrocious. It should be condemned. But under our laws, a good and expensive lawyer can easily save Hayden from legal retribution. Hence, the need to formulate more laws, or to clarify existing ones," says Contreras, who is also a fulltime professor of political science at La Salle.

Thus, at the height of the brouhaha, Sen. Pia Cayetano filed a bill in the Philippine Senate to curb these so-called "sex scandal videos" which has been plaguing society since the emergence of multimedia.

In what has been filed as the Anti-Voyeurism Act of 2009, Cayetano, who also chairs the Senate Committee on Social Justice, described the videos as "the highest form of invasion to the privacy of the offended party, most of whom are women." The existing laws,

she believes, may be "too general and could not entirely cover "modern" and "high-tech" methods of violating privacy." She adds, in a press statement, "An updated law is therefore needed to effectively curb the proliferation of sex scandal videos."

But apparently, legislations on anti-voyeurism had been waiting in line at the Senate. Research by the Asian Journal shows that even before the Katrina Halili-Hayden Kho, Jr. scandal, the feisty Sen. Miriam Defensor Santiago had already filed another Anti-Voyeurism Law back in July of 2007.

The law seeks to punish photograph and video voyeurism and had been read already through public hearings conducted by the Committee on Justice and Human Rights headed by Sen. Francis Escudero. A committee report had already been submitted to the plenary, a year after. The act is yet to be calendared.

"For the victim, it is obviously very embarrassing and degrading to be photographed or videotaped in a compromising situation. It is a form of invasion of personal privacy," Santiago said, in another Senate press statement.

Another way out of the labyrinthine issues could be comparisons to video voyeurism laws abroad. In the United States, President George W. Bush signed into law the Video Voyeurism Protection Act of 2004, which considers a federal crime the act of secretly capturing images of people in very private situations. Under this law, anyone found guilty of video voyeurism could be fined and/or imprisoned for up to one year. Currently, reports from online American papers claim that about 30 states have already

adopted laws that criminalize video voyeurism. This recent development in anti-voyeurism in America was a result of widespread campaign and expose in American media, like the one which happened to Susan Wilson's family in Louisiana, where a trusted neighbor had been secretly videotaping the Wilsons in their bedroom and bathroom.

Just last month, a New Mexico district judge's decision to convict a state employee of sexual exploitation of children was upheld by the state's Supreme Court. The case involved a certain Ronald Myers who confessed to being addicted to videotaping women using the bathroom. He taped two teenage girls using the unisex bathroom beside his office. The case reached the Court of Appeals, and finally, the Supreme Court, as debates regarding the video's pornographic quality ensued. ■

44% of Filipinos feel...

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Sarthou, managing director of Synovate in the Philippines.

"However, our results show that they have become more conscious when it comes to spending, with close to two thirds paying more attention to prices of food items before making a purchase and this trend may continue throughout the year," Sarthou added.

The survey asked respondents if they had made changes in their monetary habits in the last six months. It revealed that Filipinos were saving less, investing less as well as generally spending less on luxury items.

"It's no real surprise that Filipinos are cutting back on luxuries given the current economic climate. Our results show that only 12 percent of those living in Metro Manila admitted to spending more on luxury items versus the majority who tightened their purse strings when comes to premium and branded goods," Sarthou said.

"On the other hand, we discovered that Filipinos were spending more on necessities with the biggest spenders coming from Metro Manila and South Luzon proving only that necessities outweigh luxury goods for the time being," she added.

When it came to salaries and income, those living in Mindanao or 60 percent believed that they were earning more money than they did in the last six months while 40 percent of Filipinos in South Luzon said that they were taking home less money. ■

How it happened...

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May 19, 2009

Katrina Halili consults with Emmi De Jesus of the women's rights group Gabriela as she plans to file legal action vs. Hayden Kho, Jr.

May 20, 2009

Katrina Halili meets with Senator Ramon Revilla, Jr. who promised to assist her to file a complaint against Hayden Kho, Jr. at the National Bureau of Investigation (NBI). Meanwhile, DVDs of the alleged sexual encounters begin to flood Quiapo and other areas where selling of pirated

DVDs are rampant.

May 21, 2009

Hayden Kho and Vicki Belo are summoned by the National Bureau of Investigation (NBI) to explain their side on the controversy. A mutual friend who allegedly is responsible for the spread of the video is summoned.

May 23, 2009

Senate Majority Leader Juan Miguel Zubiri blamed the Congress for the inaction for the passage of Senate Bill No. 2317 or the Anti-Child Pornography Act. Zubiri also cited the Magna Carta

for Women which the Senate has already approved which will "finally set the standards on how women should be treated."

May 28, 2009

Katrina Halili and Hayden Kho faces off at the hearing at the Senate which is probing into the "sex video" scandal. The investigation takes a dramatic turn when Hayden accuses Katrina of influencing him into drugs while Katrina declares Hayden betrayed her trust for releasing the videos. Senate Minority Leader Aquilino Pimentel, Jr. suggested that the Senate consider passing a law that would penalize the practice of exchanging nude photos/videos over cellphones. ■

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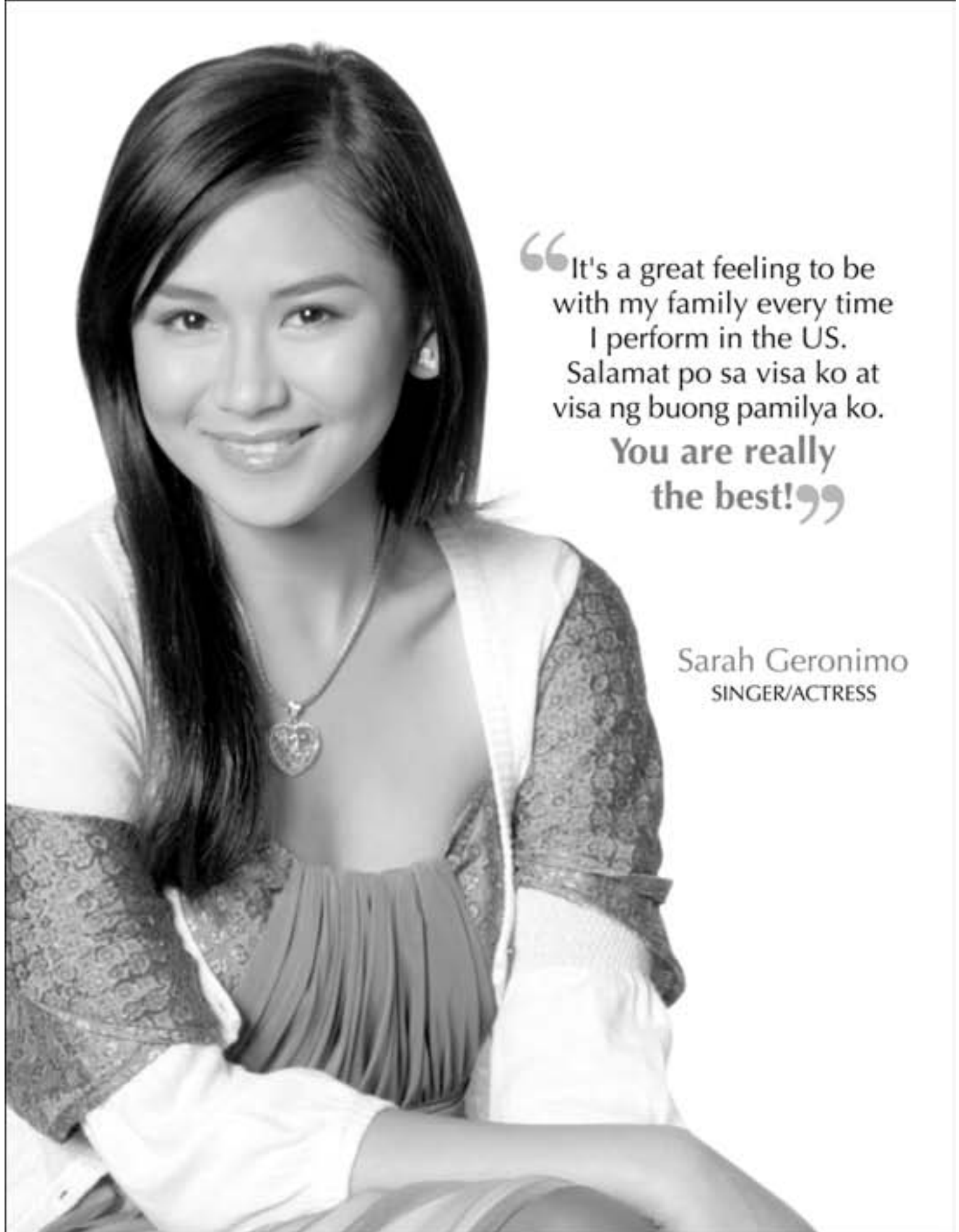
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