

LAW OF THE MARINE



PRACTICAL LEGAL ADVICE FOR LEADERS, SOLDIERS, & CIVILIANS

3rd Infantry Division OSJA

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HAZING IS NEVER OKAY

AR 600-20 defines hazing as any conduct whereby one military member or employee, regardless of Service or rank, unnecessarily causes another military member or employee, regardless of Service or rank, to suffer or be exposed to an activity that is cruel, abusive, oppressive, or harmful. Put in simpler words, hazing is any activity expected of someone joining a group (or to maintain full status in a group) that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate. Hazing is never allowed in the Army and is illegal under the UCMJ. It is most commonly charged under Article 93, UCMJ "Cruelty and Maltreatment," but often violates other articles under the UCMJ as well.

BLUF: Hazing hurts people, destroys morale, breaks apart teams, breaches trust and is illegal. Hazing is never allowed.

Hazing includes any form of initiation, "rite of passage" or congratulatory act that involves: physically striking another in order to inflict pain; requiring the consumption of excessive amounts of food, alcohol or other substances; or encouraging another to engage in illegal, harmful, demeaning or dangerous acts. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature.

Hazing is often justified as a teambuilding activity. However, it doesn't build teams, it destroys teams. A teambuilding activity is one that includes all the team members, and allows them to share a positive experience that builds trust and knowledge of each other. Hazing singles out the few for degrading acts that are meant for the enjoyment of others in the group. It breaks apart teams, destroys morale and breaches trust.

Hazing is also justified as corrective training. It is not corrective training (see the [Corrective Training Guide](#)). Corrective training is for Soldiers who have demonstrated that they need, and would benefit from, additional instruction or practice in a particular skill. Corrective training should be directly related to the military skill that the Soldier is deficient in and assist him/her in meeting the standard. Hazing is not an effective way to teach respect and develop discipline. Victims of hazing rarely report having respect for those who have hazed them. Just like other forms of victimization, hazing breeds mistrust, apathy and alienation.

Some people think that if a person agrees to participate in an activity, it can't be considered hazing. The fact that a person consented to the activity is not a defense to hazing. This is because even if someone agrees to participate in a hazing activity it may not be true consent when considering the peer pressure and desire to belong to the group. Also, in the military, the person conducting the hazing typically outranks the individual being hazed.

If you are questioning if a certain activity is hazing consider the following:

1. Is the activity degrading or embarrassing?
2. Would you be ashamed or embarrassed to do the exact same activity?
3. Does the activity risk emotional or physical abuse?
4. Are you ashamed to tell your spouse, mother, religious leader, first sergeant or commander about the activity?
5. Would you object to you and the activity being photographed for the local newspaper or filmed by the local TV news crew?

If the answer to any of these questions is "yes," the activity is probably hazing. If you have any doubt whether an activity is hazing, do not do it. Contact your chain of command, chaplain, IG or legal advisor for clarification.