

SIXTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )



Senate  
Office of the Secretary

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SENATE

S. No. 205

RECEIVED BY: *J. J.*

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Introduced by Senator Gregorio B. Honasan II

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### EXPLANATORY NOTE

Hazing, in whatever form, whether it is subtle or intended to harass or done to inflict physical harm, is demeaning and downright inhuman. While it clothes man's baser instincts with noble justifications such as measuring a neophyte's preparedness, courage and endurance, hazing has often resulted in broken limbs and even deaths. And yet it continues to be the norm among Greek letter fraternities and sororities where the mental and physical scars incurred in the process are likened to war wounds earned in the battlefield. Forbidden, the practice continues and I surmise, with the added thrill that it is done underground where fraternal relationships are supposedly cemented by raw recruits going through hell and fire. Battered and bruised, survivors get their reward as they are warmly embraced as full-fledged members. And the cycle goes on as the new members who have hurdled hazing will soon administer the same painful process in a tradition that marks the transition from "barbarians" to the elite fold of Greek letter fraternities and sororities. The interplay of pain and ecstasy in the rite of passage gives the hazing tradition a seemingly mystic character and there is a sense of pride when members carry on with that tradition.

In any decent organization, everybody must go through the eye of the needle to gain full membership but certainly there are more human measures, exacting they may be, that can be enforced to test the mettle of raw recruits without subjecting them to mental abuse, harassment or physical violence. Commitment to service can be proven through the practice of volunteering to do proactive labor like building houses for the homeless, cleaning sewerage, dredging canals, tutoring street children or lower classmen, making desks for schools that do not have funds to buy enough of them for schoolchildren. Physical force can be maximized for good measure such as wielding a shovel to dig a garden or mix cement rather than using a paddle to inflict pain on defenseless persons. Doing these strengthens bonds of brotherhood and builds solidarity with people in need, attributes that can have far-reaching import in the development of civic leaders and public servants. The opportunities for instilling discipline and developing genuine brotherhood devoid of mayhem are limitless if we are creative. There should be no room for uncalled-for violence in fraternities and sororities avowedly driven by the lofty ideals of love and brotherhood.

Condemning hazing at West Point where the bullying and beating of young cadets by upper classmen is commonplace, Mark Twain wrote: "When I was a boy, going to school down in the Mississippi Valley, we used to have our fights, and I remember one occasion on which I got soundly trounced, but we always matched boys as nearly of a size as possible, and there was none of the cowardly methods that seem to prevail at West Point." Hazing is meant to break down the spirit in a lopsided playing field where young recruits or lower classmen are subjected to all sorts of mental and physical abuse

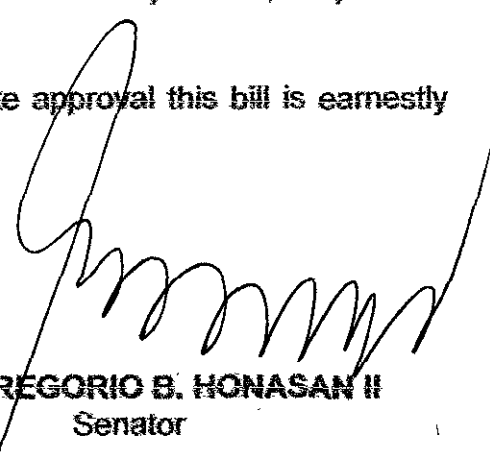
to make them submissive. They will get their vengeance in future actions when they shall have become the bullies that they once dreaded.

This bill seeks to strengthen the present law by imposing the maximum penalty when hazing or initiation rite is committed under the influence of illegal drugs or liquor and when there is a presence of non-resident or alumni fraternity members during hazing.

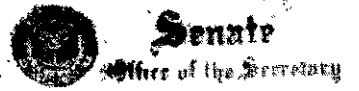
This bill likewise penalizes as an accomplice any person who was at the scene of the crime and who failed to report such crime to an appropriate law enforcement official as soon as reasonably practicable.

More importantly, this bill seeks to improve existing mechanisms for the deterrence of hazing-related crimes by mandating the registration of all school organizations, fraternities, and sororities and their members with their respective school administration. The school administrators shall regulate and monitor the activities of these organizations and may impose administrative sanctions such as reprimand, suspension or dismissal in case of violation.

Considering the urgency of this measure, the immediate approval this bill is earnestly requested.



**GREGORIO B. HONASAN II**  
Senator



SIXTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

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SENATE

RECEIVED BY: *[Signature]*

S. No. 205

Introduced by **Senator Gregorio B. Honasan II**

**AN ACT**  
**AMENDING REPUBLIC ACT NO. 8049 ENTITLED, "AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR" AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**SECTION 1.** A new Section 2-A is hereby incorporated in Republic Act No. 8049, hereinafter referred to as the "Act", to read, as follows:

**"SEC. 2-A. ALL SCHOOL ORGANIZATIONS, FRATERNITIES, AND SORORITIES AND THEIR MEMBERS SHALL REGISTER WITH THEIR RESPECTIVE SCHOOL ADMINISTRATION. THE SCHOOL ADMINISTRATORS SHALL REGULATE AND MONITOR THE ACTIVITIES OF THESE ORGANIZATIONS, FRATERNITIES AND SORORITIES AND MAY IMPOSE ADMINISTRATIVE SANCTIONS SUCH AS REPRIMAND, SUSPENSION OR DISMISSAL FOR THE VIOLATION OF THIS SECTION.**

**SEC. 2.** Section 4 of the Act is hereby amended by incorporating two new instances when the maximum penalty shall be imposed, to read as follows:

"Sec. 4. If the person subjected to hazing or other forms of initiation rites suffers any physical injury or dies as a result thereof, the officers and members of the fraternity, sorority or organization who actually participated in the infliction of physical harm shall be liable as principals. The person or persons who participated in the hazing shall:

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The maximum penalty herein provided shall be imposed in any of the following instances:

- a) when the recruitment is accompanied by force, violence, threat, intimidation or deceit on the person of the recruit who refuses to join;

b) when the recruit, neophyte or applicant initially consents to join but upon learning that hazing will be committed on his person, is prevented from quitting;

c) when the recruit, neophyte or applicant having undergone hazing is prevented from reporting the unlawful act to his parents or guardians, to the proper school authorities, or to the police authorities, through force, violence, threat or intimidation;

d) when the hazing is committed outside of the school or institution; [or]

e) when the victim is below twelve (12) years of age at the time of the hazing[.];

**F) WHEN HAZING OR INITIATION RITE IS COMMITTED UNDER THE INFLUENCE OF ILLEGAL DRUGS OR LIQUOR; AND**

**G) WHEN THERE IS A PRESENCE OF NON-RESIDENT OR ALUMNI FRATERNITY MEMBERS DURING HAZING.”**

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**SEC. 3.** A new Section 4-A is hereby incorporated in the Act, to read, as follows:

**“SEC. 4 - A. ANY PERSON WHO WAS AT THE SCENE OF THE CRIME WHERE A VIOLATION OF SECTION 4 OF THIS ACT WAS COMMITTED AND WHO FAILED TO REPORT SUCH CRIME TO AN APPROPRIATE LAW ENFORCEMENT OFFICIAL AS SOON AS REASONABLY PRACTICABLE WHEN HE COULD HAVE DONE SO WITHOUT DANGER OR PERIL TO HIMSELF OR OTHERS SHALL BE LIABLE AS ACCOMPLICE.”**

**SEC. 4. *Separability Clause.*** – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

**SEC. 5. *Repealing Clause.*** – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

**SEC. 6. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days from its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

*Approved,*