Fake sergeants, captains, paratroopers, and raiders: when boasting a military past can have legal consequences

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Social networks have given everyone the opportunity to tell their own story. However, they have also made it extremely easy to construct one that never existed.

In the military world, the phenomenon is far from marginal: people who present themselves as officers or non-commissioned officers without ever having held the rank, self-proclaimed members of units in which they have never served, alleged paratroopers, raiders, Special Forces operators, or veterans of missions they have never participated in.

All it takes is a photograph, a beret, some badges, a suitably constructed biography, and a series of stories repeated over time for an invented story to seemingly gain credibility in front of an audience that lacks the tools to verify them.

But a military rank is not a nickname.

A patent is not an accessory to be freely added to one's resume.

And belonging to a unit or obtaining a military specialty cannot be turned into tools of self-promotion by those who have never undertaken those paths.

Claiming a rank you don't possess is not a simple “boast”

“Sergeant Major”, “Marshal”, “Lieutenant”, “Captain”, “Colonel”, and “General” are ranks of the military order.

They are not generically descriptive definitions.

Behind each rank, there is a precise legal and hierarchical position acquired according to the rules provided by the Armed Forces' regulations.

The same principle applies, with the necessary legal distinctions, to patents, specialties, qualifications, and affiliations that presuppose specific training or professional paths.

Publicly presenting oneself with a rank never achieved means, therefore, attributing a quality that one does not possess.

And the Italian legal system expressly provides for consequences even for this type of behavior.

Article 498 of the Penal Code: the usurpation of titles or honors

The main reference is **Article 498 of the Penal Code**, titled “Usurpation of titles or honors”.

The rule sanctions those who unlawfully wear certain uniforms or distinctive signs in public and, in the same way, those who arrogate titles, decorations, public honorary insignia, or qualities related to the offices and employments contemplated by the provision.

The administrative monetary penalty provided ranges **from 154 to 929 euros**.

But stopping at the figure would mean telling only half of the rule.

Article 498 also provides for a **particularly significant accessory administrative sanction: the publication of the measure that ascertains the violation**.

Moreover, for these violations, **the reduced payment provided by Article 16 of Law no. 689 of 1981 is not allowed**.

The rule protects public faith: the interest of the community not to be misled by false appearances and qualities that a person attributes to themselves without possessing them.

In other words, the legal system does not consider it indifferent that someone presents themselves to others through a title or quality that does not belong to them.

The fact that the offense was decriminalized in 1999 does not mean that the behavior has become lawful.

It means exclusively that the legislator has chosen to punish it through an administrative sanction rather than through a criminal penalty.

The violation remains. And it remains formally ascertainable and sanctionable.

“I am a Sergeant Major” when you have never been one

Let's consider the simplest case.

A person presents themselves on social media as an “Army Sergeant Major”, despite never having achieved that rank.

We are not facing a simple exaggeration of the resume.

They are publicly attributing a precise military position that belongs to the State's order.

The jurisprudence on Article 498 has clarified that the rule is precisely aimed at protecting public faith against those false appearances capable of leading others to believe in the existence of a quality that in reality does not exist.

The Supreme Court has also clearly distinguished this offense from the usurpation of public functions: in Article 498, the central point is the **attribution of a quality that the subject does not possess**; in Article 347, however, it is necessary to reach the exercise of the function.

It is an essential difference.

It is therefore not necessary to wait for someone to start giving orders or performing military acts to understand that unlawfully claiming a title can already have its own consequences.

Paratrooper, raider, Special Forces: be careful with qualifications

Falsely defining oneself as a “paratrooper”, “raider”, or “Special Forces operator” cannot be dismissed as a simple boast. These are qualifications, specialties, and patents linked to formalized military paths and, in many cases, represented by specific badges.

For a civilian or a former military member who has never obtained such qualifications, when the false attribution concerns qualities related to the offices or jobs contemplated by **article 498 c.p.**, the discipline on **usurpation of titles or honors** may apply, now punished with a **pecuniary administrative sanction from 154 to 929 euros**, to which is added, as mentioned, the **publication of the measure that ascertains the violation**.

The situation becomes even more serious when the false qualification is used to gain an advantage. Consider the owner of a security company who falsely presents himself as an “ex incursore” to credit superior training, increase his professional authority, and convince clients to purchase his services. In this case, the false qualification may also be relevant as a **misleading commercial practice under article 21 of the Consumer Code**.

If, finally, that false military experience is used through artifices or deceptions to mislead the client, obtaining an unjust profit with someone else's damage, the elements of **fraud as provided by article 640 c.p.** may also be present.

The line is therefore clear: an invented military qualification can already lead to administrative consequences; when used to **gain credibility, clients, contracts, or money**, it can open the way to much more serious responsibilities, even criminal ones.

Wearing badges that do not belong

Another element not to be underestimated is the material use of symbols.

One thing is to tell a false story.

Another is to reinforce it by wearing rank badges, patents, decorations, or other signs intended to make that story appear real.

For military personnel, article 221 c.p.m.p. is extremely explicit: unlawfully wearing in public distinctive signs of **rank, position, specialty, or military patent** can lead to military imprisonment for up to six months.

For other subjects, it is necessary to evaluate the different applicable provisions, starting with article 498 c.p. and, in specifically provided cases, the rules regarding documents and distinctive signs of the Police Corps.

Here too, therefore, context matters.

But the principle remains evident: a symbol certifying a rank, a function, or a qualification cannot be treated as if it were a mere scenic element when used to credit a non-existent condition in the eyes of the public.

From false rank to usurpation of public functions

The situation becomes much more serious when the subject does not merely attribute the rank to himself but begins to behave as if he actually possessed the function.

This is where **article 347 of the Penal Code – Usurpation of public functions** comes into play.

The difference is substantial.

Attributing a quality one does not possess is one thing.

Actually exercising the attributions of a public function without having the title is another.

The Supreme Court has clarified this distinction: article 347 protects the interest of the State so that public functions are exercised only by those who have actual investiture, while article 498 protects public faith from false appearances. The two cases, if the conditions are met, can also concur.

Therefore, the false “captain” who merely presents himself as such poses a problem.

The false “captain” who, exploiting that false guise, claims to exercise attributions that do not belong to him poses an even more serious one.

False declarations to the Public Administration

Even more different is the position of those who transfer their imaginary career into statements made to the Public Administration.

Here we are no longer in the realm of simple social presentation.

Articles **495 and 496 of the Penal Code** regulate different hypotheses of false declarations relating to identity or personal qualities made to public officials or persons in charge of a public service.

In certain circumstances, the rules on documentary falsities or substitute declarations may also be relevant.

One thing, therefore, is boasting in front of friends.

Another thing is inserting a non-existent qualification in an act, in an official declaration, in an administrative procedure, or using it in front of a public official.

Badges, documents, and distinctive signs: the terrain becomes even more dangerous

Those who want to make a false military identity credible might be tempted to take a further step: create or use badges, insignia, documents, or distinctive signs.

This is where the legal risk increases significantly.

Article **497-ter c.p.** regulates specific conduct related to distinctive signs, insignia, and identification documents used by the Police Corps or objects that simulate their function.

Therefore, one must not confuse normal collecting or the lawful possession of historical material with the use of documents or signs intended to make others believe they possess a public function that they do not possess.

The fake badge used to accredit oneself as a member of a State Body is something completely different from a badge kept in a collection.

The web preserves the evidence

There is finally an aspect that many impostors seem to forget.

The internet preserves.

A statement made at the bar can be difficult to reconstruct after years.

A false qualification declared dozens of times on Facebook, TikTok, Instagram, YouTube, or in public interviews can instead leave an extremely detailed trace.

- Posts
- Videos
- Photographs
- Biographies
- Resumes
- Comments
- Interviews
- Posters
- Screenshots
- Public presentations

The problem, therefore, is not only that it is easier to build a false identity on social media.

It is also much easier to document over time **how that false identity was used and what advantages it may have produced**.

It is not necessary to end up before a criminal judge for the conduct to be serious

One of the most frequent mistakes when dealing with these topics is to think that there are only two possibilities:

“It is a crime” or “it can be done”. It doesn't work that way.

The legal system knows criminal, administrative sanctions and consequences of another nature.

Article 498 of the penal code is a very clear example.

Those who fall under this category are not simply reprimanded for telling a lie.

They incur an **administrative sanction provided by law**, to which is added the **publication of the measure that ascertains the violation** and for which the legislator has expressly excluded the normal reduced payment.

Defining it as “just an administrative sanction” therefore risks being misleading.

It is a legal consequence provided by the legal system for those who arrogate certain qualities they do not possess.

And if further behaviors are built around that false qualification, the consequences can become progressively more severe.

A rank is not invented. A patent is not bought with a like

Those who have truly worn a uniform know how much time, training, sacrifice, and responsibility can be behind a rank, a patent, or belonging to certain units.

Appropriating them without having the title means building one's credibility on someone else's professional history.

The phenomenon of “social media soldiers” should not therefore be dismissed with a laugh.

Verification is necessary.

Who was really a soldier? In which Armed Force? With what rank? In which unit? What patent did they really obtain? Did they really participate in the missions they talk about?

Because one thing is to proudly tell what one has truly experienced.

Another is to transform a uniform never worn, a rank never achieved, or a patent never obtained into a tool to gain authority in front of others.

And when from simple boasting one moves to the unauthorized attribution of titles, the use of badges, deception, obtaining advantages, or exercising functions that do not belong, **we are no longer just facing a problem of personal credibility**.

We are facing behaviors for which the legal system provides concrete consequences.

Military careers are earned. They are not invented on social media.