

“You Call that an Apology!”: Utilizing Effective Communication in Conflicts

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WHAT IS AN EFFECTIVE APOLOGY?

Where the precise definition of an “apology” varies from person to person and culture to culture, it is generally defined in western society as “an acknowledgement intended as an atonement for some improper or injurious remark or act: an admission to another of a wrong or discourtesy done him accompanied by an expression of regret.”ⁱ Doctor Aaron Lazare, a professor of Psychiatry at the University of Massachusetts Medical School, indicates the existence of a method or elements in an apology process, including: 1) Acknowledging the offense; 2) Explanation; 3) Remorse; and 4) Reparations.ⁱⁱ The extent to which these methods are employed helps determine whether an apology has occurred.

1. Acknowledgment.

“The most essential part of an effective apology is acknowledging the offense.”ⁱⁱⁱ In doing so, the offender must first take time to “name the offense,” and “to become clear about the norm that has been violated and about what it is that calls the offender to apologize.”^{iv} Then, for an effective apology to happen, the parties involved must agree the following four parts of an acknowledgment occurred: 1) the correct party or parties responsible for the grievance have been named; 2) the offending behavior is acknowledged in adequate detail; 3) the impact on the victim(s) is recognized; and 4) a confirmation the grievance was a violation of the social or moral contract between the parties.^v In multiple works on apology, Lazare indicates offending parties in any situation have so much at risk when they acknowledge an offense they develop ways of only seeming to acknowledge the offense.^{vi}

2. Explanation.

Offended parties often find an explanation necessary in order to accept an apology, and often find a lack of explanation to be an insult.^{vii} An effective explanation is one that does not diminish responsibility, does not shift blame, expresses whether the offense was or was not intentional, expresses that the behavior is not indicative of one’s “real self,” and that the offense won’t reoccur.

3. Remorse.

“Remorse” is described as a “deep, painful regret that is part of the guilt people experience when they have done something wrong. To feel remorse for an action is to accept responsibility for the harm caused by it.”^{viii} A healthy result of remorse is forbearance, a resolve to change behavior and not to repeat the offensive behavior.^{ix}

However, if a party expresses remorse for conduct, but claims a lack of responsibility for it, “this may limit or extinguish any hope for change.”^x

It can be very difficult for an individual, entity or institution to express true remorse for an offense. Apologies are far more than just words, and involve representations that one sincerely means what is being said.^{xi} However, the sincerity of remorse is generally less important in public apologies that acknowledge the violation of a social or moral contract.^{xii} The language expressing remorse also can call its purpose as an apology into question. Words of “regret” and “profound regret” are rarely sufficient.

An apology is arguably more effective if it is voluntarily made as a result of remorse. “The more an apology is coerced, the less meaning it carries, for the less sincere is the regret it expresses.”^{xiii} In summary, the element of remorse can be hampered by limiting responsibility, which arguably creates a negative public perception of behavior.

4. Reparations.

The purpose of reparations is to fully restore a loss.^{xiv} “Offering reparations shows the victim and/or society that the offender takes the grievance seriously and is willing to ‘repair’ the harm done,” and “when such reparations are available but not acted upon, the apology fails.”^{xv}

ⁱ WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY (1961).

ⁱⁱ AARON LAZARE, ON APOLOGY 74 (Oxford University Press 2004).

ⁱⁱⁱ *Id.* at 75.

^{iv} Lee Taft, *Apology Subverted: The Commodification of Apology*, 109 YALE L.J. 1135, 1140 (Mar. 2000).

^v LAZARE, *supra* note ii, at 75.

^{vi} Aaron Lazare, *The Healing Forces of Apology in Medical Practice and Beyond*, 57 DEPAUL L. REV. 251 (Winter 2008); *see also* LAZARE, *supra* note 22, at 85-86.

^{vii} LAZARE, *supra* note ii, at 119.

^{viii} *Id.* at 107-108.

^{ix} *Id.* at 108-109.

^x Peter H. Rehm & Denise R. Beatty, *Legal Consequences of Apology*, 1996 J. DISP. RESOL. 115, 126 (1996)

^{xi} Jeffrie G. Murphy, *Remorse, Apology, and Mercy*, 4 OHIO ST. J. CRIM. L.423, 447-48 (Spring, 2007).

^{xii} LAZARE, *supra* note ii, at 118.

^{xiii} Jonathan R. Cohen, *Advising Clients to Apologize*, 72 S. CAL. L. REV. 1009, 1018 (1998-1999).

^{xiv} LAZARE, *supra* note ii, at 127.

^{xv} *Id.*