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The Perfect Apology **The atomic energy of empathy**

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The most powerful action in reputation recovery and rehabilitation is to apologize. If you want or need forgiveness, you'll need to apologize. "Wait a minute," you say, "The lawyers won't ever let me apologize." Well, let's talk about apology, understand it, and then we'll get back to the attorneys.

Management avoids apologizing by using an amazing array of avoidance strategies. There's self-forgiveness: "It's an industry problem, we're not the only ones," "Let's not blow this out of proportion." There's self-talk: "It's only an isolated incident," "It's never happened before," "Not very many were involved," "Let's not get ahead of ourselves," "If we didn't do it, someone else would."

Look for self-delusion: "It's not our fault," "It's not our problem," "We can't be responsible for everything," "It won't happen again," and "Life can't exist without risk." Or how about lying: "I don't know," "We've never done that," "It won't ever happen again," "I am not a crook," and "I did not have sex with that woman."

Look for self-immolation: "you don't need to see all the information we have," "much of the information is protected from public view by statute," "we can't be more explicit because we'll damage the reputation of innocent bystanders," "it's a secret," "if we were to tell you it would jeopardize or reveal other important information," "this could contaminate other legal proceedings." Balderdash, nonsense, gibberish, claptrap, blather, hogwash, drivel, bunk, piffle, and more than a dozen more pejorative adjectives you'll find on dictionary.com.

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At the present moment apology is really out of fashion. We are seeing a trend towards doubling down on mistakes, uncivil behavior, and evermore strategies describing apology as weak, even cowardly behavior.

The fact remains that apologies, when genuinely delivered, really are the atomic energy of empathy. They tend to stop bad things from starting.

The perfect apology has three components: First and foremost, the perpetrator has to have an attitude of humility; then an apology strategy, which leads to sincerity of action. Here are the elements of an apology strategy:

- Ongoing expressions of regret and empathy
- Continuous explanation of how behavior will change
- If serious enough, third party oversight of new behaviors, reported independently, can allay public and victim concerns
- Encouragement of public discussion, especially by the victims about the perpetrator's mistakes and callousness
- Commitment to overcompensate and complete restoration of damages and injury
- Resolve to maintain contact with the victims and survivors until they lose interest

One of the most constructive structures for apology I've seen is in *The Five Languages of Apology*¹, a book by Gary Chapman and Jennifer Thomas. Here, with some paraphrasing and modification based on my experiences, are the ingredients of the perfect apology.

1. **Regret (acknowledgment)** – A verbal acknowledgement by the perpetrator that their wrongful behavior caused unnecessary pain, suffering, and hurt that identifies, specifically, what action or behavior is responsible for the pain.
2. **Accepting Responsibility (declaration)** – An unconditional declarative statement by the perpetrator recognizing their specific wrongful behavior and acknowledging that there is no excuse for the behavior.
3. **Restitution (penance)** – An offer of help or assistance to victims, by the perpetrator; action beyond the words “I’m sorry”; and conduct that assumes the responsibility to make the situation right.
4. **Repentance (humility)** – Language by the perpetrator acknowledging that this behavior caused pain and suffering for which he/she is genuinely sorry; language by the perpetrator recognizing that serious, unnecessary harm and emotional damage was caused and that their behavior will change to avoid future offense.
5. **Direct Forgiveness Request** – “I was wrong, I hurt you, and I ask you to forgive me.”

¹ *The Five Languages of Apology: How to Experience Healing in All Your Relationships*, Gary Chapman and Jennifer Thomas. Northfield Publishing, September 1, 2006; ISBN 1881273571.

The most difficult and challenging aspects of apologizing are the admission of having done something hurtful, damaging, or wrong, and to request forgiveness. Skip even one step and you fail.

Do apologies matter? “In an effort to reduce medical liability/malpractice lawsuits and litigation expenses, state legislators and policymakers are changing the laws to exclude expressions of sympathy, condolences or apologies from being used against medical professionals in court. Proponents of these so called “I’m sorry” court laws believe that allowing medical professionals to provide these statements can reduce medical liability/malpractice litigation.”

“Thirty-nine states, the District of Columbia and Guam have provisions regarding medical professionals making apologetic or sympathetic gestures. Of these states, six states have provisions that specifically relate to accidents. Those states are California, Florida, Massachusetts, Tennessee, Texas, and Washington (Source: National Conference of State Legislatures).

The biggest problem with apology is the attitude among leaders and their attorneys that apology is “sissy” stuff. My advice is, “Get over it.” There’s mounting statistical evidence in health care that apologies, even if they are required by insurance companies (which they more frequently are), are having a dramatic affect on reducing litigation.

So now we’re back to attorneys. When the lawyers say you can’t apologize because it’s an admission of something (which it is), you can tell them (with nearly absolute certainty) that an apology will, at a minimum, mitigate and, at a maximum, eliminate litigation. An apology may be the trigger to settlement. Failure to apologize is always a trigger for litigation.

Today’s legal reality is that only a tiny number of civil and criminal cases filed ever get to trial. Instead, these cases will be settled, dismissed, or resolved by some other mechanism such as arbitration. Empathy is where “actions speak louder than words.” Apology is the atomic energy of empathy because failure to apologize is an integrity lapse that causes the corrosive destruction of your reputation, and creates an impression of you as arrogant and callous.

The lesson for leaders is that while it’s true apologies can have legal consequences, the act of apologizing is a uniquely leadership decision. Most important leadership decisions and actions have legal consequences, but the evidence increasingly shows that apology’s beneficial impacts far outvalue the legal risks. Apology is among the most powerful acts of leaders and leadership.