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(IJLGC)**www.ijlgc.com**“I AM SORRY”: STUDENTS’ APOLOGIES IN DISCIPLINARY
PROCEEDINGS**Farihana Abdul Razak¹, Wan Nurul Fatimah Wan Ismail^{2*}¹ Faculty of Law, Universiti Teknologi MARA Perak Branch Tapah Campus, Malaysia
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To cite this document:Abdul Razak, F., & Ismail, W. N. F. W. (2023). “I Am Sorry”: Students’ Apologies In Disciplinary Proceedings. *International Journal of Law, Government and Communication*, 8 (33), 70-75.**DOI:** 10.35631/IJLGC.833006This work is licensed under [CC BY 4.0](https://creativecommons.org/licenses/by/4.0/)**Abstract:**

Higher education institutions offer students a chance to pursue their studies and become experts in their respective areas. During their studies in institutions, as students, they are bound by the institution’s regulations to enhance or uphold harmony and moral standard. Regrettably, some students take the rules laid down by the institution for granted by committing offences that infringe upon the regulations. If there are reasonable cases to accuse, the students will be presented before the institution’s disciplinary board. The disciplinary board will hear the fact of the case and decide on the proper penalty for the offence committed. During a disciplinary proceeding, a student may be given a chance to apologise on their offence. The objective of this paper is to discuss the effect of apology in student disciplinary proceedings. This study employs qualitative research involving conceptual discussion and library research. The sincerity of the accused students in regretting their actions and apologising has been observed to have an effect on the panel’s decision to reduce the penalties.

Keywords:

Apology, Impact, Student Disciplinary Proceeding, Higher Education

Introduction

Students in higher education are subject to institution rules. Rules are necessary to guide and ensure the smooth operation of academic activities. An awareness of good morals and manners influences and has long-term positive effects. As colleges and universities are educational institutions, it is believed that the rules applied to students will bring good things to them. However, there are scenarios in which students break rules by smoking, fighting, using drugs,

and other offences. Koçyiğit & Çetinkaya (2020) contended that some disciplinary issues arise because of adolescent-specific challenges.

Students who commit an offence or breach the institution's rules will be brought in disciplinary proceedings if there is clear evidence. This student is referred to as the 'accused student' after the charge sheet has been prepared and read during the student disciplinary proceedings. The accused student will experience disciplinary proceedings by hearing the charges, and then pleading guilty or not, and the decision will be made by the students disciplinary proceeding panel. More often than not, in student disciplinary proceedings, students expressed regret for their actions and promised not to repeat them by expressing "I'm sorry", or "I apologise". When a student acknowledges guilt and apologises during disciplinary proceedings, the tense atmosphere in the proceeding changes.

The objective of this paper is to discuss the effect of apology in student disciplinary proceedings. Hence, it is anticipated that this article will be useful in educating readers about how an apology impacts the result of disciplinary proceedings.

Methodology

The approach of this study is purely qualitative where it is based on library research and involves conceptual discussion. This article is a conceptual paper that employs library research by gathering data from primary and secondary sources. In this conceptual paper, library research is used to discuss the effect of apology in student disciplinary proceedings. According to Jaakkola (2020), conceptual papers frequently incorporate a variety of ideas, kinds of literature, and theories that serve different purposes. The aim of conceptual papers is to establish logical and convincing arguments by proposing novel relationships among various opinions (Jaakkola, 2020). The primary sources gathered in this paper are based on the experience of the author while the secondary sources consist of articles journals, law cases, websites, secondary data from various literature, and information from online.

Apology

An apology is a statement made by the offender in which they admit guilt for their actions and express regret for them (Davis, 2016). Lazare (1995) identified four distinct motives that drive people to apologize. These motives include the desire to repair a damaged relationship and restore it to its previous state; expressing genuine regret and remorse for causing someone to suffer, with the intention of alleviating their pain; attempting to avoid or lessen the consequences of their actions; and seeking relief from their own guilty conscience. The analysis from Latif Uгла & Zainol Abidin (2016) demonstrates the importance of apologies as speech acts and something morally required to be done. Besides, the patterns of apology used vary according to the individual's social status and the kind of situation. Referring to Sari (2016), different people apologise in different ways. The strategy of apologising is essential, particularly when deciding what words to use to express regret. Chen, Lu, and Wei (2022) contended that when making an apology in spoken language, the speakers must act fast. Therefore, they might end up using only one strategy in their apologies.

Apologies may be used for many different intentions using different apology strategies. An apology may be deemed sincere or insincere, voluntary or prompted, and effective or ineffective. In reference to the court case between drama producer Zaidah Awang (A.Aida) and actress Amelia Henderson, the decision made by Sessions Court judge Zulqarnain Hassan on

April, 2023 who ordered the actress, Amelia Henderson to pay the compensation for breach of contract. Besides, she has to issue a public apology to Aida within the next seven days; and to remove videos containing elements of defamation towards the production company that was posted on her Instagram (Solhi, 2023). This case highlights the use of a prompted apology statement to accept guilt and express regret for the action in order to fix the relationship between the transgressor and the victim.

Speech Act

Generally, within communication, speech acts serve as a means to convey a specific linguistic purpose. To put it differently, the act of communicating involves expressing a particular attitude, and the nature of the speech act aligns with the corresponding attitude being conveyed (Bach, 1999). For example, a request signifies desire, while an apology indicates a feeling of remorse. An apology as a speech act is usually visible using phrases like “I am sorry”, “I apologise”, or “I promise I will not do it again”.

The Effectiveness of Apology

Earlier studies have shown that apologies have an impact on the assessment of civil and criminal defendants in legal environments. Nevertheless, the repeated exposure to insincere apologies may lead judges to become sceptical of or unaffected by apologies. Through a series of experimental investigations involving judges as participants, it was discovered that while apologies can occasionally lead judges to be more lenient in certain criminal contexts, in general, apologizing to a judge is usually ineffective and can potentially have negative consequences (Rachlinski, Guthrie, & Wistrich, 2013).

According to Lee and Chang (2021), the hypothesis that apology leads to less punishment in discipline hearing at a workplace was partially supported and apology’s effect on discipline is more complex than once thought as it involves other variables like the elaborateness of apology, the offender’s reputation, and the severity of the outcome resulting from the violation. Meanwhile, Nudelman and Nadler (2017) examined whether the impact of an apology on forgiveness would be influenced by an individual’s Belief in a Just World (BJW). BJW refers to one’s dispositional justice beliefs. The study hypothesized that individuals with low BJW would be more forgiving when an apology is offered, whereas those with high BJW would display a consistent level of forgiveness regardless of whether an apology was given or not.

In addition, according to Wooten (2009), apologies have an impact on decisions regarding punishment, although not primarily by decreasing concerns about possible recurrence of the offense or changing perceptions of malicious intent. Based on the literature on the effectiveness of apologies it can be concluded that not all apologies are helpful in legal proceedings. The effectiveness of apologies can also be determined by many complex factors.

Disciplinary Proceeding

Education is the basis for developing a good character (Mohd Radzi, Hamzah, & Udin, 2011). Hence, students must abide by the rules that have been implemented in any higher education institution. When a student breaks the institution’s rules and strong evidence is discovered, the student will be subjected to student disciplinary proceedings. Having disciplinary proceedings for students is not intended to punish them, but rather to provide them with advice from repeating the same mistakes and offenses because they are still young and have a long life

ahead of them. Mohd Radzi et al., (2011) explain that as teenagers, they require assistance in correcting their actions.

In the student disciplinary proceeding, when the accused students' names are called, they will appear before the disciplinary panel and then raise their right hand to recite the pledge. The charges against the student will be read aloud by the officer in the proceeding. After the student properly understands the charges towards him/her, the accused student will make a confession, whether they are guilty or not. Students will be given the opportunity to raise a plea before being given the penalty by the student disciplinary proceedings panel. At this moment, students take the opportunity to express their regret by apologising for their mistakes. The students are then asked to leave the meeting room for a while and the panel will then discuss the penalties that will be imposed on the students. When an agreement by the student disciplinary proceeding panel member is made on the penalty to be imposed on the students, he/she is called, and the chairperson of the student disciplinary proceeding reads the decision against the offense that he has committed.

The Effectiveness of Apology in Students Disciplinary Proceedings

As determined by Sari (2016), the use of emotional expression implies a chance interaction between the speaker and the listener. Apologies, according to Levin & Robbenolt (2021) can foster greater mutual understanding, restore trust in relationships, lessen hostility, and lessen the need for punishment. It offers a chance to state, acknowledge, consider, and restate common beliefs. An apology, when given and accepted properly, helps to defuse anger and avoid legal action (Rehm & Beatty, 1996). An example of the factors can be found in another study by Larkins (2018) on how the effectiveness of apologies may be affected by voluntariness of apologies within juvenile justice, while prior wrongful behaviour plays insignificant role in the effectiveness of apologies.

The accused students' regret prompts the panel of student disciplinary proceedings to mitigate the penalty. Their expression and promise not to repeat the offense show that they are truly sorry. According to Rehm and Beatty (1996), apologies may be beneficial in a number of ways, including mending and removing any doubt about malicious intentions or apathy. Furthermore, Lee and Chang (2021) contended that an apology could serve to set things right and also minimise the likelihood that the offended party will react aggressively. Apologies are effective since they establish an emotional state of vulnerability by acknowledging wrongdoing (Davis, 2016).

When a student conveys an apology in a student disciplinary proceeding and a sincere emotional expression from him or her not to repeat the offense, the student disciplinary panel may decrease the penalty by imposing the minimum punishment. However, it relies on the offences committed, the seriousness of the offence, and the penalty imposed for the offences. According to Lee and Chang's analysis, there are many complex factors that determine the success of an apology in a discipline hearing (Lee & Chang, 2021). This paper argues that an apology does not absolve accused students of disciplinary actions towards them. They still bear responsibility for the offense committed. Hence, such expressions have the ability to reduce the degree of the offence's penalty.

Conclusion

In conclusion, students have to adhere to the rules of the institution. Breaking the rules or committing an offence that is not permitted by the institution will result in disciplinary actions. This study contends that an apology has some impact on the panel of student disciplinary proceedings in mitigating the sentence for the accused students. Additionally, the sincerity of the apology shows the accused student's regret for having to appear before a student disciplinary hearing for the offense committed. Everyone makes mistakes; hence it is hoped that students are always aware of the institution's rules and understand the consequences if they break them.

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