Lester thought for a moment, then smiled. ‘You know John, as the attorney handling the estate, you could conceivably turn those shares into cash.’ ‘Now why would I want to do that?’ Lester forced a laugh. ‘Let me handle the transactions, and we’ll split about ten million.’ He laughed again to show he was joking. ‘Ha, ha, ha.’ I replied, ‘Even by today’s Wall Street standards, that might be considered unethical.’ (51).

Early on this set the tone in Nelson DeMille’s novel, The Gold Coast, which is wrought with one business ethical dilemma after another. While this early dilemma wasn’t a central theme, it helped set the stage for the development of the main character, initially upstanding attorney John Sutter. While John and Lester didn’t follow through on their joking plan to steal from the estate of a little old lady, this excerpt helped introduce the internal struggles that John would undergo and eventually succumb.

This short excerpt also introduce the negative view of business presented throughout the book. However this is only a subtle introduction of DeMille’s portrayal of business, as generally the business world is compared to organized crime. More directly while driving around making ‘social calls’ with John’s newly acquired mafia client Frank Bellarosa, John comments, “I was quite honestly amazed at the number of branch offices and affiliates of Bellarosa, Inc. – or would one say franchises and chain outlets” (622). While DeMille does make comparisons and portrays both as using intimidation and power to get their way, he does not portray business and mafia as complete equals. The mafia uses threats of and actual physical violence, whereas the business world uses legal threats and market power.

The dynamics of the novel create several different business ethical dilemmas to appear and reappear throughout the novel. While not all inclusive, three central dilemmas presented were decisions about doing business with a known criminal, spying on a client/friend as part of a legal investigation, and perjury when representing a client.
Early on John Sutter recognized the impact that doing business with a known criminal, Mafia Don Frank Bellarosa, would create. One of his early rationales for refusing to work with Bellarosa was simply that it was wrong. Bellarosa was a criminal. As a law abiding citizen, John did not want to associate himself with such a person. John’s second rationale for refusing to work for Bellarosa was entirely self-interested. John feared that his other clients would no longer respect him as an upstanding citizen. In such a light John feared that the wealthy individuals that served as his clients would turn elsewhere for their tax and legal advice. With such a flight of his clients he assumed his partners would soon cast him out.

However John was suffering what could be described as a mid-life crisis and was bored with his life. In such a context John no longer cared about his business reputation and instead only wanted something to kick things up. In this new light John’s self-interest had shifted. No longer was it in his own interest to worry about his clients, but instead creating excitement in his life had become more important. With one less constraint holding John back, taking on something he felt was wrong was just a little bit easier to stomach. Add in the favor that John owed Bellarosa for helping him with a tax problem and the obligation of a growing friendship between Bellarosa and John’s wife, and John had a difficult decision to make.

This shift of self-interest and ill-intentioned friendship still didn’t prove to be enough for John to agree to work for Bellarosa. It wasn’t until Bellarosa convinced John that he was innocent of the particular charge that he needed John’s help that John finally agreed to represent him. Bellarosa had clearly taken a business ethics class and knew how to convince someone that what he wanted was the ethical thing to do no matter what that person’s ethical position. However even after agreeing to represent Bellarosa, John still recognized the negativity of his
actions. At no point did John turn the corner to the point he felt working for Frank was completely right. This inner guilt was a main focus of the book.

At many stages, John felt he should walk away from Bellarosa and the entire situation. That was in fact what he should have done. Each time John mentioned ending the relationship, both business and personal, I found myself rooting for John to just turn his back and walk away. That would have been the right thing to do and he knew it. However what fun would the book have been without the inner turmoil and no Mafia Don in the picture.

While not quite as central to the book, once John had agreed to enter into a business and personal relationship with Bellarosa, the door was opened to another twist. As a Mafia Don, Bellarosa was continually at the center of a criminal investigation of one sort or another. The particular crime drama currently at issue throughout the novel was the murder of a rival drug kingpin. The FBI agent Mancuso, recognizing John’s new found personal relationship with Bellarosa but not yet knowing of the attorney client relationship, hoped to capitalize on the situation to gain information about the murder:

... ‘What we need is for you [John] to plant three or four bugs in Bellarosa’s house. One in his den, one in the entranceway, maybe one in his greenhouse where we see him talking to his goombahs... Can we count on you?’
‘No.’
‘Why not?’
‘Well... I’m his attorney...’ (434)
‘...you can. But first you have to resign as his attorney. You have to be ethical.’ (437)

Unlike Bellarosa, Mancuso didn’t use as any tricks to convince John that spying on his client was the right thing to do. In fact as Mancuso indicated, he agreed that it would be unethical for John to spy on his own client. While Mancuso did attempt to convince John that representing Bellarosa wasn’t the ethical approach, he didn’t push John on looking past his lawyerly obligations. Having already decided upon representing Bellarosa and lacking good justification
to turn on attorney client privilege, John was able to hold his ground on this interesting dilemma. While this was a huge disappointment to Mancuso, it showed at least that in this particular situation that the legal authorities were willing respect some ethical bounds unlike their criminal adversaries. This was also one of the rare situations where John and his tempter both handled a situation in an ethical matter.

The dilemmas we have addressed so far pale in comparison to the dilemma of perjury that John dealt with later in the novel. Bellarosa asked John to lie about seeing Bellarosa at the same time as the murder of the rival drug kingpin mentioned earlier. John was to be his alibi. While John could rationalize all his slips up to that point, perjury was where he was going to draw the line. Nothing John had done yet would have been considered an intentional criminal act. Yes, he had gone against his better judgment. Yes, he had thought about women other than his wife. Yes, he had unintentionally made a mistake on his taxes. But nothing he had done compared remotely to consciously breaking the law. He had no desire to perjure himself even if he still believed in Bellarosa’s innocence in the case at hand. Right up until the very instant that John lied to the court, he still had no intention of committing perjury and immediately afterwards he recognized nature of his decision and shared light into why:

> *My stomach was churning, my head ached, and yes my heart ached. Never in a billion years would I have imagined that I would perjure myself in court for any reason, let alone to spring a Mafia Don.*

> *But neither did I ever think I would be charged with criminal tax fraud for a stupid misjudgment. Nor would I have imagined that a U.S. attorney would frame a man because of a personal grudge, or try to obstruct justice by delaying me on my way to court, then trying to send me on a wild-goose chase to Brooklyn. Yes, I know that two wrongs don’t make a right – that’s one of the first ethical lessons I learned as a small boy – but part of life and part of growing up is the ability to do what has to be done to survive. When the stakes go from baseball cards and pennies to life and death, then sometimes you make adjustments. Concessions, I guess you say. Sometimes you lie.* (534)
These comments seem to indicate that as you grow you actually shift to a lower stage in your ethical decision making process rather than progress as Kohlberg has suggested. This suggests that a child is capable of applying a rule based approach to ethical decision making, but an adult adapts by taking a more self-interested approach. Although to dig more deeply, is the ‘two wrongs don’t make a right approach’ really any more advanced? While not directly spelled out, perhaps what John was getting at was that an adult is able to weigh two wrongs and determine which one was more correct. In this case perhaps the ends justified the means. Although no matter how you frame it, John still did not feel good about the decision, both out of self-interested fear of persecution and for going against his personal ethics. Fortunately for John his perjury did not come to light as Bellarosa was murdered in a matter of days (if I told you by whom that would ruin the story).

In each case described above John was faced with a difficult decision. While these decisions were all dramatized for the story, all have more ordinary parallels. While John had to decide if he wanted to do business with a Mafia Don, ordinary people have to decide everyday if they want to work for corporations or take on business clients that may have a checkered past. While John had to make a decision about spying on his client, ordinary people have to decide whether or not they’re going to steal company secrets. While John had to decide if he was willing to commit perjury, ordinary people have to decide just how truthful they’re going to be when making a sales pitch. The Gold Coast ethical dilemmas were front and center. Everyday business may not be so extreme, but on a daily basis businesspeople face ethical dilemmas that are still front and center.
References
