



MATT DICKSTEIN

Business Attorney

Making legal matters easy and economical for your business

39488 Stevenson Place, Suite 100, Fremont, CA 94539
510-796-9144. matt dickstein@hotmail.com matt dickstein.com

Newsletter, April 2012 Some Rules for Business

Many years ago I read an interview with a famous Polish philosopher, Leszek Kolakowski. I forget everything about the interview except this – when asked to sum up ethics in one sentence, he said, “be decent.”

I’m a lawyer, and we lawyers frequently are indecent (we tell ourselves it’s necessary to get the job done). Likewise many people believe that business is cheat or be cheated, kill or be killed. I disagree. Over the years I’ve seen that good lawyers have moral backbone, and long-time business people treat others the right way, at least most of the time. Being decent works.

That said, being decent is not the same as being nice or foolish. Business is business, and we must exercise caution when money is involved. The world is full of trickery. Without further ado, here are some rules for being decent in business but not a fool. Please know that these are just my thoughts, which are sure to change as I think more. I appreciate hearing your thoughts.

Rule #1 - Roles are Important. We all have roles to play in our professional lives, be it employer & employee, attorney & client, seller & customer. We should play our allotted roles. This means first and foremost, fulfill the requirements of your role, using the power that comes with the position, yet acting in as considerate a manner as possible.

For example, think of a grade school teacher who is too nice. The kids eat him up, with the result that he can’t do his job. Think of employees whom you treat informally, more as friends than employees – these are the employees who sue you. By relaxing the roles, you create unrealistic expectations so that the employee balks when you finally act like a boss. In my case as a lawyer, I must be very careful about doing free work for clients. On its face, it seems the client would be grateful, but usually it goes bad. By doing the work for free, I upset the settled expectations between us; I confuse our roles, and now the client feels uncomfortable because she doesn’t know what’s free and what’s not.

Rule #2 - Be Polite. Practice courtesy; it’s a good habit. The purpose of being courteous and having good manners is to put other people at their ease, to give them their proper “face.” When you think about the truly classy people you’ve met over the years, they don’t show off their good manners. Instead their manners make you feel comfortable and give you your proper respect.

Good manners are a form of respect. They make business easier and social interactions more enjoyable. Life is hard when you feel like you're at war with everyone around you. Those who give respect to others (both superiors and subordinates) usually receive the same treatment in return. And this leads us to ...

Rule #3 - The Golden Rule. Perhaps you recognize my thoughts in this article. They're from Confucius (551-479 BC). Confucius is most famous for the Golden Rule: do unto others what you would have them do unto you. The American version of the rule is, when you're on the up elevator, be decent to those going down because you might see them again.

We live in a mass society today. There are so many people out there, it's easy to believe that everything is a commodity and everyone is replaceable. If this encounter or that relationship doesn't give me what I want, I can go on the internet and find another that's cheaper.

Hence the question, why should I practice these rules when this person before me likely will never do me any good and is easily replaced? Karma. Everything you think, say and do, both positive and negative, comes back to you. The more positive energy you put out, the more you get back, and the same for negative energy. We each carry our thoughts and actions like a black cloud (negative) or a sunny sky (positive) over our heads. People see it and return like for like.

Karma works because other people can see right through us and they react accordingly. Likewise, the Golden Rule makes sense in the business world because people react to your good or bad karma. Business is personal, and it's done on relationships and trust. If you practice the Golden Rule, other people will see it and you will have trusting, mutually beneficial relationships with them. They'll choose to do business with you, recognizing you as a decent person.

Enough with the moralizing. I'll bring back the legal discussion in my next newsletter. Please remember to give me your thoughts.

Henny Youngman

A father is explaining ethics to his son, who is about to go into business. "Suppose a woman comes in and orders a hundred dollars worth of material. You wrap it up, and you give it to her. She pays you with a \$100 bill. But as she goes out the door you realize she's given you two \$100 bills. Now, here's where the ethics come in: should you or should you not tell your partner?"

A car hits a Jewish man. The paramedic rushes over and says, "Are you comfortable?" The guy says: "I make a good living."



"While we finish our dessert, I thought we could all have a chat on matters fiscal."