

Pink Slips, Privilege, and Payback: A Deontological Justification for a Cause of Action for Retaliatory Discharge for In-House Counsel

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Perhaps the defining feature of professionals as a class is the extent to which they embody a dual allegiance. On the one hand, an attorney's highest duty is to the welfare and interests of the client. This obligation is channeled, however, by a limiting and specifically professional qualification: attorneys are required to conduct themselves as such, meaning that they are bound at all events not to transgress a handful of professional ethical norms that distinguish their work from that of the nonattorney.

—Justice Arabian
General Dynamics Corp. v. Superior Court
876 P.2d 487, 497-98 (1994)

Introduction

The analysis of moral dilemmas in terms of obligations which arise from committed membership in diverse communities has a venerable pedigree in the representations of our moral imagination, from the stories of Abraham and Isaac and Antigone to Thomas More. Such stories are compelling

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