

ERASMUS + STRATEGIC PARTNERSHIP IN HIGHER EDUCATION - New Quality in Education for Gender Equality  
- Strategic Partnership for the Development of Master`s Study program LAW AND GENDER, LAWGEM -  
Project No: 2019-1-RS01-KA203-00088



# LAWGEM

Master`s Study Program  
Law and Gender

**Syllabus Form**

LAWGEM



Co-funded by the  
Erasmus+ Programme  
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<b>Program: Master Academic Studies – Law and Gender</b>
<b>Course title: Gender Equality and Business Law</b>
<b>Teachers:</b> Prof. Dr. Vuk Radović, Prof. Dr. Tatjana Jevremović Petrović, Prof. Dr. Mirjana Radović, Prof. Dr. Jelena Lepetić (University of Belgrade), Prof. Dr. Juan Luis Pulido Begines, Prof. Dra. Teresa Gómez Prieto (Universidad de Cádiz), Dr. Carlo Petta (LUMSA University), Prof. Dr. Eleonor Kristoffesson, Dr Maria Sjöholm (Orebro University), Ass. iur. Mareike Fröhlich LL.M. (Europa-Institut, Saarland University).
<b>Course status: optional</b>
<b>Number of ECTS: 3 ECTS</b>
<b>Requirements:</b> Bachelor degree or equivalent
<p><b>Aims of the course:</b></p> <p>The aim of the course is to provide students with in-depth understanding of gender perspective in Business Law including the gender sensitive language in this framework. Particularly, non-discrimination and four freedoms are going to be discussed from gender perspective as well as different forms of woman participation in business with special emphasis on the role of women in decision making. Furthermore, compliance of business law and white-collar crime shall be analyzed from a gender role dimension. Finally, the main features of selected national legal frameworks shall be provided to students.</p>
<p><b>Course result:</b></p> <p>Upon completing this course students shall have enhanced knowledge of the gender perspective in Business Law and practice. This knowledge shall enable them to give expert opinions and promote changes if needed, as well as to undertake further practical and theoretical research in this field.</p>
<p><b>Course content:</b></p> <ol style="list-style-type: none"> <li>1. Law and Languages in Business Law from a Gender Perspective</li> <li>2. Fostering of Women Involvement in the Internal Market</li> <li>3. Role of Women in Business Law Decision Making, in particular:             <ol style="list-style-type: none"> <li>3.1. Arbitration and Business Law Disputes</li> <li>3.2. Board of Directors: Composition and Remuneration</li> </ol> </li> <li>4. Involvement of Women from the Business Law Perspective, in particular:             <ol style="list-style-type: none"> <li>4.1. Investment Law</li> <li>4.2. Banking and Insurance Law</li> <li>4.3. Regulatory Framework for Female Entrepreneurship                 <ol style="list-style-type: none"> <li>4.3.1. General Issues and Problems Related to Women Entrepreneurship</li> <li>4.3.2. Different Business Forms from a Gender Perspective</li> <li>4.3.3. Financing</li> </ol> </li> </ol> </li> </ol>

#### 4.3.4. Networking

5. White collar crime from a gender perspective
6. National perspectives on Gender Equality in Business Law

#### **Literature:**

#### **Required reading:**

S. L. Fielden, M. J. Davidson eds. *International Handbook of Woman and Small Business Entrepreneurship*, Cheltenham and Northampton, 2005

C. Seierstad, P. Gabaldon, H. Mensi-Klarbach eds. *Gender Diversity in the Boardroom, Volume 1: The Use of Different Quota Regulations*, 2017

C. Seierstad, P. Gabaldon, H. Mensi-Klarbach eds., *Gender Diversity in the Boardroom, Volume 2: Multiple Approaches Beyond Quotas*, 2017

C. G. Brush, A. de Bruin, E. J. Gatewood, C. Henry eds., *Women Entrepreneurs and the Global Environment for Growth: A Research Perspective*, Edward Elgar, Cheltenham and Northampton, 2010

M. A. Galvin, "Gender and White-Collar Crime – Theoretical Issues", *Criminal Justice Studies – A Critical Journal of Crime, Law and Society*, Volume 33, Issue 1, 2020

G. Van Harten, "The (Lack of) Women Arbitrators in Investment Treaty Arbitration", FDI Perspectives, February 2012 ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2005336](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2005336))

L. Greenwood, C. M. Baker, "Getting a Better Balance on International Arbitration Tribunals", *Arbitration International*, Volume 28, Issue 4, 2012

A. Egan, "Women in banking: a study in inequality", *Industrial Relations Journal*, 1982 (<https://doi.org/10.1111/j.1468-2338.1982.tb00411.x>)

R Avraham, KD Logue, D Schwarcz, "Understanding Insurance Antidiscrimination Law", *Southern California Law Review*, Volume 87, 2013-2014

L. J. Montour, "Connecting the Spheres of Trade and Gender: Creating a Gender-Conscious World Trade Organization", *Suffolk University Law Review*, Volume 47, Issue 2, 2014

#### **Additional reading:**

B. G Davis, "Diversity in International Arbitration", *Dispute Resolution Magazine* Volume 20, 2013-2014

J. Smythe, R. Saunders, *Female Entrepreneurs: The Secrets of Their Success*, Routledge 2020

R. Papdima, "Recent Developments regarding Gender Balance on EU Corporate Boards", *European Company Law*, Volume 12, Issue 5, 2015

C. Neha, "Women Entrepreneurship: Banking Industry", *International Journal of Marketing, Financial Services and Management Research*, 2013

Y. Thiery, C. Van Schoubroeck, "Fairness and equality in insurance classification", *The Geneva*

*Papers on Risk and Insurance - Issues and Practice*, Volume 31, 2006

M. McAdam, *Female Entrepreneurship*, Routledge, 2012

M. Minniti, "Gender Issues in Entrepreneurship", *Foundations and Trends in Entrepreneurship*, Volume 5, Issue 7-8, 2009

M. Handalić, "The Position of Female Entrepreneurs in the European Union and Transition Countries", *Journal of Women's Entrepreneurship and Education*, Issue, 1-2, 2009

H. Keren, "Women in the Shark Tank: Entrepreneurship and Feminism in a Neoliberal Age", *Columbia Journal of Gender and Law*, Volume 34, 2016

M. Syzdlo, "Constitutional Values Underlying Gender Equality on the Boards of Companies: How Should the EU Put These Values into Practice", *International and Comparative Law Quarterly*, Volume 63, Issue 1, 2014

J. Mulder, "(Re) Conceptualising a Social Market Economy for the EU Internal Market", *Utrecht Law Review*, Volume 15, Issue 2, 2019

F. Lee, "Show Me the Money: Using the Business Case Rationale to Justify Gender Targets in the EU", *Fordham International Law Journal*, Volume 36, Issue 5, 2013

N. O'Connor, "The Impact of Positive Action on Private Law Freedoms - Proposed EU Directive on Gender Balance in the Boardroom", *Trinity College Law Review*, Vol. 18, 2015

C. Z. Wagner, "Gender Mainstreaming in International Trade: Catalyst for Economic Development and Political Stability", *Studies in Transnational Legal Policy*, Volume 37, 2006

K. Pieters, "More Efforts Needed to Improve Gender Equality in Corporate Governance in the EU", *European Business Organization Law Review*, Volume 13, 2012

M. Leszczynska, "Mandatory Quotas for Women on Boards of Directors in the European Union: Harmful to or Good for Company Performance?", *European Business Organization Law Review*, Volume 19, 2018

S. Vasiljevic, A.-M. Sunko, "EU Law and Gender-Balanced Boards: Making Equality Effective", *Croatian Yearbook of European Law and Policy*, Volume 13, 2017

#### **Instruction method:**

Primary interest is in active involving students in their own knowledge acquisition and in stimulating their critical thinking for better understanding the implementation of gender perspective in every legal branch, including this one. Learning approach will be insofar based on collaborative, inquiry-based, student-centred approach to teaching.

Interactive lectures: presentation given by the lecturer and student participation in the form of discussions, asking questions, prepared short presentations (students may be required to prepare for the lectures in advance); individual consultations outside classes in person or via e-mail.

#### **Exams (maximum number of points 100)**

Students will have one written exam. Pre-exam activities will be also taken into account: Seminar paper: 20 points; Active participation during lectures and practical classes: 40 points; Final exam: 40 points.

Each university will articulate exam instructions in accordance with his/her own system of exams' holding.

**Grading system:**

Grading system: A, B, C, D, E, F /10, 9, 8, 7, 6, 5 (failed)