Embedding the PRME in Business Law Classes

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The Principles for Responsible Management Education (PRME), the educational counterpart to the UN Global Compact, seek to disseminate best practices through business education toward the next generation of managers who will create a more inclusive and sustainable global business environment. I address business law as an area for active PRME engagement in any topic within the purview of the UN Global Compact and Sustainable Development Goals, with a more in depth examination of labor rights, gender equality, and Indigenous inclusion. These materials and methods are appropriate for both general and specific business law courses at the undergraduate and MBA levels.

The purpose of the Principles for Responsible Management Education (the "PRME" pronounced as "prime") is "to develop the capabilities of students to be future generators of sustainable value for business and society at large and to work for an inclusive and sustainable global economy" (PRME Secretariat, 2016c). There is a vital role for business law professors in furthering the purpose of the PRME. For those who may not be familiar with the PRME, I briefly review it as the educational counterpart to the UN Global Compact and argue why it is important to embed the PRME in business law courses,[1] providing some simple suggestions about how to do so.

THE PRME

In the absence of laws requiring sustainable practices by business, so-called "soft law" voluntary initiatives such as the UN Global Compact endeavor to progress corporate social responsibility. The UN Global Compact began in 2005, is led by the United Nations, and joined in by more than 12,000 participants worldwide. UN Global Compact participants agree to make continuous improvement toward 10 Principles in four areas: human rights, labor rights, environmental protection, and anti-corruption (UN Global Compact, 2016b). The sheer size of the UN Global Compact attests to the broad appeal of corporate social responsibility. In 2007, following a recommendation by the UN Global Compact to create a principles-based platform to engage the academy more deeply in developing the next generation of socially responsible business leaders, an international task force developed the PRME (PRME Secretariat, 2016a). The PRME Task Force included the UN Global Compact, 60 business school deans, university presidents, and official representatives of leading business schools, and academic institutions including AACSB International, European Foundation for Management Development, The Aspen Institute Business and Society Program, the European Academy of Business in Society, the Globally Responsible Leadership Institute, and Net Impact (PRME Secretariat, 2016a). Thus, it is supported by accrediting agencies, those who seek to make businesses more accountable to society, and students interested in a better world. Participating business schools and organizations agree to further the Six

PRME Principles, provide biennial reports on their progress, and share best practices (PRME Secretariat, 2016a).

The business sector is increasingly interested in creative means to balance three sometimes competing goals necessary for long term sustainable development, referred to as the triple bottom line: economic development, social equity, and environmental protection (Berger-Walliser & Shrivastava, 2015). PRME Principle 1 asks business faculty to build our students' capacity to reimagine a future in which business operates to sustain profitability while also contributing to societal and environmental sustainability and including within the scope of economic development those who have been marginalized or excluded (PRME Secretariat, 2016c). This effort requires faculty engagement. Indeed, Muff et al. (2013) argue for a "new breed of faculty" (p. 151) who possess a commitment toward the common good and the mission of the college or university, are passionate about teaching, learning, and discovery, and enlarge their competencies beyond domain-specific specialization toward transdisciplinary knowledge, including ethics and sustainability, coaching ability, action learning, systems thinking, an ability to network with stakeholders and develop partnerships, and an understanding of and an ability to measure outcomes relative to environmental, social, technical, and economic trends. The PRME focus is on continuous improvement to ourselves, our curricula, our teaching, our research, our engagement with business, and businesses' engagement with stakeholders in change. Through an iterative process we can inspire students to become managers who tackle the challenges of sustainability armed with good information, practical, empirically based solutions, and a resolve that the future can be better than the past.

PRME Principle 2 incorporates by reference corporate social responsibility values found in "initiatives *such as* the UN Global Compact" (*Italics* added, PRME Secretariat, 2016c). It also provides the flexibility to expand to encompass new social responsibility initiatives. The UN Sustainable Development Goals (SDGs) are a comprehensive set of 17 goals with 169 targets adopted by world leaders on September 25, 2015 as an ambitious 15-year agenda (UNDP, 2016). In 2016, the UN Global Compact began to incorporate the SDGs. Broadly speaking, these goals attack poverty, injustice and inequality, and support environmental health, including tackling climate change (UNDP, 2016). Member states may address some of these changes through new law and regulation, with clear implications for expanding the scope of business regulation. Voluntary action by responsible businesses have a key role too. As of this writing, the UN Global Compact is convening a summit of business leaders to provide a blueprint toward this Agenda (UN Global Compact, 2016c). The SDGs have considerably broadened the targets to be supported by the UN Global Compact and, by extension, the PRME.

PRME Principle 3 charges participants to create "educational frameworks, materials, processes, and environments that enable effective learning experiences for responsible leadership" (PRME Secretariat, 2016c). This space awaits creative and innovative teaching strategies for embedding the PRME in business law courses. The first step is awareness, not only by faculty, but also by students. In the interest of advancing certain issues within the purview of the PRME, a number of working groups emerged from the PRME effort, some of which have been active in creating or disseminating teaching resources.[2] Greenleaf Publishing has an entire series of books dedicated to topics within the PRME initiative, with several oriented specifically at teaching topics (See e.g., Amann, et al., 2015; Flynn, Haynes, & Kilgour, 2015; 2016; Sunley & Leigh, 2016), and Business Expert Press has a PRME series mostly aimed at practitioners, but including teaching titles (See, e.g., Ogunyemi, 2014, and Stachowicz-Stanusch & Hansen, 2013). Cengage Learning, Business Expert Press, and Sage Publications have textbooks specifically tied to the PRME and/or the UN Global Compact (see, e.g., Laasch & Conaway, 2015; Lawrence & Beamish, 2013; Ogunyemi, 2015). Although to date none of these books is a business law textbook, law is implicated in much of this work. As the PRME initiative grows and matures, we may begin to see explicit inclusion of PRME issues in business law textbooks, as well as new types of textbooks which embrace a shifting paradigm in business education from lecture and tests toward co-creating learning (see, e.g., Muff et al., 2013).

Research, specifically encouraging "conceptual and empirical research that advances our understanding about the role, dynamics, and impact of corporations in the creation of sustainable social, environmental and economic value" is the focus of PRME Principle 4. The Journal of Management

Education, Academy of Management Learning & Education, and Journal of Management Development have devoted a special issue or section to PRME issues. Other PRME-related research has appeared in a variety of management and business ethics journals. Greenleaf Publishing's book series devoted to the PRME includes research into PRME-related topics. However, research relative to the PRME in business law literature has lagged. While my search on June 16, 2016 of "Principles for Responsible Management Education" in the EBSCO Host Business Source Complete database produced 38 scholarly results and ABI Inform database produced 113 peer reviewed articles, the same search in the EBSCO Hosts' Legal Source database found no results, merely two results in the Lexis/Nexis database of Law Reviews, and a Westlaw database search of Law Reviews and Journals turned up four results. The four articles found in the Westlaw search included the two from the Lexis/Nexis search. These are mere mentions of the PRME, rather than descriptions, discussions, teaching materials, or research findings. There is one mention each in an article about the UN Global Compact (Wynhoven, 2011), sustainability (Berger-Walliser & Shrivastava, 2015), and fair trade (Stenzel, 2012). Blackburn (2016) includes the PRME in a list of sustainability codes for colleges and universities. This evidences an opportunity to fill this gap.

PRME Principles 5 and 6 involve outreach and engagement with businesses. Principle 5 asks that we help managers to overcome challenges to realizing the purpose of the PRME. This requires the creative reimagining of how businesses may thrive and not just survive a change to sustainability. Here, business lawyers could advocate for government funding for research into innovations needed to improve processes toward environmental sustainability, government policies that support social sustainability rather than a rush to the lowest possible labor costs, and longer term incentives for financial investors so that the short term thinking endemic to capital markets gives way to longer term financial sustainability. Principle 6 requests that business schools bring stakeholders together for dialogues that can help to bring about positive change. Business law faculty can lead this effort, participate in it, and use their analytical problem-solving skills to come up with creative solutions to intractable problems.

Next, I argue that business law professors begin to consider the PRME as an imperative for the future of our students, business, society, the environment, and the economy and provide starting points on select topics for those who wish to do so.

PRME AS A BUSINESS LAW IMPERATIVE

As noted above, Muff et al. (2013) have asserted a need to move beyond disciplinary silos. Business law is, by its very nature, cross-disciplinary. Laws affect all aspects of business, including human resources, marketing, IT, accounting, finance, operations, management, and leadership in business organizations. Business law professors may be uniquely positioned to see the big picture relative to inclusion and sustainability. They understand the legal system's positive and negative forces on business. Moreover, lawyers are at the table when voluntary initiatives are crafted. They understand the power of such initiatives to begin, without forcing, change processes. Moreover, lawyers are there to help when things go wrong, when business actions cause harm to people, property, ecosystems, society, and the economy. It is at this time when the legal system either provides remedies for the harm or leaves those harmed without recourse. When the latter occurs, some lawyers are there to encourage changes to the legal system to bring justice to the harmed, and other lawyers argue that no change is needed. Muff et al. (2013) propose that business faculty have a commitment to social good. In business law classes, such an orientation may shift discussion from defensive positioning resisting change or fighting against compensating those harmed by corporate actions, and toward imagining what is possible if the legal system fully embraced inclusion and sustainability and to assist businesses to innovate and change to make that happen. It is a proactive rather than a reactive stance vis-à-vis business law and regulation. This may well be an imperative in order to tackle global threats posed by climate change, environmental degradation and exploitation from unsustainable and exploitative practices, and human suffering and lack of opportunity to participate in the global economy due to poverty, hunger, disease, and discrimination.

We should consider whether students support this change in management education. Haski-Leventhal (2014) surveyed 1,285 MBA students in PRME-participating universities, finding that overall, the

students value "*living according to their values*" and had attitudes toward CSR that included the highest level of overall agreement with "*Social responsibility and profitability can be compatible,*" "*Business has a social responsibility beyond making profits,*" and "*Good ethics is often good business*" (p. 33). She concludes:

> Students in PRME signatory schools across the globe do not ascribe to Friedman's (1970) premise that the only social responsibility of a business is to maximize shareholder value. As such, they do not agree that the only responsibility of business schools is to teach their students how to make a profit. These business students are socially active through volunteering and donating money, and they report that it is more important for them to make the world a better place than it is to make a lot of money. The students who participated in this study demonstrated positive attitudes towards CSR and business ethics, and expect their business schools to focus on these topics, particularly through critical thinking, real life examples and guest lecturers (Haski-Leventhal, 2014, pp. 37-38).

Thus, there is evidence that contemporary business students are receptive to the PRME. Reflective writing is one method for embedding the PRME into business law classes. Reflective writing helps students to develop their critical thinking skills (Badley, 2009). Levit (2009) urges that reflective writing be incorporated across the entire law school curriculum as a means to develop ethical thinking, create legal stories as a way to recall information, develop professional identity, and foster experiential learning about decision making. Similarly, in business law classes, reflective writing on PRME topics asks students to frame their thoughts, recall information, develop their moral judgment and moral identity, and gains participation from all students rather than just those who choose to speak up. Reflective writing assignments can range from short five minute papers to semester long journals that invite students to think more deeply and critically about the material they encounter in the class, in service learning, and/or in research on a particular topic. In my business law classes, I present an overview of the UN Global Compact and the PRME, and then ask students to reflect on PRME Principle 1. Nearly all students support the PRME's purpose and would like their business professors to help them develop the capacities to contribute to inclusion and sustainability.

Sustainability education in business schools is on the rise, which Wu et al. (2010) attribute to the emphasis on ethics and social responsibility by business school accrediting bodies. As the SDGs initiative disseminates through the UN Global Compact and the PRME, environmental sustainability, social sustainability, and economic sustainability will undoubtedly become topics of discussion in business law classes. Businesses will need to understand the shifting legal environment that will accompany work toward the SDGs. UN member states are likely to invoke treaties, law, and regulation in pursuing the SDGs. And, the voluntary participants in the UN Global Compact will be pressed into service as private sector action and partnerships with government and civil society are formed to address these broad social, environmental, and economic sustainability goals.

Next, I discuss a few issues that may be addressed in business law classes with starting points for doing so. Professors may choose other topics, continuous improvement under the PRME may be course-specific and college-specific, and the SDGs provide ample room for individual interests.

Labor Rights and Wages

The UN Global Compact includes four labor principles. These principles are that businesses allow workers' freedom of association and recognize their right to collective bargaining (Principle 3); eliminate forced and compulsory labor (Principle 4); effectively abolish child labor (Principle 5); and eliminate discrimination in employment or occupation (Principle 6) (UN Global Compact, 2016b). My students are surprised to learn that, despite its illegality in developed countries, slavery exists, even in the United States, and in some countries forced and compulsory labor is legally allowed. This human rights issue has a place in business law courses.

The ILO estimates that about 21 million men, women, and children are in forced labour – trafficked, held in debt bondage, or working under slave-like conditions. The vast majority of these forced labourers – almost 19 million – are exploited in the private economy, by individuals or enterprises (International Labour Organization, 2016).

In a labor law class, students reflect on the UN Global Compact's four labor principles and what they mean in the United States where hostility toward unions has rolled back labor protections. I introduce "living wages" using the MIT Living Wage Calculator (Glasmeier, 2016), provide them with URLs to explore purchasing power of minimum wage work (Department of Labor, 2016; Desilver, 2015), who works for the minimum wage (Bureau of Labor Statistics, 2016a), state minimum wage laws (National Conference of State Legislatures, 2016) and local minimum wages (National Employment Law Project, 2016). Once they have explored living wages and minimum wages, I ask them to write a reflective writing paper, considering: 1) whether the minimum wage should give way to a living wage; (2) if employers have an ethical obligation to pay their employees a living wage (specifying ethical theory(ies) used in the analysis) (3) the legal tradeoff between government assistance and better wages (i.e., if employers do not pay a living wage, federal, state, and local government safety nets pick up the slack through food stamps, subsidized housing, public transit, subsidies for health care, etc.). Students are generally unaware of living wages or facts about minimum wages. This topic relates to the SDGs to alleviate poverty (1) and hunger (2), provide decent work (8), gender equality (5), since more women work for the minimum wage (see, Bureau of Labor Statistics, 2016a), foster health and wellbeing (3), and create sustainable cities and communities (11) (UNDP, 2016). I now turn to gender equality, considered by the UNDP to be so critical as to have a separate SDG (5) in addition to being applicable across the SDGs (UNDP, February 2016).

Inclusion Through Gender Equality

Addressing gender equality may also address women's underrepresentation in business education. Davis and Geyfman (2015) examined undergraduate women's enrollment in a sample of AACSB–accredited U.S. business schools and colleges, finding that between 2003 and 2011 the percentage of women enrolled in AACSB-accredited colleges decreased from 44.7% to 41.1%, despite comprising 60% of undergraduate students. The gender gap increases in graduate business education, women make up only 35% of MBA students (Baron, February 12, 2015). The Graduate Management Admissions Council (2015a) reports that approximately 59% of GMAT® test takers are male, and 41% female. Most MBA programs require this test as a part of admission. A "chilly climate" may dissuade female students from pursuing a business degree:

[Chilly climate] refers to a cluster of kinds of systematic discrimination that disadvantage women in an academic environment. Examples of such behavior can include sexist use of language, presentation of stereotypic views of women, and instructors favoring male students (Davis & Geyfman, 2015, p. 82).

Many business schools and colleges have begun initiatives to mark progress in creating gender equality, perhaps most notably, Harvard Business School (Byrne, January 29, 2014; Harvard Business School, May 18, 2015). Catalyst published a research-based guide called *Engaging Men in Gender Initiatives: What Change Agents Need to Know* (Prime & Moss-Racisun, 2009). It recommends helping men to recognize and acknowledge that gender bias exists and then break down barriers to men acting as change agents such as fear and apathy. This would be a best practice for business schools as well, since women business faculty report a chilly climate (see, e.g., Fotaki, 2011; Verbos & Dykstra, 2014; Verbos & Kennedy, 2015).

For these reasons, I argue that both male professors and female professors may begin to strengthen gender equality in business law classes by mindfully incorporating positive female business examples and

cases, finding role models in the news, and inviting women lawyers or businesspeople as guest speakers. This may help our female students' to picture themselves as attaining success in business.

Moreover, business law professors often introduce students to laws which prohibit sex discrimination in pay and employment, but this does not help students to understand the extent to which illegal sex discrimination persists. In the United States, despite more than 50 years since the U.S. Congress passed the Equal Pay Act of 1963, there remains a persistent gender pay gap. The Bureau of Labor Statistics (2016b) reports that men earn a median of $895 weekly and women earn $726, meaning that women earn $0.81 for each $1.00 earned by men. Affirmative action has been weakened by a political and legal backlash (see, e.g., Harper & Reskin, 2005), and can create a paradox where women who are promoted are viewed as less competent irrespective of their actual competence, thereby stalling their careers (Williams, Kilanski, & Muller, 2014). Harper & Reskin (2005) state:

> The visibility of race-conscious AA in higher education has probably led Americans to assume that AA in employment is also race conscious…The existence of open preferences for minorities has probably led whites to overstate AA's prevalence, to believe that AA limits their own opportunities and to conclude that AA prioritizes minority group status over qualifications (Davis & Smith 1996, Reskin 1998, Royster 2003). Surveys show that Americans believe that minority preferences in employment are rampant (Davis & Smith 1996). This perception is not supported by either the law or the body of empirical evidence attesting to the persistence of race and sex discrimination in employment (Bertrand and Mullainathan 2004, Kirschenmann & Neckerman 1991, Pager 2003, Turner et al. 1991) (p. 370, citing Bobo, 2001).

Affirmative action myths hurt not only the beneficiaries of such programs, but also foster dissent and conflict within organizations, pitting men against women and white employees against minority employees. Correcting these misconceptions could help businesses to be more effective.

At the highest levels of corporations, the executive suite and the boardroom, women are not attaining gender equality. Catalyst Inc. (June 6, 2016) reports that just 21 (4.2%) of Fortune 500 CEOs are women. Although women increased board seats from 16.9% of 971 active companies in 2014 to 17.9% of companies in 960 active Fortune 1000 companies in 2015, in those 199 companies that are smaller (based on revenue) or newer (joined the Fortune 1000 since 2010), only 13.5% of board seats were held by women (2020 Women on Boards, n.d.). In addition, 2020 Women on Boards 2016 midyear report (to increase the number of women on the boards of public companies to 20% or greater by the year 2020) finds that of the Fortune 1000 companies with a female CEO or Board Chair, 88% and 86% of companies respectively have already met or surpassed 2020 Women on Boards' goal of having 20% or more women on the board. This compares to 42% of all Fortune 1000 companies. It is also noteworthy that this push is for just 20% participation on boards, which does not come close to the percentage of women in the workforce.

The PRME Gender Equality Working Group is working toward teaching and research in support of the voluntary business initiative set forth in Women's Empowerment Principles (WEPs). The WEPs, adopted in 2010, were derived from the Calvert Women's Principles® by UN Women and the UN Global Compact (Women's Empowerment Principles, 2011). The WEPs, adopted by 1,239 companies as of June 12, 2016, contain seven principles to guide business about how to empower women in the workplace (Women's Empowerment Principles, 2016a). The WEPs not only would address the issues outlined above, but also seek to engage employers in the global economy where women's workplace opportunities vary considerably (Women's Empowerment Principles, 2016b). Given the substantial difference between participation in the UN Global Compact and in the WEPs, there is much work to be done toward awareness and voluntary action towards gender equality in business schools and in business. One initiative by the Gender Equality Working Group is a discipline-based resource repository (including business law) to assist business professors in bringing gender equality into the classroom (PRME Working Group on Gender Equality, n.d.).

In classes dealing with employment discrimination and affirmative action, it is more conventional to focus on cases and statutes rather than ways to proactively create gender equality as envisioned by SDG 5 and the WEPs. I ask students to reflect on and discuss gender equality gaps despite U.S. laws prohibiting sex discrimination, affirmative action and the backlash against it, the WEPs, the 2020 Women on Boards initiative, and the legal stance taken in some European countries requiring women on public corporation boards (see, e.g., Barnard, 2007; Rubio-Marin, 2012). Discussion provides room to dispel the myth that there are not sufficiently qualified women. Moreover, it provides a basis for students to question their underlying assumptions about affirmative action and anti-discrimination laws. The issue of regulation over cultural change makes an interesting and lively discussion. Moreover, students can work in groups to brainstorm how business can step up to remedy this inequality. These business students are the managers of the future. They may be in positions as business owners and managers to either perpetuate present disparities or proactively create the kind of change needed to bring about gender equality in business.

The mindful incorporation of gender equality can be helpful to break down psychological barriers to female student success and warm the chilly climate. This will take effort in material selection, textbook writing, and case development. Harvard Business School has included in its gender initiatives a plan to increase the number of women protagonists in its cases to 20% over five years, more than doubling from 9% in 2014 (Bryne, January 29, 2014). Note the disparity. Women are slightly over 40% of business undergraduates, 35% of MBA students, but only 9% of the protagonists in Harvard cases, and increasing it to 20% is considered a big leap, demonstrating the scope of the work needed toward gender equality.

The next section discusses Indigenous rights and the PRME, a topic that may not be on the radar for many business law faculty.

Inclusion of Indigenous Rights

Indigenous issues are marginalized in business schools (Fitzgibbons & Humphries, 2011; Verbos & Humphries, 2015a, 2015b), but I argue, they are an appropriate and relevant topic for business law classes. Many times, law institutionalizes discrimination against, displacement of, and even attempted cultural genocide against Indigenous peoples (see, e.g., Verbos, Gladstone, & Kennedy, 2011). According to the United Nations, the state of the 370 million Indigenous peoples residing in 90 countries worldwide is bleak (United Nations Department of Economic and Social Affairs, 2015). The threats to Indigenous people include high rates of ill health, shortened life spans, poverty, lack of access to safe water, employment opportunities, basic sanitation, health care, and even food. Moreover, their lands are taken and resources usurped or destroyed. In addition, environmental degradation and contamination as well as issues posed by climate change negatively impact Indigenous people (United Nations Department of Economic and Social Affairs, 2015).

In 2007, the United Nations Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly (the "Declaration") (United Nations, 2007). It outlines those rights as including human rights, right to be free from discrimination, the right of self-determination and self-government, rights to their own political, economic, cultural, and other institutions, rights to maintain their cultural and spiritual practices, their languages, and their lands and territories, and to access to their traditional lands, among other rights (United Nations, 2007). In recognition of the role that business plays in either positively or negatively affecting Indigenous peoples, the UN Global Compact issued a Business Reference Guide to the Declaration (the "Guide") (UN Global Compact, 2013). This brings it clearly within the purview of the PRME (see, also, Weybrecht (June 1, 2016)). The Guide asks businesses to understand, respect, and support Indigenous peoples' rights. Future managers should be familiar with the Declaration and the Guide, to develop their capacities to understand and respect Indigenous peoples' rights. In addressing Indigenous peoples' rights, businesses may work toward several SDGs, including 1 (no poverty), 3 (good health and wellbeing), 6 (clean water and sanitation), 8 (decent work and economic growth), 9 (industry, innovation, and infrastructure), 10 (reduced inequalities), 11 (sustainable cities and communities), and 17 (partnership) (UNDP, 2016). This would provide an excellent topic for organizing stakeholder dialogues.

American culture tends to marginalize or ignore the plight of its Indigenous people. The 567 federally recognized American Indian and Alaska Native tribes (Bureau of Indian Affairs, 2016) have traditional

territories that traverse the U.S. The myth of the United States as a melting pot suggests that Native Americans should give up their identity and assimilate into a dominant culture, something that belies tribe's sovereign status, rights under the Declaration, and many aspirations that they have for themselves and their future generations. Tribes did not cede sovereign status and, pursuant to the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. §§450 et seq.), the U.S. government policy shifted, ushering in an era of self-determination. This policy was reiterated in Executive Order No. 1364778, establishing the White House Council on Native American Affairs:

> As we work together to forge a brighter future for all Americans, we cannot ignore a history of mistreatment and destructive policies that have hurt tribal communities. The United States seeks to continue restoring and healing relations with Native Americans and to strengthen its partnership with tribal governments, for our more recent history demonstrates that tribal self-determination—the ability of tribal governments to determine how to build and sustain their own communities—is necessary for successful and prospering communities (78 F.R. 39539, 2013).

More than ever, as a part of self-determination, Native American people need business education in order to build sustainable tribal economies that benefit the communities (See, e.g., American Indian Business Leaders, 2016). Across the United States, Native American tribes are investing in diverse business ventures as a means to create income, employment, and community development. For example, Ho Chunk, Inc. (2016), is a holding company with more than 30 subsidiaries in a diverse array of industries, owned by the Winnebago Tribe of Nebraska, the Seminole Tribe of Florida owns and franchises the Hard Rock Café brand (Hard Rock Café International, Inc., 2016), Potawatomi Business Development Corporation (2016), the business development arm of the Forest County Potawatomi, owns at least 15 companies in diverse industries, including commercial construction, data storage, and hotel industries. Nevertheless, it can be difficult for tribes to find business leaders amongst their members. Native Americans are underrepresented in undergraduate and graduate education, including business education (Graduate Management Admissions Council, 2015b; National Indian Education Association, 2015; Verbos, Kennedy, Gladstone, & Birmingham, 2015). The National Center for Education Statistics (May 2013) reports that the percentage of Native Americans 25 to 29 years old with a bachelor's degree or higher in 2012 was lower than for any other race at around 12%. I argue that a key aspect of a PRME commitment to inclusion includes support for our Native American business students.

In addition to this need, there is another side to how businesses intersect with Native American rights. A recent example pertains specifically to law, business, and Indigenous rights to a sacred site. In December 2014, Senators John McCain and Jeff Flake inserted a provision into a "must pass" Defense Authorization Bill, ironically titled Southeast Arizona Land Exchange and Conservation (16 U.S.C. §639p) that swapped 2,422 acres that included Oak Flat, the Apaches most sacred site, to Resolution Copper, LLC, a subsidiary of Australian-British mining giant Rio Tinto, for other private land (Millet, May 29, 2015; Toensing, July 20, 2015). This site was taken from the Apache tribe in the late 1800s and made a part of the Tonto National Park in 1905 (Toensing, July 20, 2015). It gained special protection from mining under a decree by President Dwight D. Eisenhower in 1955, renewed by the Interior Department under President Richard Nixon in 1971 (Millet, May 29, 2015). Thus, for a very long time this site was considered a public treasure worthy of special protection. Apaches have had access to the site for their ceremonies for many generations, specifically, coming of age ceremonies for girls, but that will end. The swap had been tried as a standalone bill for years, but failed due to a lack of support. In part, that may be because the public enjoyed access to it as well (Millet, May 29, 2015). It is also undisputed that Sen. McCain received campaign support from Resolution Copper, and that Sen. Flake was previously a paid lobbyist for a Rio Tinto group subsidiary (Millet, May 29, 2015; Toensing, July 20, 2015).

The type of copper mine the company intends for the site will destroy it and likely contaminate local aquifers. The mining will hollow out a large chamber which will collapse eventually, leaving a pit two miles wide and 1,000 feet deep (Toensing, July 20, 2015). Although the law contains provisions that

require consultation with Indian tribes and environmental impact statements, it also contains a provision that no additional restrictions may be placed on the mining (16 U.S.C. §639p, 2014), so the company can destroy the property in the mining process. This law demonstrates a blatant disregard for the cultural and religious rights of the Apache tribe. A bi-partisan bill to repeal the law called Save Oak Flat has been introduced in the House[3] and Senate,[4] but has not, so far, and is unlikely to garner action in a Republican Congress.

This contemporary example demonstrates several things: (1) the continuing disregard for Indigenous peoples' rights and needs in the United States; (2) the failure of elected public representatives to protect those rights; (3) the reach of multinational corporations into the political system in the United States; and (4) the use of law as a tool to advance corporate interests over Indigenous interests today. It is also perhaps ironic that Rio Tinto PLC, the parent company of Resolution Copper, LLC, is a participant in the UN Global Compact, and has been since July 26, 2000 (UN Global Compact, 2016a). The underhanded legal route taken by its subsidiary to gain land that had been under federal protection from mining since 1955 flies in the face of what the UN Global Compact purports to be about. Resolution Copper could have chosen a more sustainable, albeit more expensive, method of mining, but instead has been given the legal right to destroy the property. This example further suggests a need to more closely examine the actions and reports of companies that seek the positive impression gained by becoming participants in the UN Global Compact.

There are many lessons contained in a focus on Indigenous rights and the PRME. Important outcomes include: raising awareness of the existence, needs, rights, and issues pertaining to Indigenous peoples worldwide and within the United States as they pertain to the intersection with business and law; examining our collective conscience regarding these most marginalized and endangered cultures; finding the flaws in voluntary regimes such as the UN Global Compact and the need to bring attention to the plights of Indigenous peoples vis-à-vis business and law; helping our students to increase their moral development around issues that may not have yet reached them otherwise; and committing ourselves to reach out to Native American students and help Indian Country create sustainable economic development through appropriate business education for future Native American managers.

The UN Global Compact also works to stamp out corruption worldwide.

Anti-Corruption and the PRME

There are gaps in what students know about corruption in business. In a study of 1,511 undergraduate and graduate students about their knowledge relative to corruption and its legal consequences in Switzerland, Becker, Hauser, and Kronthaler (2013) found that a majority of students were unable to accurately identify the legal consequences of most of seven scenarios presented, demonstrating a serious lack of knowledge. The PRME Working Group on Anti-Corruption in Curriculum Change has published online an Anti-Corruption Toolkit for use in business classes (PRME Working Group on Anti-corruption, n.d.). This could be a first step in tackling this knowledge gap.

Other Topics

There are dozens more PRME topics that are ripe for reflective writing including climate change, protection of water, land, and air, innovation, etc. For inspiration, you might turn to each of the substantive areas covered by the Principles in the UN Global Compact: human rights, labor rights, environmental protection, and anti-corruption (UN Global Compact, 2016). For example, I ask students to compare the relative merits and ethics of free trade treaties versus fair trade practices (see, e.g., Stenzel, 2012). While most students are familiar with free trade treaties generally, they are not as aware of the concept of fair trade, which supports living wages for workers in developing countries.

CONCLUSION

Even if your academic institution does not officially participate in the PRME, the purpose of the PRME is an important charge to business law professors. Business law is inextricably intertwined with

business ethics, and the way that corporate leaders view and engage with the law is an important aspect of corporate social responsibility. For example, some businesspeople take an aggressive and adversarial posture toward law and regulation, while others go above and beyond law to create more sustainable and socially responsible business practices, considering law as a minimum standard. Business law classes present an opportunity to influence across business disciplines because our students come from all majors and represent the next generation of businesspeople. Moreover, the PRME present a platform to engage students toward moral development and can be both inspirational and aspirational for them. Thus, business law courses are a perfect place to discuss and embed the PRME and the underlying corporate social responsibility initiatives as a part of the fabric that enhances their positive impact on students.

There are many compelling and urgent issues that could be incorporated into business law classes by choosing to embed the PRME. Herein, I discussed some starting points to integrate the PRME, UN Global Compact, the WEPs, and the SDGs business law courses. My efforts focus on the purpose of the PRME, gender equality, labor rights, and Indigenous peoples' rights. I also note that anti-corruption materials are available. Methods include reflective writing, mindful incorporation of gender equality, supplementing or substituting cases that demonstrate the PRME and corporate social responsibility in business practice as it relates to legal issues, and introducing Indigenous peoples' rights as they intersect with business, both in the United States and abroad. Business law professors are particularly well-positioned to become PRME champions within your business schools. I encourage you to do so. The purpose of the PRME is to help our students to become future managers who will be inclusive and do business in a sustainable manner around the globe. This laudable goal is just waiting for you to address it in small ways or to make it a significant part of your teaching, research, and service.

ENDNOTES

1. The courses referenced herein as business law include such general business law classes as Business and Commercial Law, Legal Environment of Business, and Advanced Business Law, but also specialty courses such as Labor Law, Creditors Rights and Bankruptcy Law, Administrative Law, Real Estate Law, etc. Certainly the information contained herein would also be beneficial to Business Ethics, Business and Society, and Corporate Social Responsibility classes.
2. The working groups as of this writing are PRME Business for Peace Workstream, PRME Working Group on Anti-Corruption in Curriculum Change, PRME Working Group on Business and Human Rights, PRME Working Group on Gender Equality, PRME Working Group on Poverty: a Challenge for Management Education, PRME Working Group on Sharing Information on Progress, PRME Working Group on Sustainable Leadership in the Era of Climate Change (inactive), and Working Group 50+20—Management Education for the World Joint Project (PRME Secretariat, 2016b).
3. H.R. 2811 114th Congress (2015) Introduced by Rep. Raul M. Grijalva (D-AZ-3) June 17, 2015, cosponsored by 40 representatives, including 3 Republicans, Reps. Tom Cole (R-OK-4), Markwayne Mullin (R-OK-2), and Walter B. Jones, Jr. (R-NC-3).
4. S. 2242 14th Congress (2015) Introduced by Senator Bernie Sanders November 5, 2015 and co-sponsored by Senators Martin Heinrich (D-MN) and Tammy Baldwin (D-WI).

REFERENCES

2020 Women on Boards (n.d.) *2020 Women on Boards Gender Diversity Index: 2011-2015 Progress of women corporate directors by company size, state, and sector*. Retrieved from: https://www.2020wob.com/sites/default/files/2020GDI-2015Report.pdf.

Amann, W., Berenbeim, R., Tan, T. K., Kleinhempel, M., Lewis, A. Nieffer, R….Tripathi, S. (2015). *Anti-corruption: Implementing curriculum change in management education*. Sheffield, UK: Greenleaf Publishing Limited.

American Indian Business Leaders (2016). *About us*. Retrieved from: http://www.aibl.org/about-us.

Badley, G. A reflective essaying model for higher education. *Education & Training,* 51(4), 248-258 (2009).

Barnard, J. W. (2007). More Women on Corporate Boards? Not So Fast. *William & Mary Journal of Women & Law,* 13(2), 703-726.

Baron, E. (February 12, 2015). *A historic gathering of female b-school deans tackles gender inequality,* Retrieved from: Poets and Quants.com http://poetsandquants.com/2015/02/12/a-historic-gathering-of-female-b-school-deans-to-tackle-gender-inequality/.

Becker, K., Hauser, C., & Kronthaler, F. (2013). Fostering management education to deter corruption: what do students know about corruption and its legal consequences? *Crime, Law and Social Change*, 60(2), 227-240.

Berger-Walliser, G. & Shrivastava, P. (2015) Beyond compliance: Sustainable development, business, and proactive law. *Georgetown Journal of International Law,* 46(2), 417-474.

Blackburn, W. R. (2016). The practice of sustainability at colleges and universities. *Environmental Law Reporter News & Analysis*, 46(5), 10394-10385.

Bobo, L. D. (2001). Race, interests, and beliefs about affirmative action: Unanswered questions and new directions. In J. D. Skrentny (Ed.) *Color Lines: Affirmative Action, Immigration, and Civil Rights Options for America* (pp. 191-213). Chicago, IL: University of Chicago Press.

Bureau of Indian Affairs (2016). *What we do: Services overview.* Retrieved at: http://www.indianaffairs.gov/.

Bureau of Labor Statistics (2016a). *Characteristics of minimum wage workers, 2015.* Report 1061. Retrieved from: http://www.bls.gov/opub/reports/minimum-wage/2015/home.htm.

Bureau of Labor Statistics (2016b). *Labor force statistics from the current population survey: Median weekly earnings of full-time wage and salary workers by detailed occupation and sex.* Retrieved from: http://www.bls.gov/cps/cpsaat39.htm.

Byrne, J. A. (January 29, 2014). Harvard b-school dean offers unusual apology. *Fortune.* Retrieved from: http://fortune.com/2014/01/29/harvard-b-school-dean-offers-unusual-apology/.

Catalyst Inc. (June 16, 2016). *Women CEOs of the S&P 500.* Retrieved from: http://www.catalyst.org/knowledge/women-ceos-sp-500.

Davis, L. M. & Geyfman, V. (2015). The glass door remains closed: Another look at gender inequality in undergraduate business schools. *Journal of Education for Business*, 90(2), 81-88.

Department of Labor (2016). *Minimum wage.* Retrieved from: http://www.dol.gov/featured/minimum-wage.

Desilver, D. (2015). *5 facts about the minimum wage*. Pew Research Center. Retrieved from: http://www.pewresearch.org/fact-tank/2015/07/23/5-facts-about-the-minimum-wage/.

Fitzgibbons, D. E., & Humphries, M. (2011). Enhancing the circle of life: management education and indigenous knowledge. *Journal of Management Education*, *35*(1), 3-7.

Flynn, P. M., Haynes, K., & Kilgour, M. A. (Eds.) (2015). *Integrating gender equality into business and management education: Lessons learned and challenges remaining.* Sheffield, UK: Greenleaf Publishing Limited.

Flynn, P. M., Haynes, K., & Kilgour, M. A. (Eds.) (2016). *Overcoming challenges to gender equality in the workplace: Leadership and innovation.* Saltaire, UK: Greenleaf Publishing Limited.

Fotaki, M. (2011). The sublime object of desire (for knowledge): Sexuality at work in business and management schools in England, *British Journal of Management* 22(1), 42-53.

Glasmeier, A. K. (2016). *MIT Living Wage Calculator.* Massachusetts Institute of Technology. Retrieved from: http://livingwage.mit.edu/.

Graduate Management Admissions Council (2015a). *GMAC® data-to-go, profile of GMAT® testing: North American report, TY2011-TY2015*. Retrieved from: http://www.gmac.com/market-intelligence-and-research/research-library/gmat-test-taker-data/gmat-profile-na-ty-2011-2015.aspx.

Graduate Management Admissions Council (2015b). *GMAC®, Native American unique GMAT® examinees: Population and geography.* Retrieved from: http://www.gmac.com/~/media/Files/gmac/Research/diversity-enrollment/ty-2014-diversity-brief-native-americans.pdf.

Hard Rock Café International, Inc. (2016) *Seminole ownership*. Retrieved from: http://www.hardrock.com/corporate/ownership.aspx.

Harper, S., & Reskin, B. (2005) Affirmative action at school and on the job. *Annual Review of Sociology*, 31, 357-379.

Harvard Business School. (May 18, 2015). *Harvard Business School launches gender initiative: New multifaceted effort seeks to accelerate progress of women leaders*, [Press Release]. Retrieved from: http://www.hbs.edu/news/releases/Pages/hbs-launches-gender-initiative.aspx.

Haski-Leventhal, D. (2014). MBA student values, attitudes and behaviors: A cross-cultural comparison of PRME signatory schools. *SAM Advanced Management Journal*, *79*(4), 29-41.

Ho Chunk, Inc. (2016). *Living our mission everyday.* Retrieved from: https://hochunkinc.com/home.php.

International Labour Organization (2016). *From protocol to practice: A bridge to global action on forced labour*. Retrieved from: http://www.ilo.org/global/topics/forced-labour/projects/WCMS_445527/lang--en/index.htm.

Laasch, O., & Conaway, R. N. (2015). *Principles of responsible management: Global sustainability, responsibility, and ethics (1st ed.).* Independence, KY: Cengage Learning.

Lawrence, J. T., & Beamish, P. W. (2013). *Globally responsible leadership: Managing according to the UN Global Compact.* Thousand Oaks, CA: Sage Publications.

Levit, N. (2009). The theory and the practice-reflective writing across the curriculum. *Legal Writing: Journal Legal Writing Institute,* 15, 254-270.

Millet, L. (May 29, 2015). Selling off Apache holy land. *New York Times*. Retrieved from: http://www.nytimes.com/2015/05/29/opinion/selling-off-apache-holy-land.html?_r=0.

Muff, K., Dyllick, T., Drewell, M., North, J., Shrivastava, P., & Haertle, J. (2013). *Management education for the world: A vision for business schools serving people and the planet*. Northampton, MA: Edward Elgar Publishing.

National Center for Education Statistics (May 2013). *The condition of education 2013,* NCES 2013-037. Retrieved from: http://nces.ed.gov/pubs2013/2013037.pdf.

National Conference of State Legislatures (2016). *State minimum wages: 2016 minimum wage by state.* Retrieved from: http://www.ncsl.org/research/labor-and-employment/state-minimum-wage-chart.aspx.

National Employment Law Project (2016). *City minimum wage laws: Recent trends and economic evidence.* Retrieved from: http://www.nelp.org/content/uploads/City-Minimum-Wage-Laws-Recent-Trends-Economic-Evidence.pdf.

National Indian Education Association (2015). *Statistics on Native students*. Retrieved from: http://www.niea.org/Research/Statistics.aspx#HigherEd.

Ogunyemi, K. (2014). *Responsible management: Understanding human nature, ethics, and sustainability.* New York, NY: Business Expert Press, LLC.

Ogunyemi, K. (2015). *Teaching ethics across the management curriculum: A handbook for international faculty.* New York, NY: Business Expert Press, LLC.

Potawatomi Business Development Corporation (2016). *Investments*. Retrieved from: http://www.potawatomibdc.com/investments/.

Prime, J., & Moss-Racusin, C. A. (2009). *Engaging men in gender initiatives: What change agents need to know.* New York, NY: Catalyst. Retrieved from: http://www.catalyst.org/system/files/Engaging_Men_In_Gender_Initiatives_What_Change_Agents_Need_To_Know.pdf.

PRME Secretariat (2016a). *PRME history*. Retrieved from: http://www.unprme.org/about-prme/history/index.php.

PRME Secretariat (2016b). *PRME working groups*. Retrieved from: http://www.unprme.org/working-groups/working-groups.php.

PRME Secretariat (2016c). *Six Principles*. Retrieved from: http://www.unprme.org/about-prme/the-six-principles.php.

PRME Working Group on Anticorruption (n.d.). *PRME anti-corruption toolkit: A teaching resource.* http://actoolkit.unprme.org/.

PRME Working Group on Gender Equality (n.d.). *The gender equality resource repository*. Retrieved from: http://prmegenderequalityworkinggroup.unprme.wikispaces.net/Resource+Repository.

Rubio-Marín, R. (2012). A new European parity-democracy sex equality model and why it won't fly in the United States, *American Journal of Comparative Law,* 60(1), 99-126.

Stanchowicz-Stanusch, A. & Hansen, H. K. (2014). *Teaching anti-corruption: A foundation for business integrity.* New York, NY: Business Expert Press, LLC.

Stenzel, P. L. (2012). The pursuit of equilibrium as the eagle meets the condor: Supporting sustainable development through fair trade. *American Business Law Journal,* 49(3), 557-642.

Sunley, R., & Leigh, J. (Eds.) (2016). *Educating for responsible management.* Saltaire, UK: Greenleaf Publishing.

Toensing, G. C. (July 20, 2015). Mining will never satisfy its appetite. *Indian Country Today*. Retrieved from: https://indiancountrytodaymedianetwork.com/2015/07/20/rambler-mining-will-never-satisfy-its-appetite-161133.

UNDP (February, 2016). *UNDP support to the integration of gender equality across the SDGs including Goal 5.* Retrieved from: http://www.undp.org/content/undp/en/home/librarypage/sustainable-development-goals/undp-support-to-the-implementation-of-the-2030-agenda/.

UNDP (2016). *United Nations Development Programme: Sustainable Development Goals.* Retrieved from: http://www.undp.org/content/undp/en/home/sdgoverview/post-2015-development-agenda.html.

UN Global Compact (2013). *A business reference guide to the UN Declaration on the Rights of Indigenous Peoples.* Retrieved from: https://www.unglobalcompact.org/docs/issues_doc/human_rights/IndigenousPeoples/BusinessGuide.pdf.

UN Global Compact (2016a). Participant Search for 'Rio Tinto.' Retrieved from: https://www.unglobalcompact.org/what-is-gc/participants/8013-Rio-Tinto-plc.

UN Global Compact (2016b). *The ten principles of the UN Global Compact*. Retrieved from: https://www.unglobalcompact.org/what-is-gc/mission/principles.

UN Global Compact (2016c). *UN Global Compact Leaders Summit 2016*. Retrieved from: https://www.unglobalcompact.org/take-action/events/leaders-summit.

United Nations (2007). *United Nations Declaration on the Rights of Indigenous Peoples.* Retrieved from: http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.

United Nations Department of Economic and Social Affairs (2015). *The state of the world's Indigenous Peoples 2nd Volume* (Advance Copy). Retrieved from: http://www.un.org/esa/socdev/unpfii/documents/2015/sowip2volume-ac.pdf.

Verbos, A. K., & Dykstra, D. (2014). Female business faculty attrition: Paths through the labyrinth. *Equality, Diversity, and Inclusion: An International Journal,* 33(4), 372-383.

Verbos, A. K., Gladstone, J. S., & Kennedy, D. M. (2011). Native American values and management education: Envisioning an inclusive virtuous circle. *Journal of Management Education,* 35(1), 10-26.

Verbos, A. K., & Humphries, M. (2015a). Amplifying a relational ethic: A contribution to PRME praxis. *Business and Society Review*, 120(1), 23-56.

Verbos, A. K., & Humphries, M. (2015b). Indigenous wisdom and the PRME: inclusion or illusion? *Journal of Management Development,* 34(1), 90-100.

Verbos, A. K., & Kennedy, D. (2015). Cleaning our houses: Gender equity in business schools. In P. M. Flynn, K. Haynes, & M. A. Kilgour (Eds.), *Integrating gender equality into business and management education: Lessons learned and challenges remaining*, pp. 81-96.

Verbos, A. K., Kennedy, D. M., Gladstone, J. S., & Birmingham, C. (2015). Native American cultural influences on career self-schemas and MBA fit. *Equality, Diversity, and Inclusion: An International Journal*, 34(3), 201-213.

Weybrecht, G. (June 1, 2016). *Indigenous peoples and management education – June Special Feature.* [Blog.] https://primetime.unprme.org/2016/06/01/indigenous-peoples-and-management-education-june-special-feature/.

Williams, C. L., Kilanski, K., & Muller, C. (2014). Corporate diversity programs and gender inequality in the oil and gas industry. *Work and Occupations*, 41(4), 440-476.

Women's Empowerment Principles (2011). *Women's empowerment principles.* Retrieved from: http://www.weprinciples.org/files/attachments/EN_WEPs_2.pdf.

Women's Empowerment Principles (2016a). *Companies.* Retrieved from: http://weprinciples.org/Site/Companies/.

Women's Empowerment Principles (2016b). *Partnerships: UN Women.* Retrieved from: http://www.weprinciples.org/Site/UnWomen/.

Wu, Y. C. J., Huang, S., Kuo, L., & Wu, W. H. (2010). Management education for sustainability: A web-based content analysis. *Academy of Management Learning & Education*, *9*(3), 520-531.

Wynhoven, U. A. (2011). The protect-respect-remedy framework and the United Nations Global Compact. *Santa Clara Journal of International Law*, 9(1), 81-99.