

University of St Andrews

School of History

Research Fellow in Legal History – AR1943AC

Further Particulars for Applicants

School of History / 'Civil Law, Common Law, Customary Law: Consonance, Divergence and Transformation in Western Europe from the late eleventh to the thirteenth centuries'
(ERC Advance Grant funded project)

The Post

The post is one of four post-doctoral positions within Professor John Hudson's ERC Advance Grant funded project 'Civil Law, Common Law, Customary Law: Consonance, Divergence and Transformation in Western Europe from the late eleventh to the thirteenth centuries'. The appointee will be expected to design and conduct her or his own research, to result in the publication of a book and/or scholarly articles. The specified topic for this position is: Context for historiography, examining the cultural background – intellectual, political, popular – to English writings on Continental law and in particular to comparisons between Common Law and Civil Law traditions. Too often historiographical analysis is undertaken as study purely of ideas, without considering their setting and its influence. Taking eighteenth- to twentieth-century Britain as a case study, this post-doctoral researcher will investigate the context within which historiography developed, and in particular attitudes relating to the division between Common and Civil Law.

In addition, the appointee will be expected to take an active role in the wider activities of the project, which will include the organisation of workshops and conferences, and the creation and dissemination of resources for academic and non-academic audiences.

One of the post-doctoral appointees will have further responsibility for the project website, for other administrative tasks, and for editing of proceedings arising from two workshops. As a result, this post-doctoral fellow will be employed for four rather than three years. The choice of which post-doc should undertake these duties will be based on the skills that they possess and on the compatibility of their research with spending the majority of their time in St Andrews.

The Project: 'Civil Law, Common Law, Customary Law: Consonance, Divergence and Transformation in Western Europe from the late eleventh to the thirteenth centuries' (CLCLCL)

A highly significant and topical division in present-day Europe is between two types of legal system, on the one hand the Continental with its foundations in Civil Law (i.e. law with an ultimately Roman law basis, and also connected to the Church's canon law), on the other the English Common Law. The legal division is in turn sometimes regarded as having much broader constitutional and socio-economic associations, for example Civil Law being associated with a preference for written protection of individual rights, Common Law with 'Anglo-Saxon' market capitalism. Both types of legal system commonly trace their continuous history back to the twelfth century. The proposed project will examine this vital period in European legal history, both for its own sake and for its place in the long-term development of Europe's laws. It does so crucially by replacing the common and schematic bipartite comparison between English Common Law and Continental Civil Law (also referred to as *Ius commune*) with a tripartite comparison between Continental Civil Law, English Common Law, and the various customary laws that were still of vital importance in Continental Europe at the end of the period. Such customary laws shared many features with English law, and the comparison therefore disrupts the simplistic English:Continental distinction and allows a proper understanding of the major transformations in law during this period. Such a historical re-examination of the subject is particularly timely because of present-day invocation of supposed legal histories, be it the English exceptionalist

celebration of Common Law or the rhetorical use of medieval *Ius commune* as a precedent for a European Law.

The project will, furthermore, be of major significance in developing methods for the writing of comparative legal history, and legal history more generally, in terms of uncovering patterns, constructing narratives, and testing theories of causation. It will explore and exploit differences between various traditions of legal historiography to produce better approaches to the subject, combining breadth of analysis with rigour, historical contextualisation with the particular insights provided by jurisprudential thought. While historians of medieval law have in recent decades drawn heavily upon social anthropology, inter-disciplinarity between history and law, especially legal theory and comparative law, has been less significant.

School of History

The School of History is a community of more than fifty academic staff, nine support staff and close to one hundred postgraduate students. The academic staff in the School teach a total of some four hundred students in five separate Honours degree programmes, and approximately 1,000 students across a suite of sub-honours modules.

Postgraduates

The School has around 50 Master's students and some 65 research students this year; all members of the School are expected to contribute to the further development of this area of activity (e.g. by participating in the establishment of a new research group in a specific geographical, chronological or thematic area). The School offers a wide range of one-year master's training programmes; many of the successful graduates of these courses then progress to Ph. D. work in the School.

Research culture

Over the past years the School has established Institutes and Centres in Legal and Constitutional Research, Mediaeval Studies, Scottish Historical Research, Iranian History, French History, Intellectual History and Transnational History to join long-established Institutes for Reformation Studies and Environmental History. The School has a very active seminar programme, and all colleagues are encouraged to nominate distinguished external speakers to visit St Andrews. All postgraduate students attend one or more of the School's research seminars.

The School of History has enjoyed considerable success in winning external funding for major projects, such as the recently completed Scottish Parliament Project and the French Vernacular Book project. In recent years staff in the School have won over £4m to support seven new projects: recently funded projects include 'Heirs to the Throne in 19th century Europe' and 'Power and Institutions in Medieval Islam and Christendom', as well as 'Publishing the Philosophical Transactions'. The successful applicant to this position will therefore join a growing community of post-doctoral researchers with diverse scholarly interests.

The School of History enjoys a strong reputation for research productivity. We do not lose sight of the fact that the basis of this reputation is a strong tradition of archival research by individual researchers, and a culture that provides space for writing.

The School allocates considerable resources to support staff and postgraduate students with their research, and actively encourages staff to attend conferences and to conduct research in libraries and depositories beyond St Andrews. Additional funds are provided by the School which colleagues wishing to host conferences in St Andrews can apply for.

Application Procedure

Applicants should complete the online application form and attach a covering letter along with a curriculum vitae.

Applicants are advised that the total length of their application (including all documents) **must not exceed 10 sides of A4.**

Further information on the University and the School of History can be found at the University website (www.st-andrews.ac.uk). To discuss this post informally candidates might also wish to contact Professor John Hudson (jghh@st-andrews.ac.uk).

The job description for this role is attached below.

Job Description

Job Title: Research Fellow	Working Hours: Full-time/36.25 hours per week
School/Unit: History	Grade/Salary Range: 6/ £32,004 - £38,183 pa
Reporting to: Professor John Hudson	Reference No: AR1943AC
Job Family: Academic Research	Start Date: 1 Sept 2017, or as soon as possible thereafter
Duration of Post: 3 years	Interview date: 12/13 June 2017

Main Purpose of Role

Under the direction of the PI, Professor John Hudson, the post-holders will pursue original research into the specified topic related to the project's themes and goals, leading to publications. In addition, the post-holder will be expected to play a part in the wider activities of the project, working with other members of the team, taking part in strategic discussions, and attending and taking part in both the academic and outreach activities sponsored by the project.

Key Duties and Responsibilities

1. Independent research and scholarly publishing
2. Engagement with the wider activities of the project (outreach, conferences)
3. Collaborating with other researchers and helping coordinate the project as a whole.

Please note that this job description is not exhaustive, and the role holder may be required to undertake other relevant duties commensurate with the grading of the post. Activities may be subject to amendment over time as the role develops and/or priorities and requirements evolve.

Person Specification

This section details the attributes e.g. skills, knowledge/qualifications and competencies which are required in order to undertake the full remit of this post.

Attributes	Essential	Desirable	Means of Assessment (i.e. application form, interview, test, presentation etc)
Education & Qualifications <i>(technical, professional, academic qualifications and training required)</i>	Educated to PhD level (complete or nearly complete) with an appropriate specialism		Application documents
Experience & Knowledge <i>(examples of specific experience and knowledge sought)</i>	Sophisticated knowledge of the relevant area of history	Publications in the form of monographs and/or articles in peer-reviewed journals	Previous experience, references

		Experience of organising activities for scholarly or public audiences.	
Competencies & Skills <i>(e.g. effective communication skills, initiative, flexibility, leadership etc)</i>	Effective Communicator Collegiality Ability to explain academic topics to non-academic audiences Subject-specific language abilities	Ability to create electronic resources for use by academic and non-academic audiences	Interview, presentation, & references
Other Attributes/Abilities (if applicable)			

Essential Criteria – requirements without which a candidate would not be able to undertake the full remit of the role. Applicants who have not clearly demonstrated in their application that they possess the essential requirements will normally be rejected at the short listing stage.

Desirable Criteria – requirements which would be useful for the candidate to hold. When short listing, these criteria will be considered when more than one applicant meets the essential requirements.

Other Information

Interviews will be held on 12 / 13 June 2017.

We encourage applicants to apply online at www.vacancies.st-andrews.ac.uk/welcome.aspx, however if you are unable to do this, please call +44 (0)1334 462571 for a paper application form.

For all applications, please quote ref: **AR1943AC**

The University of St Andrews is committed to promoting equality of opportunity for all, which is further demonstrated through its working on the Gender and Race Equality Charters and being awarded the Athena SWAN award for women in science, HR Excellence in Research Award and the LGBT Charter; <http://www.st-andrews.ac.uk/hr/edi/diversityawards/>.

The University of St Andrews is a charity registered in Scotland (No SC013532).

Obligations as an Employee

You have a duty to carry out your work in a safe manner in order not to endanger yourself or anyone else by your acts or omissions.

You are required to comply with the University health and safety policy as it relates to your work activities, and to take appropriate action in case of an emergency.

You are required to undertake the Information Security Essentials computer-based training course and adhere to its principles alongside related University Policy and Regulations.

You are responsible for applying the University's equality and diversity policies and principles in your own area of responsibility and in your general conduct.

You have a responsibility to promote high levels of customer care within your own area of work/activities.

You should be adaptable to change, and be willing to acquire new skills and knowledge as applicable to the needs of the role.

You may, with reasonable notice, be required to work within other Schools/Units within the University of St Andrews.

You have the responsibility to engage with the University's commitment to Environmental Sustainability in order to reduce its waste, energy consumption and carbon footprint.

The University & Town

Founded in the early 15th century, St Andrews is Scotland's first university and the third oldest in the English speaking world.

Situated on the east coast of Scotland and framed by countryside, beaches and cliffs, the town of St Andrews was once the centre of the nation's political and religious life.

Today it is known around the world as the 'Home of Golf' and a vibrant academic town with a distinctively cosmopolitan feel where students and university staff account for more than 40% of the local population.

The University of St Andrews is a diverse and international community of over 11,000, comprising students and staff of over 120 nationalities. It has 8,500 students, just over 7,000 of them undergraduates, and employs approximately 2,540 staff - made up of c. 1,190 in the academic job families and c 1,350 in the non-academic job families.

St Andrews has approximately 50,000 living graduates, among them former Scottish First Minister Alex Salmond and the novelist Fay Weldon. In the last 90 years, the University has conferred around 1000 honorary degrees; notable recipients include Benjamin Franklin, Rudyard Kipling, Alexander Fleming, Iris Murdoch, James Black, Elizabeth Blackadder, Tim Berners-Lee and Hillary Clinton.

The University is one of Europe's most research intensive seats of learning. It is the top rated university in Scotland for teaching quality and student satisfaction. In the Research Excellence Framework (REF) 2014 the University was ranked top in Scotland for quality of research output and one of the UK's top 20 research universities.

St Andrews is consistently held to be one of the United Kingdom's top ten universities in university league tables compiled by The Times and The Sunday Times, The Guardian and The Complete University Guide. The University has eight times been named the top multi-faculty university in the UK in the National Student Survey – a direct reflection of the quality of teaching, assessment and facilities. In international and world rankings St Andrews scores highly for teaching quality, research, international outlook and citations. It is established as a World Top 100 institution in annual rankings produced by QS and Times Higher Education.

Its international reputation for delivering high quality teaching and research and student satisfaction make it one of the most sought after destinations for prospective students from the UK, Europe and overseas. In 2015 the University received on average 12 applications per place. St Andrews has highly challenging academic entry requirements to attract only the most academically potent students in the Arts, Sciences, Medicine and Divinity.

The University is closely integrated with the town. The Main Library, many academic Schools and Service Units are located centrally, while the growth in research-active sciences and medicine has been accommodated at the North Haugh on the western edge of St Andrews.

As the University enters its seventh century, it is delivering a varied programme of strategic investment, including the refurbishment of its Main Library and a major investment in its collections, the opening of a research library, the development of a major arts centre and a Music Centre, the refurbishment of the Students' Union, the provision of 900 additional students beds, the relocation of professional services to purpose built accommodation and the development of a wind-farm and green energy centre to offset energy costs.