# Audio file

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# Transcript

NJ

Welcome everybody to our first ever Researcher in Focus podcast from the Research and Impact team here at the Humanities and Social Sciences Faculty at the University of Liverpool. My name is Nick Jones. I'm part of the research team and today I'm joined by Doctor Nico Brando, who is a Newton International Fellow and Derby Fellow at the Liverpool Law School. He's going to talk to us about his interesting work to do with children and the law. So, Nico, before we get too stuck in maybe just a quick introduction from you in terms of your background, academic background so far and what ended up bringing you to the University of LIverpool.

NB

Yeah. Hi, Nick. Thanks so much. Very happy to be the first in your series of of researchers. Well, a bit about me. I arrived to Liverpool about a year and a half ago. It was kind of a coincidence. I was working at Belfast on a project and my supervisor at Belfast is a very close colleague with Helen Stalford, Professor of Law and and Head of Department at the School of Law and Social Justice, and they had a fantastic fellowship open or five year, five year research, tenure track Fellowship on childhood that fitted basically, perfectly with my profile. So despite that I was happy in Belfast, the possibility was too good and yeah, and I don't regret it. I'm very happy here. Yeah, working at the School of Law.

NJ

Lovely. Well, we're very pleased to have you here too, thank you very much. So what was it that originally led you to focus your research on children's rights and their legal and political status?

NB

Yeah, so it was. A slow transition I I I started working and and I'm a bachelor in Humanities and I started humanity, so a bit of literature, history of art and philosophy and and had told around the idea the questions around education history of or pedagogical theories and educational theory. And when I started doing my PhD, the idea was to do it on that on issues of of of politics and justice related to education, educational equality, the distribution of of, of educational resources for for the global poor. But while doing the research itself, always the question started going back to the questions of children themselves. Like the people we are educating rather than the education, and at least from a philosophical perspective, that's where the most interesting questions were because it seems that a lot of what we what we studied on the politics of education on or or the politics surrounding the young population led to questions about who are these individuals that we're talking about? Who are these, how do we perceive them and and how do the does the way that we perceive them affect the way which we teach future in practise and the type of education and the type of policies that that they're given. So my PhD transformed completely from education to a focus on on the concept of children themselves and and how this concept translates into their rights and justice for for the youngest population.

NJ

OK. I mean interesting, there that you and I know, from the blog that you sent through you talked about how you've lived and worked in quite a number of different countries. So have you noticed that there's been different attitudes, perhaps towards children and their rights in different countries, and was that informed how you work?

NB

Yeah. So I think that something that is very relevant to flag is that wherever you go and whatever government you see like the, the, the, say, the public policy proposals or or endorsements, everyone seems to be a child champion. Basically every country in the world has ratified the Convention on the Rights of the Child, except the United States. Everyone says that childhood are are a priority, that education is necessary, that they are the future. But once you see how this evolved in practise, it changes radically, at least in in in the academic world. The UK is is is very advanced in questions of children and children's rights. There's so many in institutes are studying childhood and children's rights all. Plus the UK, I mean, there's basically a whole network just of people working on on, on children, children's rights in the UK, in other countries with a bit more sparse and also the the methodologies change. So in Belgium, I was in a in a faculty of philosophy and I was basically the only person working on childhood. And I was kind of the oddone out. No one, at least in philosophy in traditional philosophical circles and more continental classic philosophical circles, they don't take the topic of childhood as a serious subject of study, and it it can be kind of difficult to to convince people that this is a subject that it's worth talking. So it's nice being in an environment in which people actually speak your language and understand the basic claims. Although it also makes it a bit too easy, right? So it's a bit more exciting as an academic to try to press boundaries and and and break stereotypes. Well, well here it seems that it's very easy to convince, at least in academia, because it's a well, it's a it's a well established field.

NJ

OK. Well, you'll just have to go out and find some more people who are opposed to what you want to do and try and change their mind maybe. Interesting. You say there in in the philosophical area that perhaps children's rights aren't taken as seriously, just as an aside that do you think that's because some philosophies don't really see children as being fully formed. Or worthy, or just like a developmental stage maybe not having agency of their own?

NB

Right. Yeah, I think that's. Basically, part of the point and and and you actually touched on precisely the reason why I ended up focusing on the question of childhood from the philosophical perspective. Because when you read the few things that are there on childhood and children's rights, at least historically in the history of philosophy, basically they just dismissed them right? So all the great political theories, Hobbes, Plato, Aristotle, they all basically said, OK, just this is this, this is right. This is how we should organise the political system and childhood doesn't fit, so let's just leave them outside, or let's just give them, like, marginal let's let's establish marginal duty towards them. But they don't fit into a system of justice, and that doesn't matter, right? And contemporary research, what they've tried to do is argue that if children don't fit into a system of justice, that means that their system of justice is flawed because children are part of the population, and any system of justice or of rights that we have should accommodate each of all the people. And I think that, that assumption that of the fish at the fishing conception of what childhood is and who children are and their potentialities, I think is is one of the core elements. Why? Why, at least in in philosophical circles it's a it's a discipline that has advanced very little. It's a topic that has advanced very little. Throughout history, precisely because of so many biases and assumptions that there is about the child population, I mean you think about most of the white male philosophers throughout history. They are basically are sitting in their in their fields watching maybe their child and abstracting from a particular example of childhood. But everything should be right, they never had contact with that plurality of of ways in which this condition might develop. And I think that that's the flaw. I mean philosophy right now, despite its flaws, has advanced a bit in being a bit more sensitive to the plural realities and to analysing and looking at at at real life situations a bit better and in that sense it has improved a bit thanks to things to learning a bit from the social sciences and from other humanities that are a bit more involved and less and less and less trapped in their in their armchair and slowly but steadily. I think it's it's been doing a it's it's been it's been changing.

NJ

OK, great. And then it's interesting that you're coming at it from a philosophical point of view and in again in the blog you include a couple of questions such as is anything wrong with child labour? Or why should toddlers be allowed to vote now? I mean, we can try and answer those questions in in real life, if you like. But are they purely rhetorical theoretical questions. Or do you ever come across people who seriously, ask questions such as such as these?

NB

Yeah. Well, among them is myself. So I think that on the one hand, they're they're very interesting. Let's say I I wouldn't say rhetorical questions, but at least language games that sometimes these questions are help us to press to disentangle. So this is good to clarify for, for my main methodology as a philosopher, part of my most of the work that I do is try to analyse concepts and break them into their their pieces and dissect what is inside in order to see how actually to we should understand them and how we should work with them. Right? And so these types of of of controversial questions in a sense tell us to explore radical examples that intuitively seem absurd and see up to what point do the elements fit or not fit right? And and it starts with a, let's say as a language game where you just exploited the the the extreme hypothetical scenario and try to see how do the these basic concepts that we use in everyday life in in research about law and justice, how do they fit in these extreme hypothetical scenarios. But the problem is that so if the question if if if the concepts fit, it might turn into actually an actual political plane, and I would probably say I I would probably endorse the radical versions of both of those of of the answers to both. Of those questions.

NJ

So you think toddler toddlers should be voting?

NB

I think I think that there might be justified reasons for allowing them to vote. So basically that the the idea is to try to explore how the arguments that we use for excluding certain parts of the population from from voting on from or from democratic practise may be inconsistent with the general principles of justice and equality that that our political system has, right. So if we say that democratic entitlement is an equal right that every citizen should have, we need to, as people who want to exclude toddlers or other populations from voting, we need to be extremely consistent and rigorous in the arguments given, and at least my personal research has shown that we are not consistent and rigorous in the arguments given to exclude certain populations from it, and we need we need we need stronger arguments if we actually want to exclude them ethically.

NJ

OK. So it's kind of like finding that scale of, well, if we're not going to let toddlers, then we're not gonna let. I don't know prisoners vote or we're not gonna let. People who have been ill or whatever vote. So there's a, you have to be a bit more absolutist, maybe.

NB

Exactly and and be consistent with the argument, right? So for example, the a main argument that is given to exclude the younger population from voting is that they're incompetent, they're not competent enough to do it. But much scientific research, empirical research on the subject has shown that most people who actually have the right to vote are also not should not be considered as competent enough to do so. And I think that many of the results of elections in the last 10 years have shown the capacity of of many populations to be, to to show how inconsistent they are with their voting, with their voting choices. So the point there would be OK, if we're going to take competence as a serious argument for excluding people to vote, we be we should be much more rigorous in how we implement it and not just simply assume that the only people who would be allowed to be included in this category of the components are the youngest population or the people with great mental disabilities.

NJ

OK, interesting. Thank you very much. You've also got monograph coming out I believe ‘Not just for kids a political theory of childhood and children's rights’. Do you want? Tell us a little bit more about that and then that's arriving?

NB

Yeah. So this is based on on my PhD research. As I mentioned, it's an analysis of of different ways in which childhood has been interpreted and defined in liberal political theory and how these different understandings of what childhood is affect the way that we understand children's rights and what children particular children are are granted based on these different definitions of childhood, it was based on my on my research for my PhD and it's, and it has grown a bit more based on the post-doctoral research that I've done in Belfast and then the last two years here, the idea is to have it sent and submitted to the publisher by August this year and hopefully sometime next year it will be out and it will be Open Access. So it will be accessible to everyone without having to pay for it.

NJ

Perfect. That's what we like to hear. Well, when it comes out, let me know and we'll let everybody know. Do you walk the walk as much as you talk? Do you involve children in your research or do you, is your research more about other people's research?

NB

So since I started since my post-doctoral research, I think that my my main objective was to start adding a bit more of actual participatory research with children in my in my, in my work before and when I was doing the PhD. It was a purely philosophical text-based work, but I did consider that it was necessary to to account for the the perspectives of children themselves a bit more seriously in the research so that it's not just an abstract and analysis and vacuum. So I first started doing this by engaging more rigorously with empirical research. So for example, if I was working on children's right to work and questions of child labour. I would first do a thorough analysis of empirical literature of of, of people who have worked with Children's Health workers themselves and map out the different opinions that they have over their work and about over justice and over their rights, and based on these intuitions brought from on the subjects of analysis themselves, try to develop, let's say, complex and and a bit more philosophical arguments. But based on these on on these arguments and lately the idea is to tap into into the expertise both of my previous supervisor in Belfast and of Helen Stalford and the European Children's Rights Unit here on working participatory with with children themselves, in order to give the whole research process a bit more consistency in in in its use of of of children's voices. I tried for example we have the the Young People's Advisory Group at the university, which provides a bit for for burgeoning yeah, for for research that is starting at the university and and to provide that children's perspective. And I've and I've used it regularly to try to give at least a bit of a basic sense of of what the priorities would be from a child’s perspective on the topic that I'm working on and that way you can develop your research in a in a manner that is in line with with the priorities of the, let's say that the very narrow group of children that you're talking to, but at least to to give it a a yeah, a a bit of of of a child or a child, children's perspective.

NJ

Yeah, I mean that looks like a really great initiative, doesn't it? The Young People's Advisory Group in actually bringing people in and helping them shape some of the research which could potentially go on in turn to shape shape their lives. Is, is is the university unique, do you think in in having that sort of protocol or forum for young people, or are there any others?

NB

Yeah. So I think that the, the way in which the the University of Liverpool uses it is a bit more ambitious than than in other places that I've been. So here anyone from any discipline can, let's say, can tap into this resource and and meaningfully engage with children and young people to discuss their research projects. So that is for this that not only children's rights for childhood research needs the input from children, that the intuition is that any topic that you're research going on has an impact on the child population and have taken into account their perspective can bring meaningful input into into the research proposal. So I think that that's that's what unique about the advisory group here in Liverpool that it intends to encourage people even who are not working on childhood, who who to take a child's perspective. So I think that that's very valuable because sometimes that what what we don't need is necessarily is more research about children and childhood themselves. But that all the research is inclusive and acknowledges and takes into account how it may impact children and childhood. Basically something like like what has been happening in the last decades with with other intersections, right? So much, whatever research, at least in the social sciences and humanities that you do, you have to account for, for example, the gender element and how a gender dynamic might affect the research and then interpret the interpretation that you may do even if you're not actually working on gender studies and basically there's I think it's a nice step in the direction of trying to include this with the childhood and youth element as well that we need to account for how it may impact or or reflect differently on on different age groups.

NJ

Yeah, I mean, I suppose that ties back to what you said earlier that you know, the slightly radical idea that children are people too? And they get affected by all the things that affect everybody else, whether transport or health or things like that happening.

NB

Exactly. Yeah, exactly. And and and there's I think many disciplines that that sadly have not taken children's views into account as well as they could. And I think that including a child friendly or child friendly way child centred way of doing research I think can be valueable for the disciplines themselves because, I don't know, whatever you think, like urban design and and how do we organise streets or how do we organise parks? Children are usually, tend to be excluded as as full participants in these public spaces and listening to them and listening, how would they feel a bit more safe and more secure and more included in in urban design is something that that is nice.

NJ

Yep, great. So alongside some other colleagues from the schools are on social justice you've been putting together a series of videos for a project called Children in Theory, which is related to the rest of your research and on the theoretical methods and approaches to studying childhood. How's that coming along? And maybe tell us a little bit about some of the partners from other institutions, you’ve been working with.

NB

Yeah. So this is an endeavour that we started with Helen, Helen, Stalford and and the blossomed as a PhD student at at the School of Law. The intuition was that so there's a lot of empirical research and more positive legal research focused on children's rights. But the theoretical side of the equation has been left aside. Despite that, all PhD students, for example, are expected to have a theoretical framework on their research on children's right, no one really knows what that means. They just grab the first philosopher that they find a book on and they just force it into their research. Just let's say tokenistically. And so the idea here was to try to develop a series of resources. Provide a simple but clear and and well supported introduction to different theoretical methods so that, specially PhD Students and Masters students who are grappling with the idea of of using theoretical methods that they can have a an eagle's eye view of what's there and so that they can choose more appropriately what fits better with the particular research they're doing or what with their particular conception of justice so that we can let's say, find a better link and a better, a stronger connection and relationship between theoretical work and and more practical work. And it's been going a bit slower than we wanted where the idea was to find, let's say, big names in each of these theories and put them in conversation with, with, with childhood studies and children's rights theorists. But this means that we have to juggle a lot of people and a lot of people's time. But the idea is to slowly roll in new material every month or or two, and so that at the end we can have a a good collection of master classes that that hopefully will help help a lot of people you know understanding this this little subject better.

NJ

Well, you can't rush quality.

NB

Yeah, yeah. Better to go slowly but steadily. And I think it's going well. We're very happy with how it's evolved.

NJ

Yeah, it looks great. I mean, I've been helping you put some of that stuff online

NB

Yeah, yeah, you've been fantastic. With this, thank you so much.

NJ

Oh, for sure. Well. That's getting left in the podcast. That's listen, so I think. I mean, that's. All really interesting. Give us a nice overview of things for the. Work that you're doing, I mean. I've got one last question for you and I suppose, this is, being part of the Research and. Impact team, you know, we're always interested in, where does this research go? In terms of the real world, so what would be the single most significant change you'd like to see come about as a result of your research?

NB

Yeah. So I think, I mean there is the academic impact that it's interesting, but I think that in the work that I've done, I think that where you see the most impact is actually discussing these questions with people who who would have radically different perspectives on the subject and noticing how, through the process of dialogue and of, of, of, of providing arguments and and and showing the the potential inconsistencies in our in how we treat children, how people start changing. So I'm going to give an example. Just talking. When I told my grandma that I was looking into children's right to vote her, her intuition was you're crazy. This what can we do? This democracy is gonna fall into pieces. And after having a conversation with her and and showing her the the different potential, let's say short circuits that that we have in our assumptions and biases about childhood, she ends up saying like, yeah, maybe, maybe maybe you're not that wrong. Maybe I think I I I am a child vote supporter now. And I think that. That's that. That's where I've noticed that I've had more most impact so. As a philosopher, as a philosopher, most of your work ends up being being interpreted as as too abstract to have impact. And lately I have been trying to engage more thoroughly with with people working in other social sciences to try to have a bit more impact-based work instead of only theoretical research and and this is something that that I intend in the in the upcoming years to to develop a bit more. But I think where philosophy can make a bigger impact in relation to these questions, precisely on on showing people the potential biases and and the problematic assumptions that they might have about a subject and and helping them rethink and at least reflect ethically on on their priorities and and how we how we deal.

NJ

So opening of minds, that's all you want to do, Nico, open everyone's mind and change their attitude.

NB

I think that's that's a that's a good point.

NJ

That's a pretty good goal, yeah. That's great. Thank you very. Much Nico, I mean I that's all the questions I've got here and if unless.

NB

No, you're welcome.

NJ

There's anything you feel. You need to cover or reiterate, but otherwise.

NB

No, I no, I think it's. I've I've summarised. Thanks so much. This has been very fun.

NJ

Oh Nope. Great. Thank you. Thank you so much for coming along. Thank you for being our very first researcher in focus podcast victim and I look forward to hearing more from you coming along soon.

NB

Nick, looking forward to it too.

NJ

Thank you.