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Decentering Narratives: Intellectual Lived Experiences and Critical Reflections on Race and Law

By Asta Zokaityte and Will Mbioh

Academic writing often neglects to explore or acknowledge the intellectual inspirations and experiences that shape a scholar's approach to their work. Specifically, while methodology (the “how” of research) is often explicitly discussed, the broader intellectual and experiential contexts—or “intellectually lived experiences”, such as the personal, cultural, and intellectual encounters that influence a scholar’s thinking (the “why” behind their perspectives)—are often overlooked. In the context of the [*Taiwo v Olaigbe* article](#), our own “intellectually lived experiences” were key in shaping our analysis of race and racial discrimination in the case.

The biggest factor shaping our thinking around this case was the intellectual environment in which we were educated, nurtured, and influenced—specifically, the Kent Law School and its academic community; notably, the work of Toni Williams, Didi Herman, Alex Magaisa, Gbenga Oduntan, Emily Haslam, Diamond Ashiagbor, Suhraiya Jivraj, Rosemary Hunter and Erika Rackley. This environment was exceptionally broad and rich, incorporating diverse scholars and scholarly traditions. In particular, it fostered a critical tradition encompassing Third World approaches to law, decolonial studies, feminist relational theory, and feminism more generally. Moreover, it was an environment where anti-racism and feminist critiques of judicial reasoning were not merely incidental but central to the academic discourse we were immersed in.

This intellectual foundation created a distinct disposition and approach to viewing, positioning, and understanding the law. It was further enriched by our lived experiences in communities and spaces where inter-ethnic, social, cultural, and economic identities were deeply shaped by historic and cultural norms.

These influences converged to form an intellectual tradition that was not merely socio-legal but deeply engaged with challenging binary positions and categorical thinking. It was particularly focused on decentering dominant narratives and exploring the periphery—both conceptually and practically. This approach questioned ideas of stability and clear boundaries, not only in terms of social identity but also in relation to the nature of power, the ontological foundations of law, and the fluidity of identity itself.

When we approached the *Taiwo v Olaigbe* case, our orientation and thinking were already shaped by these concerns: a focus on the periphery, dissent, and a critical engagement with stable boundaries and assumptions about the location, framing, and understanding of harm and power dynamics. As such, our critique of the case intuitively began with questioning the foundational assumptions the Court was making—particularly regarding stable boundaries and the ontological framing of racism as a social harm.

The Court's reasoning seemed to restrict racism to a narrowly defined binary: the idea that harm arises solely from an external imposition or interference upon an internally stable social identity or category/space. This framing treated racism as a fixed, external force acting on a pristine, internal category. Drawing from the critical traditions at Kent Law School and our lived experiences—both of which challenge these stable boundaries—we sought to destabilise this rigid framing. Our goal was to decentre and decolonise the understanding of racism, rejecting singular, binary, or categorical ways of thinking. Instead, we argued for an approach that embraces fluidity, hybridity, relationality, and entanglement across place, time, and context.

This critical orientation views racism not as a distinct, isolated phenomenon but as a process of racialisation—unfolding dynamically and relationally through modes of power. Racism, in this perspective, is less like a sharp, distinct object that separates and divides, and more like a fluid, emergent process—a “becoming” shaped by relationships of power. This understanding opens up possibilities for recognising racism as an effect of power, not confined to any one location or boundary but embedded in its relational and temporal manifestations.

Since writing this article, our interest in decentring and challenging singular narratives and binaries has continued, particularly through our participation in the Antiracist Judgments writing project, led by Dr Bharat Malkani and Dr Lizzy Willmington. Building on the feminist judgment project, which found a home at Kent Law School, we are now contributing to the reimagining of anti-racist judicial practices.

Bios:

Dr Asta Zokaityte is a Senior Lecturer at Kent Law School, specializing in socio-legal research with a focus on gender studies, consumer law, and financial governance. Her work critically investigates how legal and regulatory frameworks perpetuate or exacerbate inequalities shaped by gender, race, class, and other intersecting factors, particularly in global and local consumer marketplaces. Her current project explores decolonial approaches to consumer financial regulation in post-socialist contexts and spaces.

Dr Will Mbioh is a Senior Lecturer at Kent Law School. His work focuses on socio-legal approaches to law, drawing specifically from the fields of postcolonial studies, feminist relational theory, and new materialism, with a particular emphasis on digital and AI governance and the distinct forms of digital harms these systems generate.