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Decolonizing Legal Pedagogy and Praxis: Lessons on E-Learning From the COVID-19 Adaptation

Worldover, the COVID-19 pandemic has illuminated deep seated structural and foundational tensions in legal education. In Kenya, numerous tensions abound between the formal and informal, structured and unstructured and tradition and modernity. Legal education has continued to be stuck in a very rigid, structured, inflexible and formal mould largely situated in colonial legacies. These systems have been slow to respond to changes that have occurred over time.

This paper makes two main arguments. The first argument is that although Kenya, like many other Eastern African countries, has been independent from their colonial masters for more than 50 years, nevertheless universities continue to rely on traditional pedagogical approaches which more often than not fail to capture the lived realities. The paper demonstrates that this is because the research and teaching curriculum of most disciplines, including legal pedagogy, is still informed by Eurocentric epistemologies. The second argument is that the challenges experienced during the pandemic, have given way to the progressive adoption of innovative pedagogies and praxis thus paving way for transformative legal education. The paper documents key lessons on e-learning from Kenya's experience with the COVID-19 adaptation in order to decolonize the art and science of legal pedagogy and praxis.