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From the Theory of the African Origin of Humankind to Modern Social, Legal and Technological Innovations: a Brief Analytical Excursion into Anthroposociogenesis

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Keywords

anthropogenesis,
artificial intelligence,
social transformations,
law,
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social justice,
sociogenesis,
technological revolution,
digital technologies,
evolution of a human being

Abstract

Objective: to trace the evolution of humanity and to identify the role of various social institutions in order to understand the existential role of laws aimed at ensuring the coexistence of society in the context of technological innovations.

Methods: the author used general scientific and special methods of cognition, which allowed tracing the dialectical development of humanity, social transformations and technological innovations.

Results: looking back at the history of humanity, which originated on the African continent (the theory of African descent), the author notes the most important changes in the human way of life and environment, which led to the need to build organized societies and regulate social behavior with the help of legislative norms. Law is seen as part of the evolutionary process that was to emerge in the course of human evolution. The critical importance of law in overcoming the global challenges and existential questions of humanity's continued coexistence arising in the course of evolution is emphasized. In this regard, the historical significance of the Kurukan Fuga Charter of the Malian Empire is emphasized as one of the oldest constitutions in the world, recognized internationally as an important source of legal and political norms for modern societies, regulating the structure of state power and social behaviour, although preserved largely in oral form. It is argued that social and technological change often served as the impetus for the development

of new laws. Humanity has many times intervened in its own biological evolution with the help of technology; now it is an important moment from the viewpoint of law and ethics when technology may interfere in further human evolution. The greatest concern in this regard is the era of rapid development of artificial intelligence, which makes new demands on a human being.

Scientific novelty: the article shows the role of the African continent in the origin and development of humanity and socio-legal institutions in the light of modern transformations and the construction of a new social reality.

Practical significance: the conducted research creates prerequisites for further development of the theory of anthroposociogenesis and in-depth conceptual historical and legal study of the role of the African continent in the development of humanity and its social institutions.

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Contents

Introduction

From the very beginning, humanity has been governed by oral or written laws. We must go back through history to understand how profound social transformations initially conveyed by progressive ideologies led to changes in lifestyles that were necessary to regulate through legislative texts and regulations.

Since the creation of the planet Earth, mainly three forms of life have appeared: plant life, animal life and human life which detached itself from the animal form through the development of cognitive intelligence, speech, standing and the ability to make tools to domesticate nature.

In prehistorical societies, the human species, which became bipedal, began to communicate. Communication allowed a form of social organization that made it possible to live together and respect certain rules established for this purpose.

It should be noticed that rules also exist in the animal kingdom and, surprisingly as it may seem, in the plant kingdom.

1. Evolution of a human being in the context of technological innovations and social-legal transformations: a historical excursion

According to scientists, there have been seven stages of human evolution[1], notably:

– Dryopithecus (Dryopithecine) ... ;
– Ramapithecus (Syn: Sivapithecus) ... ;
– Australopithecus (Southern Apes) ... ;
– Homo Habilis (Able Man) ... ;
– Homo Erectus (Upright Man) ... ;
– Homo Sapiens Neanderthalensis (New Human Species) ... ;
– Homo Sapiens (Wise Men).

On evidence based archeological discoveries, it is now proved that the African continent issued mankind: "According to the recent African origin of modern human theory, modern humans evolved in Africa possibly from H. heidelbergensis, H. rhodesiensis or H. antecessor and migrated out of the continent some 50,000 to 100,000 years ago, gradually replacing local populations of H. erectus, Denisova hominins, H. floresiensis, ..."[2].

What is the process of evolution of mankind?

"Human evolution is the lengthy process of change by which[3] people originated from apelike ancestors. Scientific evidence shows that the physical and behavioral traits shared by all people originated from apelike ancestors and evolved over a period of approximately six million years"[4].

The different socioeconomic formations that humanity has known are:

– Antiquity or prehistorical societies;
– Slave-owning system;
– Feudalism;
– Capitalism;
– Socialism;
– Communism.

According to historians, states emerged long time after the beginning of mankind: "Early states appeared on the planetary stage between 6,000 and 5,000 years ago, most notably in Egypt, Mesopotamia and along the Pacific coast of South America. Somewhat later states

1 Human evolution. Britannica. https://clck.ru/3BcmeF
2 Google definition acceded on December, 3rd, 2023.
3 National Museum of Natural History. https://clck.ru/3Bcmf8
4 Source: Google

emerged also in the Indus Valley (about 4,500 years ago), China (about 4,000 years ago) and Central America (about 3,500 years ago)"[5].

Hordes, clans and ethnic groups developed laws that have not only allowed them to live together in relative harmony, but also and above all to survive thanks to the rules and later the established laws. These rules and laws defined the sanctity of the individual and protected them from certain forms of violence and abuse against them.

We see that the role of the law is extremely important for the survival of humanity which continually faces changes sometimes leading to the weakening of certain individuals.

According to Edward W. Younkins: "Historically, socially emergent ideas of legal principles, oftentimes in accord with the nature of reality, occurred prior to their adoption by political authorities. Voluntary forms of governance through customary private laws preexisted state law and effectively ordered human affairs. Law arose as a spontaneous order – something to be discovered rather than enacted. Law is an evolutionary systemic process involving the experiences of a vast number of people"[6].

Each of these societies was governed by laws that aimed to consolidate the established order.

At each stage of humanity's evolution, certain laws have been questioned by a minority or majority group of people, have been repealed and replaced by laws perceived as fairer.

With the proclamation of the Charter of Kurukan Fuga in 1236, the Mali Empire was the first Government to legislate on the rights and duties of the human person and of the different socio-professional strata of Mandé.

The Charter has been inscribed in 2009 by UNESCO on the Representative List of the Intangible Cultural Heritage of Humanity.

The UNESCO gives on its website an overview of the Mande Charter, also called the Kurukanfuga Charter: "In the early thirteenth century, following a major military victory, the founder of the Mandingo Empire and the assembly of his wise men proclaimed in Kurukan Fuga the new Manden Charter, named after the territory situated above the upper Niger River basin, between present-day Guinea and Mali. The Charter, one of the oldest constitutions in the world albeit mainly in oral form, contains a preamble of seven chapters advocating social peace in diversity, the inviolability of the human being, education, the integrity of the motherland, food security, the abolition of slavery by razzia (or raid), and freedom of expression and trade. Although the Empire disappeared, the words of the Charter and the rituals associated with it are still transmitted orally from father to son in a codified way within the Malinke clans. To keep the tradition alive, commemorative annual ceremonies of the historic assembly are organized in the village of Kangaba (adjacent to the vast clearing of Kurukan Fuga, which now lies in Mali, (close to the Guinean border). The ceremonies are backed by the local and national authorities of Mali and, in particular, the traditional

5 Source: Google

6 Younkins, E. W. (2000, August 5). Capitalism & Commerce. The evolution of Law. https://clck.ru/3Bcmji

authorities, who see it as a source of law and as promoting a message of love, peace and fraternity, which has survived through the ages. The Manden Charter continues to underlie the basis of the values and identity of the populations concerned"[7].

When the issue of artificial intelligence is discussed, the tendency is to exclude Africa from the advances that have been made in the field of technology (Stiglitz, 2017; Bob-Milliar, 2021).

Now, as Paul E. Lovejoy (2014) states in his monography "African Contributions to Science, Technology and Development": Africa has contributed to a large extent to the development of science and technology and had a real impact on the world thanks to its inventions and innovations. These are inventions and discoveries that have been made on African soil in the fields of medicine, technology, mathematics, astronomy, agriculture and food industry to name but a few areas.

"The Dogon inhabit an area of Mali called the Bandiagara Escarpment, a stretch of sandstone cliffs nearly 100 miles long, reaching up to 1,500 feet high. Taking advantage of the area for its natural protection, the tribe built their homes on the side of the cliffs during the 3rd century B.C. and have remained there since. But it wasn't until the 1930s that French anthropologists discovered their strangely advanced astronomical knowledge, despite maintaining a very primitive lifestyle.

Although the Dogon live in an area more than 2,000 miles from Egypt, they have a history that appears to have some intriguing connections with its famed, ancient lineage that hinted at some connection to the stars.

Upon studying the Dogon tribe, anthropologist Marcel Griaule learned of their obsession with the Sirius star system. While Sirius A is visible to the naked eye, its companion white dwarf, Sirius B, was not discovered until the 1950s with an advanced telescope. The Dogon, however, were well aware of its presence, as well as its orbital period, describing its existence before it was confirmed years later"[8].

In 1983, Ivan Van Sertima published his book "Blacks in Science: Ancient and Modern. Journal of African Civilizations" in which he cites more than one thousand inventions made by Africans and African descends. "From the three-light traffic signal, refrigerated trucks, automatic elevator doors, color monitors for desktop computers, to the shape of the modern ironing board, the clothes wringer, blood banks, laser treatment for cataracts, home security systems and the super-soaker children's toy, many objects and services Americans use every day were invented by Black men and women. These innovators were recognized for their inventions, but countless other inventors of color have gone largely unrecognized. Others are completely lost to history" (Sertima, 1983).

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7 UNESCO. Manden Charter, proclaimed in Kurukan Fuga. https://clck.ru/3BcmmS

8 (2019, October 13). Was the Sirius Star System Home to the Dogon African Tribe? Gaia. https://www.gaia.com/article/did-this-african-tribe-originate-in-another-star-system

It must be underlines that it was an enslaved man who helped America getting a vaccine against smallpox. In 1706, he was given to the New England Puritan minister Cotton Mather, who renamed him Onesimus. Onesimus introduced Mather to the principle and procedure of the variolation method of inoculation to prevent the disease, which laid the foundation for the development of vaccines.

"The operation Onesimus referred to consisted of rubbing pus from an infected person into an open wound on the arm. This was done in a controlled manner and under the supervision of a physician so the symptoms would be milder but still confer immunity. Once the infected material was introduced into the body, the person who underwent the procedure was inoculated against smallpox. It wasn't a vaccination, which involves exposure to a less dangerous virus to provoke immunity, but it did activate the recipient's immune response and protected against the disease most of the time."[9]

The problem with the inventions made by Africans and the African diaspora is that they have been obscured by slavery and colonization, two systems of oppression and human exploitation, which made black people inferior and having no rights. At these times, a black man could not patent his inventions, because the patent was a contract between the State and a citizen and Blacks were not citizens. This raises the problem of patents and licenses for inventors as well as intellectual property. Many slaves had to put the name of their master on their patent in order to register it.

The trigger for the design of new laws has often been social and technological transformations. When primitive society passed into antiquity, certainly thanks to the discovery of fire, the social situation of individuals changed: weapons began to be manufactured to hunt game and cultivate the land, which meant that relationships forces were changing in favor of the manufacturers and holders of these weapons.

The advent of feudal society led to the omnipotence of a feudal lord who had extremely important powers due to the fact that he had an army, used religion to perpetuate his power and had the right to life and death on his subjects.

Prehistory is one of the periods of history which begins with the appearance of man and goes until the arrival of writing. This marks the beginning of another period in Antiquity. This ended with the fall of the Roman Empire in 476 AD.

Since ancient times, humans have started to tell legends, myths, sagas etc. in which elements of the supernatural and men and women with superpowers appeared.

With the beginning of the industrial age in Europe, it became possible to build machines to replace human power. It is also the technological innovations implemented on a large scale from the 19th century onwards which are at the origin of the end of slavery and the beginning of colonization. Indeed, to access the raw materials that the West needed to operate its machines, the African continent, which was overflowing with these

[9] Blakemore, E. (2021, April, 8). How an Enslaved African Man in Boston Helped Save Generations from Smallpox. https://clck.ru/3BcmrE

raw materials, was colonized and its populations forced to work by the force of extremely deadly firearms. strength.

It has been stated that: "the Industrial Revolution was the transition from creating goods by hand to using machines. Its start and end are widely debated by scholars, but the period generally spanned from about 1760 to 1840"[10].

What are the four steps of the industrial revolution?

"The four industrial revolutions are coal, gas, electronics and nuclear, and the internet and renewable energy. Beginning from 1765 through the present day, we've seen an amazing evolution"[11].

Each revolution led to a new way of life that had to be regulated to allow society to function in line with what the ruling class wanted. However, the European proletariat which was under the ideological domination and economic exploitation of capitalism organized itself and demanded more humane and decent living and working conditions. This marked the birth of unions and the rise of socialism and communism as political systems.

2. Evolution of the humanity and artificial intelligence: modern prospects

The new technological revolution that we have been witnessing since the end of the 20th century and particularly at the start of the 21st century with the appearance of Artificial Intelligence, requires that laws be taken to avoid all forms of abuse that the development of artificial intelligence could generate.

In our understanding, this means that artificial intelligence must first be the subject of in-depth studies to understand all its contours, its opportunities and potential risks.

The results of these studies must then be disseminated to political decision-makers, elected officials and the general public using popularization processes.

The rise of artificial intelligence (AI) continues to grow thanks to technological advances recorded in recent years.

Having emerged around sixty years ago, artificial intelligence has become the major technological revolution of the beginning of the 21st century (Mocanu, 2021; Mulgan, 2019; Pagallo, 2018).

AI is present in all sectors of activity, particularly in industry, transport, health, commerce, economy, agriculture, infrastructure, education, entertainment, etc. It is predicted that it will generate colossal sums of money and will profoundly change our lifestyles thanks to new inventions (Avila Negri, 2021; Bertolini & Episcopo, 2022).

An Internet source give us the definition of artificial intelligence, how it works and why it is important: "Artificial intelligence is the simulation of human intelligence processes by machines, especially computer systems. Specific applications of AI include

[10] The Industrial Revolution. https://clck.ru/3Bcmro

[11] https://clck.ru/3BcmuT

expert systems, natural language processing, speech recognition and machine vision." (Greenstein, 2022; Hacker et al., 2020; Hárs, 2022)[12].

AI programming focuses on cognitive skills that include the following:

Learning. This aspect of AI programming focuses on acquiring data and creating rules for how to turn it into actionable information. The rules, which are called algorithms, provide computing devices with step-by-step instructions for how to complete a specific task.

Reasoning. This aspect of AI programming focuses on choosing the right algorithm to reach a desired outcome.

Self-correction. This aspect of AI programming is designed to continually fine-tune algorithms and ensure they provide the most accurate results possible.

Creativity. This aspect of AI uses neural networks, rules-based systems, statistical methods and other AI techniques to generate new images, new text, new music and new ideas"[13].

Conclusions

AI is important for its potential to change how we live, work and play. It has been effectively used in business to automate tasks done by humans, including customer service work, lead generation, fraud detection and quality control (Bryson et al., 2017; Calo, 2015; Chesterman, 2020). In a number of areas, AI can perform tasks much better than humans"[14].

In order to create the link between artificial intelligence and law, we will look at human evolution, as well as the evolution of different social organizations to understand how laws have been designed and implemented with the aim of to enable living together and the survival of the groups concerned.

To guarantee security and prevent any confusion, it has to be legislated on artificial intelligence (Malgieri & Comandé, 2017; McCarty, 2017; Karnouskos, 2022; Maarten Herbosch, 2024; McNally & Inayatullah, 1988).

In particular, we must prevent artificial intelligence in the military field from falling into civilian hands, so that these inventions which should only be used in the event of war or other security threats do not come into the possession of ill-intentioned people who have nothing to do with the army.

We must develop curricula that make the school and university environment healthy and ethical when it integrates artificial intelligence into teaching programs (Sertima, 1983; Solaiman, 2017; Solum, 1992).

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12 Gunning, D. (2017). Explainable artificial intelligence (XAI). Defense advanced research projects agency (DARPA). https://clck.ru/3BcmvV

13 Laskowski, N., & Tucci, L. Artificial intelligence (AI). TechTarget. https://clck.ru/3Bcmxj

14 Ibid.

Finally, we must legislate on intellectual property to guarantee the rights of inventors. This is extremely important to ensure social justice and equity among all human beings regardless of their social, cultural and ethnic origin. It is at this price that artificial intelligence will be an instrument of socio-economic development and lasting peace.

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От теории африканского происхождения человечества к современным социальным, правовым и технологическим новациям: краткий аналитический экскурс в антропосоциогенез

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Ключевые слова

антропогенез,
искусственный интеллект,
общественные трансформации,
право,
промышленная революция,
социальная справедливость,
социогенез,
технологическая революция,
цифровые технологии,
эволюция человека

Аннотация

Цель: проследить эволюцию человечества и выявить роль различных социальных институтов для понимания экзистенциальной роли законов, направленных на обеспечение совместной жизни социума в контексте технологических новаций.

Методы: в процессе исследования использованы общенаучные и специальные методы познания, позволившие проследить диалектическое развитие человечества, социальные трансформации и технологические новации.

Результаты: оглядываясь на историю человечества, зародившегося на Африканском континенте (теория африканского происхождения), автор отмечает наиболее важные изменения в образе жизни человека и его окружающей среде, которые привели к необходимости построения организованных обществ и регулирования социального поведения в нем с помощью законодательных норм. Право рассматривается как часть эволюционного процесса, которое должно было возникнуть в ходе эволюции человечества. Отмечается чрезвычайная важность закона для преодоления возникающих в процессе эволюции глобальных вызовов и экзистенциальных вопросов дальнейшего сосуществования человечества. В этой связи подчеркивается историческое значение Хартии Курукан-Фуга Малийской империи как одной из древнейших конституций в мире, получившей признание на международном уровне как важного источника юридических и политических норм для современных обществ, регламентирующих устройство

государственной власти и социальное поведение, хотя и сохранившейся в основном в устной форме. Утверждается, что толчком к разработке новых законов часто служили социальные и технологические преобразования. Человечество много раз вмешивалось в собственную биологическую эволюцию при помощи технологий, теперь же наступает важный с точки зрения права и этики момент возможного вмешательства технологий в дальнейшую эволюцию человека. Наибольшее опасение в этом плане вызывает эпоха бурного развития искусственного интеллекта, предъявляющая к человеку новые требования.

Научная новизна: показана роль Африканского континента в происхождении и развитии человечества, социально-правовых институтов, находящихся в свете современных трансформаций и конструирования новой социальной реальности.

Практическая значимость: проведенное исследование создает предпосылки для дальнейшего развития теории антропосоциогенеза и углубленного концептуального историко-правового изучения роли Африканского континента в развитии человечества и его социальных институтов.

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