

Healing A Broken World

Wisdom of the Kouroukan Fouga for the Modern World

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A black and white photograph of a stone archway in a ruined wall, looking out onto a misty, forested valley. The archway is made of rough, weathered stone. The view through the arch shows a dense forest of trees, with a mist or fog hanging in the air, creating a sense of depth and mystery. The overall tone is somber and contemplative.

Can lessons from the distant past
pave the way for a new social
contract drawn for the age of digital
innovation?

Setting the Scene

Often cited as the world's oldest constitution, the Kouroukan Fouga—the Manden Charter—is humankind's first enduring constitution. In its Middle Ages time frame, it was remarkable for its sense of equity, inclusivity, and individual and collective social responsibility of all people. It set a path to experiencing freedom from fear and want, with dignity, in community, and harmony with one another and the natural world. It serves as an early example of how human rights, gender equity, and environmental stewardship can serve as mandated principles of governance.

The Kouroukan Fouga was the resultant charter agreement established at a meeting of West African kings of the ethnolinguistic Mandé groups to form the Mali Empire (c.1236 CE), following the epic Battle of Krina (c.1235 CE), a decisive victory for the Mandé king Sundiata Keita, against the Sosso king Sumanguru Kanté. The battle established Sundiata Keita's leadership over all of West Africa and the largest African empire of the period.

Sundiata (the historical basis of the Lion King mythology) dictated the oral charter to the kings of the Mandé groups of the Niger-Congo region conquered at Krina. Eventually, epic would be pieced together and documented by Griot wisemen, poets, musicians, and storytellers. In 2009, the Kouroukan Fouga was added by [UNESCO to the Representative List of the Intangible Cultural Heritage of Humanity](#).

As the world faces various complex challenges requiring collaborative, inclusive solutions, the Kouroukan Fouga serves as a reminder of the

potential for diverse communities to come together to create a shared vision for the future. This constitution from the Middle Ages emphasized the importance of human rights and gender equity across class lines by underscoring that all have a stake in community well-being, a topic particularly relevant today.

The Kouroukan Fouga, thereby, presents us with a worthy starting point from which to explore the need for a new social contract—one that prioritizes human rights, economic equity, and communal responsibility for environmental stewardship. It is a reminder from antiquity that our challenges aren't insurmountable. By studying the Kouroukan Fouga (and other historical examples of collective agreement and action), we can understand how diverse communities worldwide can work together to create positive change and build an enduring legacy for future generations.

This legacy of wisdom drawn from the Kouroukan Fouga in the contemporary age of digital innovation may provide a renewed sense of how local and global communities can come together to inspire a necessary transformation. This becomes particularly relevant when viewed within the context of the SDGs, which require local-to-global cooperation and concerted collaborative effort by all parties.

Thus, this chapter examines this significant historical artifact as a basis for the need for a new social contract that supports and furthers intercultural exchange in the digital globalization era. We inquire into how economic equity can drive the journey from charity to equity and dignity and accelerate progress on achievement toward the United Nations Sustainable Development Goals (SDGs) through a new understanding and to reach the objectives of "the 2030 Agenda for Sustainable Development."

1. Why the Kouroukan Fouga May Be of New Global Significance?

1.1 African Wisdom

African Wisdom isn't only perennial; it has quietly woven together the continent's intricate and highly structured civilizations for centuries. It remains the invisible past, present, and future of many African peoples, regardless of creed or culture. Chief among this cultural sagacity lies the Kouroukan Fouga.

Unlike other literature from oral storytelling traditions of its genre, the Kouroukan Fouga has survived time's vicissitudes to have a guiding hand in shaping many African cultures and has also impacted the African diaspora. All have subscribed to its tenets at one time or another, likely as subconsciously as the air they breathed.

At its peak, the Mali Empire stretched from the coast of modern-day Senegal to the semiarid hinterlands in today's Mali Republic in the heart of the Western Sahel, the transition zone between the Saharan Desert and the sub-Saharan region. It was the largest West African Empire, and the provisions of Kouroukan Fouga guided the governance of over 50 million people in the vast area.

This illustrates several strengths which can be directly applied to the modern global era. Social cohesion was promoted in the Mali Empire because Kouroukan Fouga—while a governing toolkit—was used to inspire broader cultural acceptance and movements. Even before that, the declarations of its tenets were rooted in the agreement among several Mandé medieval kings in a peacemaking treaty following military conquest.

1.2 A Product of Conquest

A product of conquest, the Kouroukan Fouga is both a physical site¹ and a historic event. In much of that medieval world, the destinies of nations were decided by words willed by nobles and wise men in agreement after wars. In the case of the Kouroukan Fouga, the edicts that would eventually govern the Mali Empire were spoken directly by Sundiata Keita,² the founder or Maghan (king of kings) of the Mali Empire.

Among his audience were individual Mandé kings who agreed, as part of the charter, to rule under his supreme government. Following the pattern of the oral traditions of the region, these proclamations were remembered by toponyms; that is, they were named after the place in which they were first spoken. In this instance, a territory adjacent to the Niger River Basin known as Ka-ba, located near the borderlands between present-day Guinea and Mali, in the city of Kangaba, in the south-western Republic of Mali.

Ka-ba, as the site for the Kouroukan Fouga, is quite significant. Before Sundiata's successful conquest, it was a vassal state of the prosperous Ghana Empire (c. 830–1235 CE—no relation to modern Ghana), which collapsed in the twelfth century. In the final conflict that established him as Maghan, Sundiata and his forces defeated the Sosso King, Soumaoro Kanté, who had himself come to supremacy by conquering the former capital of the Ghana Empire, Koumbi Saleh (now in modern-day Mauritania).

This established Sundiata Keita as the principal inheritor of the defunct Ghana Empire of four centuries duration, along with all its prominent trading routes, allowing him to build his own on the remains of the former. Ka-ba would later become a core province of the Mali Empire.

¹ <https://ich.unesco.org/en/RL/manden-charter-proclaimed-in-kurukan-fuga-00290>

² https://www.worldhistory.org/Sundiata_Keita/

At Ka-ba, the empire was also divided by Sundiata. He appointed lower kings to his Court, including his childhood friend Kamandjan, the king of Sibi, who organized the great assembly, or Gbara, at which the Kouroukan Fougá was declared. All the former ruling families had their kingdoms returned to them, and in exchange, they pledged allegiance to Sundiata as Maghan.

1.3 Division of the World

“Division of the World” is what the event thus became known as in Mali lore, when the gathering of kings and courts adopted the words spoken at the Gbara at Koba—and it became universal law for their vassal kingdoms. Thus, Kouroukan Fougá is remembered as a moment in time when Sundiata divided the world (as it was then known to the people of the ancient Mali Empire).

Its precepts (or statutes, in today’s terms) were then orally dispersed to all corners of ancient Mali and eventually to the world beyond by a network of Griots working at the instructions originating with the Griot to Sundiata of the empire’s minor kings.

The Kouroukan Fougá charter that survives today is a literary reconstruction, arduously pieced together by Griots, the carriers of those “customary law” traditions. The initial declarations made at Ka-ba were recorded, by way of memory work, by Sundiata’s named personal Griot, Balla Fassékè, the first of the Kouyaté line, which still exists today. His line runs in parallel to that of the Maghan.

During the Gbara at Ka-ba, Balla Fassékè Kouyaté was promoted to Grand Master of Ceremonies of the Empire. As a result, his clan line was also chosen to serve as oral historians and advisors to the royal line of Mali for time immemorial.

It was his direct descendant, Djeli Mamoudou Kouyaté, who was the Griot responsible for the most recent retelling of the Epic (poem) of Sundiata

and the first Kings of Mali, which is considered the national epic story of the modern-day Republic of Mali.

This oral history and charter “law” was first pieced together and translated into Arabic in the 1800s and subsequently into French and English in the 1960s.

1.4 The Laws of the Kouroukan Fougá

The laws of the Kouroukan Fougá, in its most recent incarnation, are a collection of forty-four articles organized into four major sections: Social Organization, Property Rights, Environmental Protection, and Personal Responsibility. The very first article of this ancient constitution immediately addresses the issue of statecraft concerning the nascent empire.

1.5 Clan and Caste

The Kouroukan Fougá announces itself by dividing ancient Malian society into key social and functional groupings or a clan-and-caste system. It establishes:

- Sixteen clans of *quiver carriers*, or the Djon-Tan-Nor-Woro, formed a highly organized warrior class charged with defending the empire;
- Five clans of *marabouts*, or the Mori-Kanda-Lolou (holy men, monks, or hermits), the “guardians of the faith,” which, in Mali, was predominantly Islam;
- Four clans of *Nyamakalas*, or people of caste, held highly regarded artisan tradesmen, such as blacksmiths, tanners, and carpenters.

A key sub-caste of the *Nyamakalas* were the *Djeli*, or *masters of ceremonies*, the Griots of the Empire, whose duty it was to preserve the history of the empire, including its kings, battles, and the Kouroukan Fougá, passing them down through generations via oral history storytelling, poetry, and

song as no Indigenous linguistic system survives from this African civilization. (*Griot is a French colonial origin term dating to the seventeenth century.*) Yet, Griots remain active in Mali and beyond its borders in West Africa today, practicing the ancient art of *Jeliya*, most often associated with the twenty-one-string musical instrument.

1.6 Wisdom vs. Governance System

The key to understanding the Kouroukan Fouga is that, far from being seen as a political construct or a governance system, it was understood to be Wisdom. It located individual members of what was then a disparate empire within nested social hierarchies.

1.7 Family as Core

Family, as core to the Empire's social organization, was positioned to endure across the generations. For example, the *Maghan* family was established as the ruling dynasty (*Article 8*) to be held accountable by the service of Balla Fassèkè Kouyaté's family, the chief of all *Djeli* or *Griot* in medieval Mali (*Article 2 and Article 43*). The agreement of the lower nobles and feudal chiefs is recorded as part of the Kouroukan Fouga's history and ratification.

1.8 Children and Their Education

Children and their education were recognized as an essential facet of the empire's sustainability and were a duty of fatherhood placed on all males (*Article 9*). Consequently, the business of raising children was extended as a societal mandate (*Article 4*), and, at the same time, the rights of all citizens were enshrined in their right to life (*Article 5*), and respect for marriage, kinship, and community (*Article 40*).

1.9 Respect as the Bedrock

Respect as the bedrock of all human interactions, beginning with the rights accorded to one's in-laws (*Article 19*) and those under one's employ (*Article 20*).

1.10 Speaking Truth to Power

The *Nyamakalas*, who commanded much respect by their caste, were mandated to speak truth to power (*Article 2*). Religious leaders were also respected as a tertiary duty (*Article 3*). This is reinforced by the proclamations of *Article 7*, which mandates respect across all genres of relationships, both formal and informal.

Responsibility was a crucial part of these instructions, as pointed out in the counsel against laziness in *Article 6* and those observed in *Article 44*.

1.11 Women's Seat at the Table

Another singular attribute of the Kouroukan Fouga was the inclusion of women by statutory mandate (*Article 16*). Women were to be represented at all levels of society, including those of government, and were never to be offended (*Article 14*).

Married women were also to be considered with nuanced directives on their treatment (*Articles 11 and 15*). The role of women was so ingrained in ancient Malia Empire society that it is widely believed that the thirtieth seat at the *Gbara*, which carried the Kouroukan Fouga's proclamation at Ka-ba, was reserved for a woman as a political monitor.³

1.12 Environmental Stewardship

Environmental stewardship received careful attention in the Kouroukan Fouga. Hunting was

¹ <https://ich.unesco.org/en/RL/manden-charter-proclaimed-in-kurukan-fuga-00290>

² https://www.worldhistory.org/Sundiata_Keita/

³ http://www.absoluteastronomy.com/topics/Kouroukan_Fouga

only to be performed by specialists in the Mali Empire of the Middle Ages, and they were accountable to a paramount leader (*Article 37*). Hunters from that group were revered as people endowed with spiritual powers over nature.⁴ Consequently, they were the only ones allowed to practice hunting on behalf of the community.

Slash-and-burn agriculture, a practice that remains in use today, was frowned upon. Farmers were implored to survey trees and their fruit before clearing land by fire (*Article 38*).

Finally, animal husbandry was directly addressed with an ordinance on the treatment of domesticated animals such as goats, cows, and sheep, which were to be tied during cultivation periods and only left to roam once harvest season ended, hence protecting the crop (*Article 39*).

1.13 What Can We Learn from the Kouroukan Fougá Today?

Crawling through these annals of time, myriad lessons become apparent that can be gleaned from the Kouroukan Fougá and applied by modern leaders, policymaker, and governance practitioners.

Our study attempts to distill lessons relevant to these groups across five critical social framework sectors: climate action, gender, cultural awareness, conflict resolution, and technology and innovation.

These frameworks can bolster existing global policy infrastructure, such as the Sustainable Development Goals (SDGs), the Universal Declaration of Human Rights (UDHR), and the Convention on the Rights of the Child.

The philosophy of the Kouroukan Fougá can also inform various policy working groups at national, regional, and international levels looking to design

ordinances on the regulation of the digital world and new technologies affecting our ways of life (e.g., artificial intelligence [AI], data sovereignty, blockchain, tokenization, cryptocurrency, etc.). Furthermore, the wisdom of the Kouroukan Fougá holds potential in peacemaking interventions worldwide, particularly in zones with developing or historical conflict where violence has escalated due to limited access to land, water, or other scarce natural resources, for instance.

We invite analysts' attention to these articles, such as the treatment of human life, environmental protection, and gender equity. These prevailing issues remain politically salient. The longevity and success of the ancient Mali Empire point to not only the wisdom legacy of the Kouroukan Fougá but also to the endurance of its wisdom.

At this current juncture, we have a unique opportunity (*perhaps an obligation*) to absorb these lessons as we chart a way forward as the human family and, equivalently, as diverse members of the global human (*and life*) community. As the foreword of this study iterates, the applications of Kouroukan Fougá provisions are boundless and can find relevance at both a personal level and within a broader international policymaking context.



⁴ <https://www.newframe.com/from-the-archive-the-mande-charter-of-1222/>

2. Medieval Axioms in a Modern Context

2.1 Global Climate Crisis

The global climate crisis and its consequences are, as a matter of science, a result of human activities over the past two centuries, particularly massive industrialization in the West powered by fossil fuels and their emissions, principally CO₂ and other greenhouse gasses (GHGs).

While there's growing urgency for climate action by various public and private sector stakeholders around the world, the reduction and elimination of GHG emissions have reached the state where, without a massive shift in human consciousness and cultural wisdom as a mandate for change, achieving a healthy, prosperous, thriving sustainable social order may not be possible.

2.2 Kouroukan Fouga in the Anthropocene

The Kouroukan Fouga in the Anthropocene, the still-unofficial moniker given the geologic epoch, speaks to the overwhelming domination by one species over all other life, all dependent upon the health of the atmosphere, the soils of the earth's surface, freshwater, the oceans, and polar ice caps.

We live in the period of the Sixth Great Extinction (also known as the Kill Off) of species. Unlike previous extinction events caused by natural phenomena, the sixth mass extinction is driven by human activity, primarily the unsustainable use of land, water, and energy, and climate change due to GHG emissions from continuous and still-largely unchecked global socioeconomic activities. The result is an ecological and social imperative steeped deeply in the culture's wisdom.

Today, climate change is, quite simply, an existential threat to the fundamental right to life and demands the fullest intention of all world leaders, stakeholders, and policymakers. It represents a responsibility of all people—individuals, families, and communities.

The medieval Kouroukan Fouga charter contains principles and provisions to help address the current climate crisis. The solution isn't to be found in specifics but in the wisdom of the intention. Part of this is its ordinances on the equitable distribution of resources, enshrined as a right of property among families and communities.⁵ The Mali Empire of the Middle Ages was an industrious one,⁶ but one steeped in individual and communal responsibility.

Much like land rights in the modern age, individuals and their families had the right to land ownership, but this was an earned privilege. Property had strict laws of transfer: One had to either purchase property directly and have it donated or acquired through the exchange of other assets of equivalent value, including direct labor or inheritance, within recognized rules. As such, these environmental stewardship stipulations covered all productive land.

2.3 Through a Present-Moment Lens

Reading the Kouroukan Fouga through a present-moment lens, the charter's mandates on environmental stewardship emphasize the responsible use and conservation of natural resources while recognizing the importance and need for sustainable resource management.

As an illustration, only a particular small section of the population was mandated to hunt on behalf of all communities.⁷ This demographic formed a small slice of society. It was believed by the Mandé people to have a deep understanding of the natural world and were accountable to their leader,

⁵ **Article 32:** There are five ways to acquire property: buying, donation, exchange, work and inheriting. Any other form without convincing testimony is doubtful [Kouroukan Fouga].

⁶ **Article 6:** To win the battle of prosperity, the general system of supervision has been established to fight against laziness and idleness [Kouroukan Fouga].

⁷ **Article 37:** Fakombè is nominated chief of hunters [Kouroukan Fouga].

who was, in turn, responsible to the minor kings and the Emperor. Hence, wildlife was kept in balance. Likewise, only those with direct access to land, through ownership, had the option of rearing their own livestock for personal consumption or value trade exchange.

This latter group was also subject to regulation.⁸ Such domestic livestock were to be kept within enclosures during the seasons of agricultural cultivation (crop farming). Kouroukan Fougá's social organization recognizes farmers of different types—for example, those who kept animals and those who grew crops.

To ensure harmony between the two farming types—crop-raising farming and livestock farming—the constitution mandated that livestock were to be kept from open grazing until the harvest season had concluded, protecting the crops from being destroyed by cows, goats, sheep, etc.

Drawing strict distinctions between these two economic activities ensured peace among individuals, families, neighbors, and communities, while allowances were made to ensure food security. This would have also established a cadence of harmony and balance between human activities and the natural environment, a *wisdom* mainly missing in our post-industrial era.

2.4 Cultural Awareness, Conflict Resolution, and the Griots

Cultural awareness, conflict resolution, and the Griots were all foundational mandates of the Kouroukan Fougá, a culture that, again, achieved its broad dissemination and proliferation of law and custom throughout the empire through the officially renowned Griot tradition. Historically, these men were gatekeepers of early constitutional and cultural knowledge and wisdom (*likely the well-may also provided welcome entertainment and respite*). Griots played both a vital and pivotal role in song, and poem.

Their crucial role in the dissemination of social governance and cultural values, however, was to maintain a sense of steady *customary law* continuity and identity across their jurisdictional communities. Often described as living newspapers⁹ by modern scholars, these gifted individuals were far more than poor traveling monks and minstrels, as they have popularly come to be portrayed. Instead, they were men of great learning and skilled storytelling. They held the historic annals of a peoples' traditions and customs, as well as the governmental principle mandates of kings.

Particularly in a multicultural society like that of the medieval Mali Empire, these very important subjects also played a diplomatic role. They were considered traveling emissaries, dispute-settlement negotiators, and peacemakers on behalf of their ruling monarchs. In fact, part of their training—beyond memorizing vast troves of ancestral history and reciting each episode without fault—includes methods of flattering the wealthy and resolving conflict within society.¹⁰ Even in the modern era, this hereditary Griot clan continues to play its part in mediating disputes under law and custom and is often called upon as primary adjudicators in local conflicts.¹¹

The bare bones of the Griot's mandate set out a defined set of special relationships institutionalized as part of civic duty; among them is the *sanankunya*, the *cousinage* or *joking relationship*. A long-standing tradition, mostly among the Mandé peoples and other communities of the Western Sahel, this social pact allows individuals, families, clans, and even kingdoms to enact a formal relationship with jovial *cousin-like joking* familiarity.

These groups would—as a matter of goodwill and custom—both resolve issues and deepen familial, neighborly, and community ties by the custom of trading warm insults—a practice not unlike *roasting* in our modern entertainment culture.

⁸ **Article 39:** Domestic animals should be tied during cultivation and freed after the harvest. The dog, the cat, the duck and the poultry are not bound by the measure [Kouroukan Fougá].

⁹ <https://www.abhmuseum.org/about/what-is-griot/>

¹⁰ <https://archive.nytimes.com/latitude.blogs.nytimes.com/2012/10/24/malis-storytellers/?ref=opinion>

¹¹ <https://www.usip.org/sites/default/files/resources/PWOct2006.pdf>

That the significance of such relationships was so ingrained in the social fabric of the Mali Empire dates to the foundational Kouroukan Fougá ceremonies at Ko-ba, when Balla Fassèkè Kouyaté, the *Maghan's* personal Griot, was appointed Master of Ceremonies and Chief Mediator of the Empire (*Article 43*), with a singular and crucial caveat, that he was to *joke with all groups*,¹² but a special responsibility to do so with the supreme ruler and his court.

Moreover, the institution of the *sanankunya* has been so historically impactful in what has been a conflict-prone region since the disintegration of the Mali Empire that it's already again in use as a peace-building tool by several civil society organizations working in the region.¹³

The Griot's role as diplomat is also enshrined in the Kouroukan Fougá, thus making them ideal mediators by virtue of their placement within the caste-and-class-based social governance order of the Empire. As part of the Nyaras, the talented of the Nyamakala caste, they were never to be offended.¹⁴

The Griots were useful to kings as effective functionaries because, despite their high skill and talent, they ranked lower than nobility, making them apt for service. At the same time, they were forbidden from marrying into the ruling class, making them politically neutral as diplomatic emissaries.¹⁵ This implied that this hereditary clan was designed for cross-generational service to both the monarchy and their respective jurisdictions and all their communities within. Cementing their position and compounding a general custom of respect and tolerance across the empire, these envoys were protected¹⁶ as per the dictates of the Kouroukan Fougá.¹⁷

2.5 Relating Contributions

Relating these functionaries and their contributions to the Mali Empire across its centuries, we can apply the wisdom of their craft to the modern age. By constructing policy frameworks that sanction and encourage mediation at the grassroots, local communities can be empowered in conflict resolution before issues become regional or even national crises. Appointing neutral parties within these areas who are knowledgeable of historical issues and cultural nuances can further support peace-building efforts whilst also endearing trust between parties in conflict.

Additionally, beyond a peace-keeping mandate, these third parties can also play the role of cultural stewards, recording and preserving the cultural heritage of indigenous populations, particularly those whose way of life is being threatened by rapid urbanization, cultural exploitation or resource exploitation¹⁸ and depletion.

2.6 Gender and Empowerment of Women

Unique to its place in history, the Kouroukan Fougá crucially recognizes women's contribution to society. Gender equity, as we know it today, is carefully addressed by the tenets of this ancient constitution. In doing so, the architects of the government of the Mali Empire, from its thirteenth century formation, make bold assurances to all people of the empire—establishing cultural norms regarding the inclusive values of women unique to the Medieval era—in Africa and for the world at large.

Women are immediately addressed by the Kouroukan Fougá, following an edict to respect the Nyaras or the talented. They, too, are never to be offended as the mothers of society.¹⁹

¹² **Article 43:** Balla Fassèkè Kouyaté is nominated chief of ceremonies and main mediator in Manden. He is allowed to joke with all groups, in priority with the royal family.

¹³ <https://www.ohchr.org/en/press-releases/2012/08/committee-elimination-racial-discrimination-examines-report-senegal>

¹⁴ **Article 13:** Never offend the Nyaras (the talented) [Kouroukan Fougá].

¹⁵ <https://www.usip.org/sites/default/files/resources/PWOct2006.pdf>

¹⁶ **Article 25:** The ambassador does not risk anything in Manden [Kouroukan Fougá].

¹⁷ **Article 24:** In Manden, do not maltreat the foreigners [Kouroukan Fougá].

¹⁸ <https://www.un.org/development/desa/indigenouspeoples/mandated-areas1/culture.html#:~:text=Indigenous%20cultures%20threatened%20with%20extinction.&text=However%2C%20Indigenous%20Peoples%20have%20continued,many%20parts%20of%20the%20world.>

¹⁹ **Article 14:** Never offend women, our mothers [Kouroukan Fougá].

This is a key aspect of African societal norms, where, across several cultures, motherhood, as an identity, is often accorded a title of honor and veneration. In ancient Mali, it's clear that a similar system of social and interpersonal esteem was firmly in place. An ordinance of this kind is idiosyncratic to the secularity of the Kouroukan Fougá, which allowed for the treatment of gender to be separate from ideals drawn from prevailing moral, cultural, or religious standards.

Women, as a social grouping, were not only accorded customary respect but were also included in governing leadership throughout all levels of the Mali Empire.²⁰ It's believed that women served as political monitors and participated in the management of the empire's numerous industries.

Married women, too, were given due regard. The boundaries of the marriage covenant were to be respected, and women within those unions were not to be harmed or disciplined without a husband's consent.²¹ This protected the affairs of those married, which were never to become a subject of public intrigue—maintaining harmony across the society at large while ensuring the sanctity of the marriage pact. Additionally, married women were also shielded from unwanted advances with specific instructions²² on the treatment of women of influence as well as those who were married within one's personal network.

Analysis of this ancient constitution's wisdom on the recognition of women as both cultural and governance imperative makes a strong case for similar considerations in the contemporary age. At a time when debates on gender equity have produced limited, tangible solutions,²³ returning to the edicts of the Kouroukan Fougá may hold the keys to their resolution.

Women being respected as the default ushers in a cultural atmosphere that would inevitably welcome their contribution across all dimensions. For women to be respected, we must make a necessary assumption that their voice carried weight in thirteen-century Mali, a feat Western Europe would only achieve much later, at the turn of the twentieth century. Modern policy interpretations could build on this crucial facet, which translates well across cultural lines, to both ensure empowerment and full inclusion of women in the development of their economies and societies.

2.7 Technology and Innovation

Technology and innovation, reflective of the digital economy era, while potentially empowering, must be deployed in a manner that ensures just, equitable, and inclusive availability and application across all social strata. If any society's governance proves unable to do so, they're actively encouraging the digital divide between those empowered because of their ease of access to the digital technologies of innovation and those who have control over its availability and use to exploit people. In some cases, governments can even employ digital technology as a tool of domination and oppression over unsuspecting or uninformed citizens. Thus, it can represent a form of imperial neocolonialism.

Such digital-divide imperialism can be a covert form of subjugation.²⁴ By definition, this is the extension or exertion of power and influence by a country or corporation using technology. If we study the digital world around us, we're able to discern subtle hints of its application. For example, our world today is largely data-driven. Our movements, be it through using a ride-hailing app or seeking directions on a geo-positioning system (GPS), are recorded as

²⁰ **Article 16:** Women, apart from their everyday occupations, should be associated with all our management [Kouroukan Fougá]

²¹ **Article 15:** Never beat a married woman before her husband has tried to correct the problem [Kouroukan Fougá].

²² **Article 21:** Do not follow up with your constant attention the wives of the chief, of the neighbor, of the marabout, of the priest, of the friend and of the partner [Kouroukan Fougá].

²³ <https://blogs.worldbank.org/governance/govtech-and-gender-equity-why-it-matters>

²⁴ <https://www.aljazeera.com/opinions/2019/3/13/digital-colonialism-is-threatening-the-global-south>

personal data in various formats. Whether on social media or smartphone applications, we all leave a trail of data breadcrumbs. Hence, we're all traceable. In this way, the possibility of corporate or state power of control of data becomes a very pertinent reality.

Simply put, The shape of tomorrow will be decided by whosoever can establish a digital and data hegemony.²⁵

2.8 Digital Equity

Perhaps a positive case study of equitable digital systems can be observed through India's celebrated digital public infrastructure: The India Stack, a unified digital payment system,²⁶ that eases the processing of day-to-day monetary transactions while encompassing within its domain the poor and under-banked, having access to the country's financial systems—a feat which traditional banking systems haven't achieved.

An observer of India's metropolises will find that even the street corner beggar has a mobile digital device and QR code! Similarly, the universal digital identity through the Aadhaar system by the Indian federal government maps every citizen-user through their digital footprint.

Public digital infrastructure is a means of equity, empowerment, and social and economic mobility for all individuals. India, through its example, paves the way with government-controlled digital tools, offering access to the digital world for all whilst simultaneously providing an opportunity for transparency as a test case for similar systems around the world.

However, it may prove difficult to replicate India's example, and the fact remains that many democracies refrain from such state-controlled transparency, as there is the threat of rent-seeking

behavior, particularly as it concerns data owned by the state. When you have government scrutiny, control, and access, it can also lead to abuses of power.

In India, the Delhi-Sikh riots of 1984 are an example of first-data-driven communal riots after the assassination of Prime Minister Indira Gandhi. Data from the electoral rolls was retrieved to target the Sikh households in Delhi, leading to the most barbaric ethnic cleansing in modern Indian political history.

How can we ensure such incidents are not repeated in the future? How do we create a decentralized, human-centered citizen platform? How do we evoke a sense of civic literacy and responsibility among the people so as to prepare them for the tsunami waves posed by the current wave of AI? How do we ensure technology doesn't disempower and override humanity?

2.9 Wisdom of the Ages for Data Sovereignty in the Future?

The answers to these questions may lie in the wisdom of the Kouroukan Fouga. Encompassed within its edicts are hints on how we might approach the issue of data sovereignty in the modern era. Data, being a public good of the digital systems in which we now exist, means that its ownership is broadly undefined. While there have been international policy movements to ensure the protection of personal data, such as the GDPR in the European Union, in the developing world, these protections are still being addressed within national and regional policy frameworks.

A big step forward was taken by the African Union in early 2022 with the adoption of the African Union Data Policy Framework (AUDPF), a holistic approach to data governance and regulation structure covering both personal and non-personal data similar to the GDPR.

²⁵ <https://www.penguinrandomhouse.com/books/539747/winners-take-all-by-anand-giridharadas/>

²⁶ **Unified Payments Interface (UPI)** is an instant payment system developed by National Payments Corporation of India (NPCI). The interface facilitates inter-bank peer-to-peer (P2P) and person-to-merchant (P2M) transactions. It is used on Mobile devices to instantly transfer funds between two bank Accounts.

The Kouroukan Fougá notes that property without an identifiable owner automatically becomes communal property after a period of four years.²⁷ Marrying this with the African principle of *Ubuntu*, a philosophy from the Bantu, a major ethnic group dispersed across sub-Saharan Africa, we can find a harmonious way forward. *Ubuntu* is sometimes translated as *I am because we are*, and *I am because you are*, thus intimating that human existence and the humanity of civilization are interdependent.

Consequently, cultural sensibilities across the continent naturally place the needs of the community above those of the individual. Thus, efforts and sacrifices made by individuals are for the sustainability of the wider community. An intervention, drawing from African wisdom, may be to encapsulate individual data under communal ownership, perhaps even under the patronage of the state or communities, for their direct, measurable benefit to the whole community. However, strict governance policies and regulations must be applied as to their use and commercialization to ensure that this actually happens. Likewise, if for commercialization, then all data owners equitably share in resultant revenues or other value benefits.

This principle may generally fall under the realm of Digital Public Goods (DPGs) now being advanced. Before we can build digital trust, we must ensure trust between people and a general respect for human rights, equity, inclusion, and dignity. The oxymoronic-sounding term “trustless” is meant for the digital age. What can we draw from the wisdom of Kouroukan Fougá to maintain the strength and continuity of historic social frameworks in the era of digital social disconnect in the very face of the most connected era in history? (*If we may permit ourselves to be so bold as to ask?*)

Can we, in this modern era, understand the significance of the embodied wisdom of the

Kouroukan Fougá as a tool for human social development in the advanced digital economy era, even as we locate ourselves in the first chapter of what will prove to be the long cultural-transformation book of AI.

The essence of this long oral tradition lies in its definitions of citizenship and collective civic responsibility and benefit. The Kouroukan Fougá says every member of the community must ensure that the rights of others are fully observed and protected while performing one’s own duties and enjoying one’s own sense of dignity and equity and that mutual respect is the foundation of all social interactions.²⁸

If we’re able to evoke shared humanity, in not just ourselves but in others, as the wisdom of the Kouroukan Fougá instructs, we can make important strides toward building a social contract for the digital age that will, too, stand the test of time.

The hope of this perspective is that we both maintain and enhance our humanity not just because but in the full presence of the advance of machine learning and digital communication. As human beings, our worth extends far beyond what data and digitalization have to offer. Even if absorbed within its metrics, people are not data-driven commodities to be bought and sold to the highest bidder!

As the Kouroukan Fougá elucidates, human life, in all its dimensions, is to be respected and valued.²⁹ This includes the respecting of differing opinions, even as they may be contrary to one’s own, which is also addressed by the wisdom of the world’s oldest constitution.³⁰ Tolerance was the order of the day in Mali. In that light, perhaps we should reconsider our own temperaments in the present age.

With increasing digital progress, we have observed that diversity of thought is in danger globally.

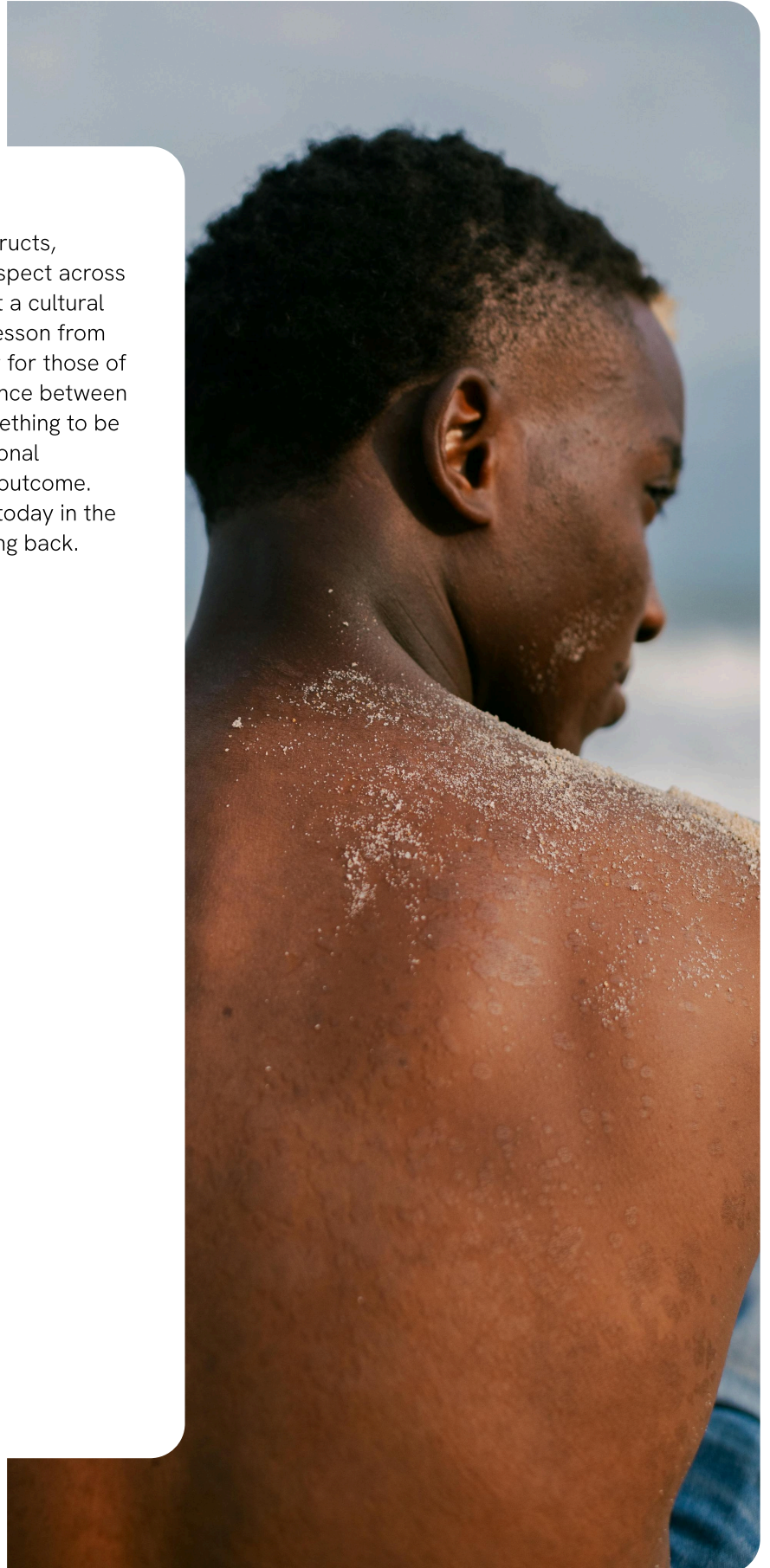
²⁷ **Article 33:** Any object found without a known owner becomes common property only after four years [Kouroukan Fougá].

²⁸ **Article 23:** Never betray one another. Respect your word of honor [Kouroukan Fougá].

²⁹ **Article 5:** Everybody has a right to life and to the preservation of physical integrity. Accordingly, any attempt to deprive one’s fellow being of life is punished with death [Kouroukan Fougá].

³⁰ **Article 7:** The sanankunya (cousinage or joking relationship) and the tanamannyonya (blood pact) have been established among the Mandinka. Consequently, any contention that occurs among these groups should not degenerate the respect for one another being the rule. Between brothers-in-law and sisters-in-law, between grandparents and grandchildren, tolerance should be the principle [Kouroukan Fougá].

As this ancient African constitution instructs, harmony is a direct consequence of respect across all social boundaries, and that makes it a cultural ideal to strive for. A present-moment lesson from Kouroukan Fouga serves as a reminder for those of us living in the digital age that coexistence between ourselves and the natural world is something to be worked for and achieved through personal sacrifice. Its principles are clear in the outcome. Perhaps, for those of us who are alive today in the digital era, the way forward is by looking back.





3. An Influential Legacy

3.1 A Traveling Dissemination Mandate

The potency of the Kouroukan Fouga's legacy was solidified by the portability of its wisdom. While its precepts were deeply rooted in the worldview of the Mandé people, the ethnic group that formed the ruling class of ancient Mali, its edicts were easily accessible to people of other cultural backgrounds due to the universality of its rationale. They spoke directly to the humanity of those they governed while providing a codified cultural foundation to build upon.

There is much evidence to suggest that storytelling, song, poetry, dance, craft, and art all serve to build, broaden and deepen social cohesion. The genius of the dissemination of the Kouroukan Fouga via the empire's Griot network was that it elevated the empire's political mandates into cultural ones, capable of instilling a sense of pride, identity, and belonging to its adherents. Therefore, the inherent wisdom of what is considered to be the world's oldest constitution was that it was ingeniously built to travel well throughout all regions of the kingdom.

Initially, the Kouroukan Fouga moved across the territories that constituted ancient Mali, which grew in size, wealth, and influence over four centuries as the result of further conquests. In less than two decades after the Gbara at Ka-ba, in about 1250 CE, this Manden Charter was law over a geographical area of 100,000 km².

A century later, the Mali Empire had grown to declare dominion over 1,240,140 km² with over 400 cities, stretching from the hinterlands of the Saharan Desert to the coastal forests of Gambia, under its control. Interestingly, its pattern followed that set by its predecessor, the Ghana Empire,

which recognized the unique cultural identities of its vassal states.³¹

Another crucial innovation was the introduction of hereditary professions via Sundiata's clan-and-caste system, which enabled the Griot network to thrive across many generations. Henceforth, sons had to learn and practice the same trade as their fathers. Beyond this, individual kingdoms retained a large degree of autonomy, all the while underneath the invisible umbrella of the Kouroukan Fouga.

As a result, the Griot culture endured, flourished, and eventually survived the empire that had bred and qualified its prominence. In fact, it reached other corners of the known world first by conquests that followed the beginning of the decline of the Mali Empire in the late fourteenth century (although it would survive until ultimately replaced by the Moroccan Empire, c. 1670), then by the trans-Atlantic slave trade which began in the mid-sixteenth century, ultimately to decimate much of the population of West Africa, mostly at the hands of British, Spanish, French and Portuguese slave traders.

This hereditary Griot network of learned men who were cultural purveyors of story, song, emissarial mediation, and ancestral wisdom took their craft with them wherever they went. Today, their legacy lingers across many of these territories, and, much like the legacy of the Kouroukan Fouga, they have not only found their place within myriad new cultural contexts but also inevitably and invariably influenced them.

3.2 A Dark Chapter and a New Life in the New World

Beginning in 1526, the grim, cruel business of forced transport and trade of men, women, and children from the western coast of Africa to what was then known as the New World began.³²

³¹ Sundiata and Mansa Musa: Architects of Mali's golden empire (Niane, 1979). Access: <https://unesdoc.unesco.org/ark:/48223/pf0000044668>

³² <https://www.gilderlehrman.org/history-resources/teacher-resources/historical-context-facts-about-slave-trade-and-slavery#:~:text=TRANS%20ATLANTIC%20SLAVE%20VOYAGES,million%20arrived%20in%20the%20Americas.>

This caused major cultural disruption in every single community that the triangular—West Africa, the Americas, Britain/Europe—trans-Atlantic slave trade touched.

While the Kouroukan Fouga points to the existence and regulation of slavery within its territories, its charter was clear on the rights and treatment afforded this segment of society and the prevailing cultural attitudes towards this practice.³³ Indeed, long before the Kouroukan Fouga, slavery was an established institution throughout West Africa of the period,³⁴ and many of its empires flourished with a recognized *slave society* as part of their social strata.

However, beginning in the sixteenth century, the triangular trade of people across the Atlantic set a new precedent, eroding the humanity of those enslaved and legitimizing them as trade commodities for barter and sale in foreign territories and colonies. This new chapter in the institution of slavery founded a brutal and inhumane global economy.

Africans were captured by a network of indigenous slavers working for profit, who then sold them on to Spanish, Portuguese, British, or French traders who treated them as chattel to be transported across the Atlantic as quickly and cheaply as possible. Men, women, and children were separated by sex and inhumanely chained within cramped, dark holds of merchant ships. During its course, an estimated 12.5 million people were captured and transported on the high seas, but only 11 million survived the journey to the New World.

3.3 The Griot Tradition Continues in the Americas

Among the transported enslaved people were descendants of the Mali Mandé people, including members of the hereditary Griot sect, direct

ancestors of the historic *Djeli* who were tasked with carrying the mandates and tenets of the Kouroukan Fouga across the empire. These enslaved descendants took with them echoes of their forebears' expressive cultural legacies, mainly through song and storytelling, which survive in the Americas and Caribbean region to this day.

These *Djeli/Griot* heirs carried their oral histories of important lineages, events, cultural touchstones, and the common wisdom of a people, thus forming an important subculture among populations living in the plantation slave "communities" of the New World. For example, enslaved Africans in the British colonies of the North American East Coast created new narratives that helped them endure their hardships with a tenacity that only a deeply rooted sense of cultural identity and belonging could provide.

This included personal histories, known as slave narratives, followed the design of the oral histories, which gives modern observers a glimpse into the characters of historical figures such as the Epic of Sundiata Kieta.³⁵ Very few records survive to the present day. However, a popular illustration of this can be found in *The Interesting Narrative of the Life of Olaudah Equiano*, the autobiography of a prominent freed slave and abolitionist who traced his roots to the village of Essaka in what is now Nigeria.

For many who have suffered the forced inhumanity of enslavement, the Griot tradition furnished an internal world of its own evolution into which they could escape and truly see themselves as their ancestors saw themselves, as members of a thriving empire in which they were free men in a cohesive society, living lives of dignity³⁶ and purpose.

³³ **Article 20:** Do not ill treat the slaves. We are the master of the slave but not the bag he carries [Kouroukan Fouga].

³⁴ <https://atlasofenslavement.rosalux-geneva.org/mali/>

³⁵ <https://www.britannica.com/topic/Sundiata-An-Epic-of-Old-Mali>

³⁶ Exploring the African American Oral Tradition: Instructional Implications for Literacy Learning (Grace et al, 2004). Access: <https://www.proquest.com/docview/196867020?pq-origsite=gscholar&fromopenview=true>

3.4 Calypso

Calypso is evidence that this cultural monument traveled through song, giving birth to modern creative expressions. In Brazil, echoes of the Griot tradition can be heard in the music of Bahia, where most of the population trace their ancestry to slavery.³⁷ The region also innovated popular musical styles such as the Tropicália movement of the 1960s, led by cultural icons Gilberto Gil, Caetano Veloso, and Gal Costa, among others. This genre was a fusion of modern Brazilian music with traditional African traditions, infusing rhythmic drums and lyrical storytelling.

In the Caribbean, the Griot transformed into the 'Chantwell' Calypso vocalists singing the work songs rooted in the work songs of enslaved people on sugar plantations, a prevailing musical style that is popular in the islands of Grenada, Dominica, St. Lucia, Trinidad and Tobago among others.

The Wikipedia entry for Calypso says this: *"(It's) a style of Caribbean music that originated in Trinidad and Tobago during the early to mid-nineteenth century and spread to the rest of the Caribbean Antilles by the mid-twentieth century. Its rhythms can be traced back to West African Kaiso and the arrival of French planters and their slaves from the French Antilles in the eighteenth century.*

"It is characterized by highly rhythmic and harmonic vocals and was historically most often sung in a French creole and led by a Griot. As calypso developed, the role of the griot became known as a chantuelle and eventually, calypsonian. As English replaced "patois" (Antillean) as the dominant language, calypso migrated into English, and in so doing it attracted more attention from the government. It allowed the masses to challenge the doings of the unelected Governor and Legislative Council, and the elected town councils of Port of Spain and San Fernando. Calypso continued to play an important role in political expression."

People in the United States would best know this genre in popular music in the Calypso stylings of the late Harry Belafonte, whose, perhaps, most famous song was "Day O," known as the "banana boat song."

The Griot tradition influence is also evident in 'Toasting,' a musical genre similar to modern hip-hop music involving chanting over instrumental segments called riddims (rhythms?) with a strong DJ or MC (*a modern day Griot Master of Ceremonies?*) leading the chorus. Similarly, Samba (and, likely, Tango) and Reggae can also trace their origins to the Griot pattern, with idiosyncratic cultural innovations in their modern delivery.

Finally, in the American South, which had a pervasive legacy of slavery, the blues and its close relative, *jazz*, were the gifts from the *Griots*. The shimmering vibrato of the late blues singer, B.B. King, over the hypnotizing bass guitar harks back to the artistry in its most authentic form, voice over the 24-string Kora, a lute-like instrument innovated by the Mandé civilization. These genres formed the bedrock of Hip Hop, a socio-cultural movement that began in earnest in the 1970s, on the back of the "Black Power" revolution of the 1960s and '70s³⁸ in the US.

3.5 An African Evolution

For those who remained in Africa, the Kouroukan Fougá and its cultural vestiges endured similar pressures for survival. Beginning in 1460 CE, attributable to a crisis in leadership and internal chaos, the Songhai Empire began overtaking the Mali Empire's prominence in the region.

During the reign of its founder, Sunni Ali Ber, from AD 1464 to 1492, much of the Mali Empire was absorbed under his rulership, including all prominent trade routes.

³⁷ <https://read.dukeupress.edu/hahr/article/73/3/361/146025/Manumission-and-Ethnicity-in-Urban-Slavery>

³⁸ Black Power: National Archives. Access: <https://www.archives.gov/research/african-americans/black-power#:~:text=Black%20Power%20began%20as%20revolutionary,of%20political%20and%20cultural%20institutions.>

The new emperor, a military and political science student, reformed much of the social organization that the Kouroukan Fouga had established. The autonomy of individual kingdoms within the Mali Empire was upended and restructured under a centralized government headquartered in Gao (now in modern-day Mali, on the banks of the River Niger), which would later become the seat of the Askia dynasty, which claimed supreme headship over Songhai at the height of its power.

Where the Kouroukan Fouga was governed by a secular philosophy, the Askia established Islamic law (known as Sharia) across all the former territories of ancient Mali, with Gao leading as a major center of Islamic scholarship. However, echoes of the former governance system lingered on. Songhai, too, had a complex social hierarchy, similar to Sundiata's clan-and-caste system, which dictated professions in agriculture and trade.

An agricultural class formed with farmers tasked solely with food production. At major commercial centers, traders were commissioned to facilitate the exchange of goods, mainly salt and gold, across the empire's major trade routes.³⁹ Slavery was also sustained as a cultural and economic practice, and perhaps due to the legacy of the Kouroukan Fouga, some enslaved people were permitted to rise to positions of power and influence within the new empire.

(Editor's note: While some of the dates of the three Empires of Ghana, Mali, and Songhai appear to overlap, the fact is that the three West African empires coexisted for centuries, with each rising to ascendancy in different periods of conquest.)

The Songhai Empire's demise came with the Moroccan Invasion of 1591 CE. This period ushered in two major disruptive forces that would come to shape the history of the region: the trans-Atlantic slave trade and its traveling companion, European colonialism. While Moroccan hegemony was never

fully recognized (just as previously experienced in the region by other empires in the vast region), it did establish full control over the trans-Saharan trade routes, which were crucial arteries in the movement of slaves and gold.

However, conflicts and resulting power vacuums gave way to increasing European influence. Merchants worked in West Africa at the behest of the commercial interests of European monarchs, having formed their own operations and historical networks in the region dating back to the fifteenth century. By 1895, all the former territories of ancient Mali had been consolidated into the Federation of States known as French West Africa.

However, the era of European colonialism did not completely erase the cultural and intellectual heritage of the Kouroukan Fouga. The Nyamakalas, the talented or occupational caste of which the Djali or Griots were, continued to exist as an occupational caste in pockets throughout the old empire.

However, the interference of military conquests, political restructuring, slavery, and finally, colonial rule reduced their status from caste noblemen to nomadic artisans living in penury. In some contexts, they were referred to as the refuse of society. Until a recent cultural resurgence, the Griot was reduced to turning his musical and poetic art into a desperate hand-to-mouth living or even to working with his hands to live, a steep decline in fortunes from the original order set by Kouroukan Fouga.⁴⁰

However, the Griots of Africa did eventually reclaim a piece of their legacy, propelled by the international rise of Toumani Diabaté, the "undisputed world champion" as a musician playing the traditional Kora. He is from the Mali Republic and a member of one of the five principal musical Griot families in West Africa; his father, Sidiki Diabaté, known as the King of Kora, was a popular musician who led his own Mandé ensemble,

³⁹ African Civilization: From Ancient Kingdoms to Modern Societies (Mohamed, 2023). Access: https://www.researchgate.net/publication/371466394_African_Civilization_From_Ancient_Kingdoms_to_Modern_Societies

⁴⁰ Sundiata: An Epic of Old Mali (Niane, 1960). Worldcat Access: <https://www.worldcat.org/title/sundiata-an-epic-of-old-mali/oclc/5393002>

releasing records locally throughout the 1970s and '80s. After being featured on his father's record, *Ba Tagoma*, in 1987, Toumani began making music under his own banner, establishing the seventy-first generation of his family in the craft.

His first solo album, *Kaira*, was recorded in London over the course of an afternoon in 1988. It was an early success and introduced contemporary Western audiences to this ancient African art form. Today, Toumani is considered a legendary virtuoso within the Griot tradition. However, his legacy extends far beyond that. His success inspired the career of his cousin, the Gambian Sona Jobarteh, who is celebrated as Africa's first female Kora-playing Griot. The daughter of prominent Gambian Griot Sanjally Jobarteh and an English mother, she received her formal musical training in the Western tradition, studying cello, harpsichord, and piano at the Royal College of Music in London. However, in the tradition of her ancestors, Sona was trained to play the Kora by her brother and father.

Her entry into the formal profession as a woman was both a major departure from and an update on her qualifications in the ordinances of the Kouroukan Fouga. While the laws of primogeniture, property, and profession passed inheritance on to sons (*Article 18*),⁴¹ women had representation rights in all sectors of society (*Article 16*),⁴² While women from prominent Griot families were allowed to sing, they were forbidden from playing sacred instruments such as the Kora. In Jobarteh's case, she had to break the tradition to preserve it.⁴³

Jobarteh's progressiveness and iron will propel her to international acclaim and allow her to establish new traditions that continue to honor the Kouroukan Fouga. In a 2022 interview, she cites her music as a celebration of ancient Mali, noting that "This is music that carries the (Mali) Empire at its greatest... Traditions have to evolve; they are not stagnant!"⁴⁴

Giving back to the community, also a mandate of the Kouroukan Fouga, now features prominently in her legacy.⁴⁵ Jobarteh has since started an academy of music in her native Gambia, training both boys and girls in the musical artistry of the Griots, regardless of their heritage or caste. Her celebrated hit, "Jarabi" (meaning Beloved), from her critically acclaimed 2011 album, *Fasiya*, is a lyrical rendition of her legendary cousin Toumani Diabaté's track of the same name from his groundbreaking debut, *Kaira*.

3.6 Survival, Evolution, Resurgence: Finding New Relevance

The Kouroukan Fouga's modern revival began in earnest in 1960 with the seminal work of Djibril Tamsir Niane, the Guinean historian and writer. His book, *Sundiata: An Epic of Old Mali*, first published in French, contains the first written reference to the ancient constitution nested within a rich narrative of the Maghan's life and conquests. This modern-day account relied mostly on the memory of the prominent Griot, Djeli Mamoudou Kouyaté, a direct descendant of Sundiata's personal griot, Balla Fassèkè Kouyaté.

It provided impetus for further research and academic work on the subject. Compilations and translations soon followed, first in the Mandinka language of the Mandé people of the Mali Empire, then in French, driven mostly by the work of celebrated Malian intellectuals Youssef Cissé and Wâ Kamissoko. Finally, in 1998, a conference held in Guinea brought together Griots, traditional historians, and modern scholars to produce the English-language version, which we reference in this chapter.

The memory work of this hereditary clan has always been and remains impressive. Not only were the contents of the original constitution meticulously preserved, but they were also

⁴¹ **Article 18:** We should respect the law of primogeniture [Kouroukan Fouga].

⁴² **Article 16:** Women, apart from their everyday occupations, should be associated with all our management [Kouroukan Fouga].

⁴³⁴⁴ Sona Jobarteh: The 60 Minutes Interview. Access: https://www.youtube.com/watch?v=msRZsecUp-l&ab_channel=60Minutes

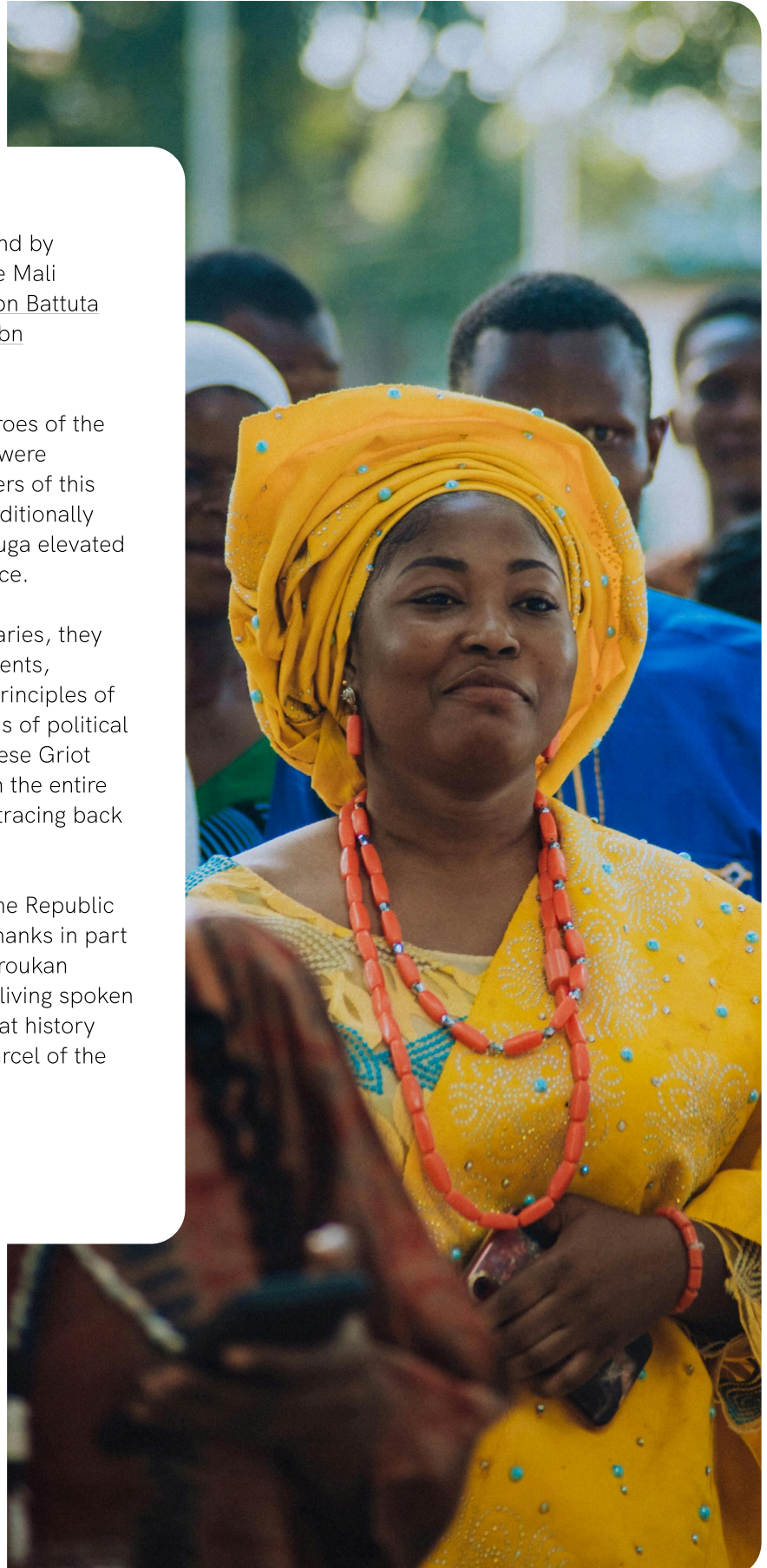
⁴⁵ **Article 31:** We should help those who are in need [Kouroukan Fouga].

supported by written records left behind by various observers and historians of the Mali Empire, such as the Islamic explorer Ibn Battuta and the ancient Tunisian philosopher Ibn Khaldun.⁴⁶

The Griots are perhaps the unsung heroes of the Kouroukan Fougá. At their peak, they were considered the most important members of this West African society—even though traditionally from a lower caste, the Kouroukan Fougá elevated them to culturally significant prominence.

Rather than document archives or libraries, they held the oral annals of the peoples' events, customs, traditions, and governance principles of kings. Despite the profound disruptions of political conquest, colonialism, and slavery, these Griot families still exist, carrying within them the entire cultural legacies of their communities tracing back to their medieval empire roots.

Today, they can be found in Guinea, the Republic of Mali, and Gambia, among others, thanks in part to the organizing principles of the Kouroukan Fougá. As a caste, Griots are not only living spoken documents of history; they embody that history itself! In this way, they are part and parcel of the cultural asset's enduring mystery and magnificence.



⁴⁶ An Ear for the Past: An Interview with Djibril Tamsir Niane (UNESCO, 2009). Access: <https://unesdoc.unesco.org/ark:/48223/pf0000185996>



4. The Wisdom Way Forward

4.1 Calling on Ancient Wisdom

After a critical analysis, one would find that the Kouroukan Fouga is far more than a charter. An old adage claims an arrow can only be shot ahead by pulling backward. Thus, to move ahead, it is imperative to fully explore the past and its wisdom, such as those offered by the Kouroukan Fouga, to directly address the challenges we face today with keen insight and precision.

The oldest constitutional charter in the world established social cohesion, promoted peace, and assigned rights and dignity to every human life whilst ensuring the continuity of society through education, gender equity, inclusion, personal responsibility, environment stewardship, and preservation. The resultant prosperity, growth, and longevity of the Mali Empire are evidence of its successes.

Over the last two centuries, communal paradigms have shifted with the advent of the Industrial Revolution. In our time, the collapse of traditional social structures has given way to individualism and consumerism, both offshoots of industrialization. This has led to the individual's disconnect from self, community, and the natural world.

4.2 Hope for a Period of Inherent Divisiveness and Brokenness?

The world is currently experiencing and subject to many crises across the ecological, psychological, financial, social, and political domains. Particularly in the digital age, we find ourselves adrift within a paradox—living in a divided world where humanity is more technologically connected than ever before and where every individual has become a global commercial entity in and of herself or himself. But alone.

Seeking a solution to the reunification of individuals to communities while espousing the need for both personal accountability and social and civic duty urges us to return to well-worn wisdom paths.

A narrative from Chinese mythology magnifies the state of crisis that we have invited. It goes:

There was a monster, it is said, called Tao Tie, which was possessed by an insatiable appetite. It consumed every creature around it, even the Earth itself, yet it was hungry. Finally, it turned to its own body, thus eating arms, legs, and torso, leaving nothing but the head.⁴⁷

Could it be that we are that monster? Far beyond consuming all that we have inherited from the labor of civilizations passed and from the natural world, we now may be in danger of destroying ourselves through unfettered avarice, selfishness, and ignorance.

It's time we transform humanity by relearning to be human once again. If we wish to outlast the multiple crises enveloping the world today, our only hope lies in our history as a shared humanity. Its ample lessons caution us that the past is, indeed, prologue, that, while the repetition of errors that have left scars on the body of the human experience, we are invited (by Griot mandate) to learn from all of it.

Thus, a history like the Kouroukan Fouga locates us in a community, adapting social cohesion as a way of life and equity as a crucial part of our being. It reminds us that to be human is to be diverse, inclusive, and equitable in our sense of personal responsibility in the community.

⁴⁷ <https://taotie.readthedocs.io/en/latest/>

4.3 A Wisdom Is Not a System

Much of the ingenuity and success of the Kouroukan Fouga lies in the fact that its edicts institutionalized wisdom, already been proven across the centuries as law. That is, it established the Mali empire under a *wisdom*, not a *system*, and therein lies a crucial, if nuanced, distinction. In this contrast lies the triumph and importance of the world's oldest constitution.

A system is a set of interwoven principles and procedures that form the mechanisms within which things are done.⁴⁸ These are often disparate but related elements, manipulated to work in unison, that configure a whole and produce a set of didactic outcomes. Our world is full of them—public school systems, thermodynamic systems, judicial systems, even digital systems.

While instructive, systems are inherently imperfect because they rely on static knowledge. Consequently, systems require consistent revision to develop and represent some version of “current.” That is, they need to be updated constantly, and where they are not actively improved upon, the results can be devastating.

Editor's Note: As an illustration of this point, the current updated version of the operating system for the Apple iPhone (iOS) is 17.6, and it is entirely incompatible with iOS v1.0. Now, ask what Steve Jobs's foundational wisdom was that led to Apple, because of the iPhone, becoming the first trillion-dollar valued company in the world. The fact that there was such wisdom, which few can simply state, is representative of how far we have slid backward from the time of the Kouroukan Fouga – a time when its wisdom would last centuries in the Middle Ages. Now it's decades and becoming ever-shorter.

Wisdom is intangible but living. Often seen as an

ethereal product of the human condition, it simultaneously relies on knowledge, experience, understanding, sensibility, and insight to produce sound judgment.⁴⁹ It is, in fact, the successful application of a body of accumulated knowledge, making its outcomes, by their nature, far superior to those of a system.

What has made systems proliferation prominent in our current age is that wisdom is not easily accessible—it has to be sought—a process that may take years or even a lifetime. In the ancient world, for example, wisdom was the province of kings, and, in most cases, just a small minority of the population operated within this domain.

Wise men dedicated their lives to the pursuit of wisdom and applied their specializations in direct service to the Crown. In the case of the Mali Empire of the twelfth and thirteenth centuries, only those of the hereditary Griot caste were tasked with this function. However, over the centuries, with the democratization of knowledge, the ideals of wisdom have fallen away, paving the way for systematic, algorithmic functions that govern the digital world in which we now live. To put it plainly, while systems are manufactured, they're mechanisms are often bereft of the humanity they are built to serve. On the other hand, wisdom is a direct product of humankind—the embodiment of the learnings of human experience—and thus is uniquely placed to address the challenges of society.

In our contributory chapter to *Healing a Broken World*, we posit that to address our current predicament as humanity; we must return to this subtle, nuanced difference of *systems versus wisdom* to seek solutions that can both stand the test of time and yet evolve in the new conditions of the time.

⁴⁸ <https://www.merriam-webster.com/dictionary/system>

⁴⁹ <https://www.merriam-webster.com/dictionary/wisdom>

Because of this truth, the Kouroukan Fougá well-served its populations over centuries of change and evolution. Its survival, evolution, resurgence, and recent popularity indicate this fact. Drawing from its wisdom, which was earned from the experience over the lifetimes of generations of its proponents, offers a way forward for modern leaders and those who advise them.

The reason for this is aptly summarized by a statement by Djeli Mamoudou Kouyaté, a descendant of an architect of the Kouroukan Fougá, the first of the Mali line of Griots, Balla Fasséké Kouyaté. In his contribution to the Epic of Sundiata and the First Kings of Mali,⁵⁰ he declared *that the world is old, but the future springs from the past*. This points to the transcendence of *human wisdom over engineered systems*. The former is alive and dynamic, while the latter is inanimate and static.

4.4 A Way of Thinking

Wisdom not only reproduces positive outcomes (often within systems) but also creates conditions for adapting to new ideas, adding to its efficacy when correctly applied. It inculcates willing minds to operate in the critical environment needed for personal growth, thus encouraging societal progress. Calling from the annals of history, it forms new pathways for the present and future.

As some ancient texts would frame these principles, *wisdom is fool-proof*. However, those who seek wisdom must be committed to its demands. Wisdom challenges mindsets; it demands a dedication to depth and an investigation of overlooked intricacies. As the Kouroukan Fougá teaches us, wisdom must be labored for, which requires an investment of time—a non-renewable resource. However, as its legacy also emphasizes—it can be inherited and build upon—repeatedly and continuously—for prosperity.

This is in direct contravention to the requirements of our present age, where the speed of technological progress disagrees with the conditions required for wisdom. Indeed, we live in an age of increasingly complex systems. Tasks considered straightforward or repetitive for humans are quickly being replaced by automation technology such as AI and machine learning.

At this juncture in human history, monotony has been outsourced to machines. This offers a unique opportunity, particularly for the leaders of our time. Where automated technology has already freed or promises to soon free vast swathes of the productive population to focus on more meaningful human endeavors, there is a window to allocate this time with greater wisdom.

With the advent of the digital age, there is the temptation to believe that human productivity no longer requires a depth of thought or study. However, we argue that the opportunity posed by the current age and its innovations is the converse.

More than ever, we are empowered to investigate and pursue the wisdom of older societies and cultures, such as the Mali Empire's Kouroukan Fougá, with tenacious pursuit. The world is more educated and literate than ever before,⁵¹ a gift of the era of industrialization. With the advent of new technologies, we also have more time to dedicate to seeking wisdom.

More importantly, it is more accessible than at any other point in human history. Contrary to the dictates of modern culture, it would behoove us to return to first principles and build with the building blocks that ancients relied upon. As the example of the Kouroukan Fougá reminds us, complex, enduring structures, institutions, and even kingdoms are products of slow-cooked intent. They are not instant!

⁵⁰ Sundiata: An Epic of Old Mali (Niane, 1960). Access: <https://www.worldcat.org/title/sundiata-an-epic-of-old-mali/oclc/5393002>

⁵¹ <https://www.weforum.org/agenda/2022/09/reading-writing-global-literacy-rate-changed/>

So is the wisdom required for their construction. Hence, we invite global leaders, entrepreneurs, and policymakers to return to these simple but impactful truths.

Now, please ask yourself, what did YOU see, perhaps for the first time, that was the primally essential wisdom of Kouroukan Fouga to the culture of the Mali Empire that it has survived to the present moment?



⁵⁰ Sundiata: An Epic of Old Mali (Niane, 1960). Access: <https://www.worldcat.org/title/sundiata-an-epic-of-old-mali/oclc/5393002>



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