



FUTURES LAW FACULTY

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As human beings we are inclined to constantly think about the future. As children we wish for weekends, school holidays, birthdays and Christmas and as we enter adulthood not much changes, other than perhaps not wishing for birthdays so much. We spend majority of our day thinking about getting home after work, majority of our week thinking about the weekend and majority of the year thinking about our next holiday. Then as soon as the future morphs into the present we merely start thinking about some other future, never really living in the present.

Despite our constant wishing for, dreaming about and thinking of the future, we spend very little time really preparing for it. We tend to accept it will happen as it must and close our eyes, merely hoping that the future will come about as we had dreamed about it. In fact very few of us spend much time, if any at all, on foresight or futures thinking. In fact most people are inclined to think of crystal balls, oracles and other similar fortune telling associations when they hear the terms such as “Foresight”; and “Futures Studies”

Although the future cannot be determined with absolute certainty, the future is knowable to a certain extent as the future can be known as possible, probable or preferable. (Bishop & Hines, 2012) The possible, probable and preferable futures are determined by considering, analysing and studying trends, patterns and changes to determine possible futures that may arise. (Bishop & Hines, Forecasting, 2012)

It is an undeniable fact that the future is now and if not now then tomorrow, or sometime from today in the very least. Despite where you draw the boundaries between the past, present and the future or where you regard the future to switch into the present, there is no denying that the future is happening or in the very least will soon be happening. The future is not about making predictions on what will happen and wagering money on how accurate a prediction is or was not, rather it is about determining the possibilities, probabilities and likelihoods of tomorrow or the next year or five, to plan accordingly so as to strategically grow your business or legal practice to ensure a trajectory of exceptional growth and returns, or in the worst case scenario, ensuring survival where growth is an impossibility.

It is within this context that the Futures Law Faculty was established, as an accredited training institute, hoping to create awareness and share knowledge, thoughts and opinions through our masterclasses and workshops on the possible, probable and preferable futures of tomorrow and equip professionals with the necessary tools and questions to plan for the future accordingly.

To fully grasp the importance of Futures Studies and Futures thinking one merely needs to consider companies like Kodak, Blockbuster, Xerox and the like, who failed to look at the patterns, trends and changes that were providing clues on how the future was changing. Instead they fell into what is commonly known as the “Success Trap”, where companies rely on previous big successes as a business strategy, failing to think about the future, failing to innovate or produce new products or services to ensure they remain competitive in an ever changing business environment.



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The Fourth Industrial Revolution, although the buzzword of the time, is here whether we like it or not, with the emergence of enthrallingly exciting and exhilaratingly terrifying and mind breaking technologically and AI that renders anything we have seen to date as insignificant, as we are only at the beginning of the evolution of change .

This is clearly evident if one considers some of the recent developments and advancements made in AI , such as a robot who can solve the rubiks cube in 0.38 seconds, that is 3.09 seconds faster than Yusheng Du, who currently holds the record for solving the rubiks cube in 3.47 seconds or the Chinese AI news anchor named Qiu Hao, developed by Xinhua and the Chinese search engine, Sogou to broadcast the news as a human news anchor, with whom it shares a strikingly real resemblance, with the only difference being that AI Qiu Hao can broadcast the news “tirelessly”, 365 days of the year.

Advancements that have been made in Machine learning is also noteworthy, given the substantial potential it holds. Take for example the Magna Science Centre project called “Living Robots”. Various robots were assigned either a prey status or a predator status and were then allowed to roam free in the science centre. Gaak, a small robot, was assigned a “prey” status and thus had to escape the predators. While left unattended for a period of 15 minutes, Gaak escaped the Magna Science Centre on its own accord, by breaking through the walls of the Science centre despite Gaak not being programmed to physically escape the dangerous environment by fleeing to another environment. More recently machine learning was seen during 2017 when Facebook challenged two of its chatbots to engage in negotiations with each other to barter various objects that were given to each of them. The chatbots eventually started creating their own language with which they successfully engaged in negotiations, acting like their human counterparts in pretending to have exceptional attachment to one item so that it would appear to be a great sacrifice to when they give it up for another item they wanted. Although rumours were doing the rounds that the robots were switched off out of fear of them conspiring against the human race in their own language, it has since been confirmed that as the robots were merely programmed to work out how to negotiate and improve their bartering skills, which they had mastered , they were switched off as the experiment was not progressing any further.

the potential of AI coupled with machine learning is most evident consider Google’s AlphaGo. GO, itself is an ancient Chinese board game dating back some 2,500 years and is considered to be one of the most complex, strategy games known to man. It involves two players who each have game pieces known as “Stones” which is moved along vertical lines and horizontal lines , placed at the line intersections with the principal aim being to acquire the most territory on the board. When played professionally it often takes approximately 16 hours to play and is usually played over two days. AlphaGo, developed by Google’s subsidiary DeepMind, was programmed with a data set of 100000 GO games as played by “experts” as the basis from which it built its knowledge and strategies, with which it proceeded to beat the all time champion winner, Lee Se-dol. More recently AlphaGo has been upgraded to AlphaGo Zero, which was programmed only with the basic rules of Go and nothing itself. It proceeded to play against itself, initially only making random moves on the board however as it became more experienced and won, it updated its data each



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time. Consequently, it taught itself the necessary skills required to beat its former self , 100 to zero and after 40 days AlphaGo Zero had a 90% win rate. The significance of this is the fact that AlphaGO Zero taught itself how to play and win at GO without any human knowledge or programming– it indicates the ability of AI to create and develop knowledge from first principals.

This holds substantial potential for the development of multipurpose algorithms which can be used to solve some of humankinds most complex and difficult problems from designing new drugs to cure or eliminate cancer or AIDS to monitoring weather changes and patterns to predict natural disasters such as earth quakes and hurricanes.

The above must be considered in conjunction with Moore’s Law, which provides that the capacity of computer processes doubles every 18 months .

So what is the moral of the story , as so eloquently stated by Anton Musgrave an internal legal futurist, we need to beware of and focus on the forces on the horizon, just in our line of vision, which will serve to shape the future of tomorrow and the context in which we conduct our business and practice law to stay ahead of the curve to ensure we remain competitive within the futures context.

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