

The Architecture of Impunity: How the United Nations, the Nation-State, and the Post-Colonial Order Render the March 25 Reparations Resolution Illegitimate

On March 25, 2026, one hundred and twenty-three nations voted at the United Nations General Assembly to declare the transatlantic slave trade the gravest crime against humanity. The resolution itself is an insult to the dignity of every victim — those in the diaspora and those whose ancestors remained on the continent. Those who proposed it are at best ignorant of what they have done and at worst opportunists serving their own ambitions. The institution that received it, the states that adopted it, and the framework through which any remedy would flow are all instruments of the same project whose crime the resolution names. You cannot indict a crime using the instruments of the criminal.

Section One: The Instruments of the Criminal

The United Nations was built by imperialists and capitalists to serve their own needs. Between 1944 and 1948, the members who constructed the UN Charter, the Universal Declaration of Human Rights, the Nuremberg principles, and the Geneva Conventions were simultaneously administering colonial territories across Africa, Asia, and the Caribbean. The populations of those territories — the majority of humanity — had no voice in the process. They were not consulted. They were not represented. They were being governed, taxed, conscripted, and exploited by the very powers writing the documents that would become the foundation of international law.

The irony is profound. The design was intentional.

The UN was built to manage conflict between the members that built it. It was not built to address what those members had done and were continuing to do to the rest of the world. The Universal Declaration of Human Rights was written by people who did not extend those rights to the populations they administered. The Nuremberg principles establishing individual criminal accountability for crimes against humanity were applied to a defeated enemy. They were not applied to the colonial systems operating at the same moment on three continents. The Geneva Conventions establishing protections for civilian populations were not applied to the populations dying under colonial administration while those conventions were being written.

The Security Council, where the only binding authority in the international system resides, was constructed with permanent membership and veto power distributed among the United States, the United Kingdom, France, the Soviet Union, and China. Three of these five were direct architects and principal beneficiaries of the transatlantic slave trade. Two of them — Britain and France — were at the moment of the UN's construction among the largest colonial administrations in human history, governing African, Asian, and Caribbean populations without their consent. They did not build the Security Council to hold themselves accountable. They built it to ensure that no one else could hold them accountable either.

The veto is the proof. Any binding resolution that threatens the fundamental interests of any permanent member can be killed by that member alone. Any claim for accountability directed at the United States, the United Kingdom, or France can be permanently blocked by the accused. The system does not merely fail to deliver accountability. It is structured to prevent it.

When African states joined the United Nations after independence, they joined this system on the terms the existing members had established. Those terms included accepting colonial administrative boundaries as national borders, accepting the legal framework the colonial members had constructed as the framework of international law, and accepting the Security Council's architecture as legitimate international authority. Membership was not offered on any other terms. For a newly independent state in a world organized around this system, membership was not genuinely optional.

The March 25 resolution was therefore proposed by states whose existence is premised on the legitimacy of the colonial order, adopted by an institution whose authority was constructed by the members that conducted the crime, and would be implemented — if implemented at all — through mechanisms those same members control. At every point in this chain, the instrument is an extension of the harm. The resolution does not challenge the system. It operates within it. In doing so, it confirms the system's authority to adjudicate the very claim being made against it.

Section Two: The Westphalian Root

The nation-state did not always exist. It was invented. Like all inventions, it was designed to solve a specific problem for a specific group of people at a specific moment in history. That moment was 1648. That group was the ruling class of Europe. That problem was the Thirty Years War.

The Thirty Years War was the most destructive conflict Europe had experienced to that point. It began as a religious war between Catholic and Protestant powers within the Holy Roman Empire and expanded into a general European conflict that killed between a quarter and a third of the population of central Europe. It ended with the Peace of Westphalia — two treaties signed in the German cities of Osnabrück and Münster in 1648 — which established the principles that would become the foundation of the modern international order.

Those principles were three. First, that the ruler of a defined territory holds supreme authority within its borders. Second, that external powers have no legitimate right to interfere in the internal governance of another sovereign territory. Third, that sovereign states, regardless of size or military capacity, hold equal juridical standing in their relations with one another. These principles — territorial sovereignty, non-interference, and formal juridical equality — became the foundational assumptions of what is now called international law.

They solved the European problem they were designed to solve. Religious wars between European powers became harder to justify once the principle of non-interference in another sovereign's internal affairs was established. The framework worked for its intended purpose and its intended beneficiaries.

It was never designed for anyone else.

It is important to understand who these powers were and where they came from. Every participant in the Westphalian settlement sought to become an imperial power in their own right. Each was a sovereign state that the Roman Empire had birthed — its institutional, cultural, and political successor states, inheriting its appetite for domination if not its capacity to exercise it from a single center. The Holy Roman Empire, whose internal conflict the Thirty Years War had been, stated this succession explicitly in its name. That war was not a conflict between fundamentally different political traditions. It was a dispute among entities Rome had created to administer its empire, now competing to claim imperial dominance for themselves after the center that had held them together had become too corrupt and too weakened by its own contradictions to hold its territory. Westphalia settled that dispute. It established the rules by which these states would compete with each other going forward. The non-European world was not a party to this settlement. It was the prize.

The major powers present at Westphalia or directly shaped by its settlement were already operating or were about to operate the transatlantic slave trade. The Dutch Republic, formally recognized as independent from Spain at Westphalia, was at that moment the dominant commercial power in the Atlantic world. The Dutch West India Company had been chartered in 1621 — twenty-seven years before Westphalia — and was actively transporting enslaved Africans across the Middle Passage. Spain had been conducting the slave trade for over a century before Westphalia. Portugal longer still. France was expanding its Caribbean colonial presence. England, absent from the Westphalian negotiations because it was consumed by its own civil war, would emerge in the decades following as the largest slave trading power in history.

The Westphalian order and the transatlantic slave trade were not sequential. They were not a framework of order that was later corrupted by the slave trade. They were contemporaneous. The legal architecture of state sovereignty and the commercial architecture of the slave trade were being constructed at the same historical moment by the same historical actors. Territorial sovereignty protected the slave trading operations of European states from interference by other European states. Non-interference ensured that no external power could challenge what was being done to African peoples within the territories European powers claimed. Formal juridical

equality among sovereign states meant that the African political communities from which enslaved people were taken — communities that were not recognized as sovereign states under the Westphalian framework — had no standing in the international order being constructed.

This last point requires emphasis. The Westphalian framework did not simply fail to protect African peoples. It actively excluded them from the category of entities entitled to protection. Sovereignty was a status conferred by recognition among European powers. African kingdoms, confederacies, and political communities — regardless of their complexity, their longevity, or their internal legitimacy — were not recognized as sovereign under this framework. They were therefore not entitled to the non-interference principle. They could be raided, their populations taken, their territories claimed, without any violation of the international order being constructed. The Westphalian framework did not merely permit the slave trade. It provided the legal architecture within which the slave trade was not a crime.

The Peace of Westphalia is taught in international relations courses as the foundation of the modern state system and the origin of international law. This is accurate. What is rarely taught alongside it is that this foundation was laid by the same hands conducting the largest forced migration in human history. The modern international order and the transatlantic slave trade were born together, conceived by the sovereign states Rome had produced, now turned outward toward the rest of humanity as the territory to be claimed in their competition with each other.

Section Three: The Colonial Transmission

Westphalia established the rules of competition among European powers. The colonial project was how that competition was conducted. Africa was one of its primary theaters.

The scramble for Africa did not begin in 1884. European powers had been extracting value from the African continent for centuries before the Berlin Conference formalized their territorial claims. The Portuguese had established trading posts on the West African coast in the fifteenth century. The transatlantic slave trade had been operating for nearly four hundred years by the time the European powers sat down in Berlin to divide the continent among themselves. What the Berlin Conference did was not initiate the extraction. It organized it. It applied the Westphalian principle of territorial sovereignty to the African continent and converted what had been a competition among European powers into a system of formal colonial administration.

The Berlin Conference of 1884 to 1885 was attended by fourteen European powers and the United States. No African ruler, no African people, no representative of any African political community was present. The continent was divided according to European strategic and commercial interests, with borders drawn along rivers, mountain ranges, and lines of longitude and latitude that had no relationship to the actual human geography of the continent. Peoples

who had lived together for centuries were separated. Peoples who had no common political history were bound together within the same administrative unit. The Ewondo of the Yaoundé highlands — my own ancestors — found themselves within German Kamerun, a territory whose borders were determined by German commercial interests and Anglo-German diplomatic negotiation, not by any indigenous political reality.

This was not an accident or an oversight. It was the method. The deliberate disruption of existing political communities served the colonial project directly. A people divided against itself along artificially imposed boundaries cannot organize collective resistance. A people whose political leadership has been replaced by colonial administrators cannot draw on its own governance traditions to challenge the administration. A people whose sacred authority structures have been suppressed and whose initiatic knowledge systems have been targeted for destruction cannot transmit the understanding of who they are and what their purpose is from one generation to the next. The colonial project understood this. The destruction of indigenous political organization was not a side effect of colonial administration. It was its primary instrument.

What existed on the African continent before the colonial imposition was not a vacuum waiting to be organized. African peoples had developed forms of political organization across thousands of years that were adapted to their specific environments, their specific cosmological frameworks, and their specific understandings of the relationship between human beings, their ancestors, and the natural world. These were not primitive arrangements awaiting the civilizing intervention of European administration. They were sophisticated systems whose sophistication operated on different principles than the Westphalian territorial state — principles of lineage authority, sacred governance, ancestral mandate, and the obligation of leadership to the development of human quality in the community it served.

The Westphalian state has no category for any of this. Sovereignty in the Westphalian framework is territorial and administrative. It says nothing about the quality of leadership, nothing about the relationship between the living and the ancestral generations, nothing about the sacred obligations of those who hold authority. It recognizes governments, not communities. It recognizes borders, not peoples. It recognizes administrative capacity, not legitimate authority in any deeper sense. When colonial powers imposed this framework on African political communities, they were not merely reorganizing governance. They were replacing one understanding of what political authority is and where it comes from with a fundamentally different and fundamentally impoverished one.

The colonial state that replaced these indigenous structures was not designed to serve the populations it administered. It was designed to administer them for the benefit of the colonial power. Its legal system was written to protect colonial property and colonial commerce. Its tax systems were designed to force African peoples into wage labor for colonial enterprises. Its educational systems were designed to produce African administrators capable of operating colonial institutions, not African thinkers capable of recovering and developing indigenous knowledge. Its religious missions — an integral part of the colonial project — were specifically

tasked with the destruction of the spiritual and initiatic traditions through which African peoples transmitted their understanding of who they were and what they were here to do.

By the time formal independence came, the damage was profound and structural. The colonial state had spent between fifty and one hundred years systematically dismantling every institution through which African peoples had organized their political, spiritual, and social lives. What independence transferred was not sovereignty in any meaningful sense. It was administrative control of the colonial apparatus — the borders, the legal systems, the tax structures, the educational institutions — all of which had been designed to serve purposes antithetical to the genuine development of African peoples.

The leaders who understood this most clearly paid for that understanding with their lives or their freedom. Patrice Lumumba understood that Congolese independence meant nothing if the economic structures of Belgian colonial extraction remained intact. He was assassinated within months of independence, with the direct involvement of the CIA and Belgian intelligence, because his understanding threatened interests that the Westphalian framework of non-interference in sovereign affairs was supposed to protect. Kwame Nkrumah understood that the nation-state borders imposed by colonialism were instruments of continued division and that genuine African sovereignty required continental unity that transcended those borders. He was removed in a coup while abroad in 1966, with Western intelligence involvement now extensively documented. Thomas Sankara understood that African states could not develop genuine sovereignty while dependent on the financial institutions whose capital was built on the extraction of the colonial period. He was assassinated in 1987. Amilcar Cabral understood that the recovery of African culture and the recovery of African political sovereignty were the same project. He was assassinated in 1973.

The pattern is not coincidental. Every leader who attempted to use the post-colonial state as a genuine instrument of African sovereignty — who attempted to operate outside the framework of continued extraction — was removed. The framework demonstrated, repeatedly and violently, that the post-colonial state was not available for the purposes its populations needed it to serve. It was available only for the purposes its colonial architects had designed it to serve. Leaders who accepted this constraint survived. Leaders who challenged it did not.

Section Four: The Post-Colonial Trap

Independence did not end the colonial project. It reorganized it.

Between 1957 and 1975, the majority of African states achieved formal independence. The flags changed. The administrators changed. The structures did not. The borders drawn at Berlin remained. The legal systems written to administer colonial extraction remained. The financial dependencies created by colonial economic policy remained. The educational systems designed to produce colonial administrators rather than independent thinkers remained. What

was transferred at independence was the administrative apparatus of the colonial state — not sovereignty over the conditions of African peoples' lives.

The terms of this transfer were not negotiated freely. They were imposed by the departing colonial powers as the condition of recognition. A state that did not accept the colonial borders as its national borders would not be recognized as a state. A state that did not accept the legal and financial frameworks the colonial powers had constructed would find itself isolated from the international system those powers controlled. The choice was not between genuine sovereignty and continued dependence. It was between formal independence within the colonial framework and no international recognition at all. Most leaders accepted these terms because the alternative was worse. Some understood exactly what they were accepting. Others did not.

The Organization of African Unity, founded in Addis Ababa in 1963, codified the trap explicitly. Its founding charter declared the inviolability of colonial borders as a foundational principle of Pan-African cooperation. This was not an independent political judgment. It was the reproduction of Westphalian logic by men who had been trained as colonial administrators and who, having inherited the administrative apparatus of the colonial state, applied to their own situation the same reasoning the entities of Rome had applied at Westphalia three centuries earlier — that existing borders, however illegitimately drawn, must be treated as permanent because the alternative is instability. They did not ask whether the framework producing the instability was itself the problem. They accepted the colonial administrative geography as the permanent political geography of Africa and called that acceptance Pan-Africanism. The OAU did not unite Africa. It united the colonial administrative units that had replaced Africa's indigenous political geography and declared those units permanent. It was Westphalia repeated — more limited in scope, weaker in execution, and operating at one further remove from the original imperial source, but identical in its essential logic. The colonial borders were not merely accepted as a temporary pragmatic necessity. They were enshrined as sacred. Every African state that has since invoked territorial integrity to resist separatist movements has been operating within the logic established at Addis Ababa in 1963 — which is to say, within the logic established at Berlin in 1884 — which is to say, within the logic established at Westphalia in 1648.

The African Union, established in 2002 as the successor to the OAU, inherited this foundational commitment and has never seriously challenged it. The AU represents fifty-five member states, each of which is a post-colonial administrative unit whose borders were drawn by European powers, whose legal frameworks were written by European powers, and whose financial architecture was constructed by European powers. The AU's institutional design reproduces at the continental scale exactly the structural problems that afflict each member state individually. It is a confederation of compromised sovereignties attempting to act collectively through an institutional architecture that has no foundation in any indigenous African political tradition.

The AU's record across more than two decades of operation reflects this foundational weakness. It has been unable to prevent or resolve the conflicts that have devastated its member states — in Sudan, in the Democratic Republic of Congo, in the Central African Republic, in the Sahel. It has been unable to free its member states from the structural

dependency on Western financial institutions that perpetuates the economic logic of the colonial period. It has been unable to protect African peoples from the predatory behavior of their own governments, many of which operate as extraction machines serving elite interests rather than instruments of genuine development for their populations. It has been unable to advance the continental integration that would give African states genuine economic and political leverage in relation to the powers that continue to dominate the international system.

This is not a failure of individual leadership or institutional capacity. It is the predictable outcome of an institution whose foundational unit — the post-colonial nation-state — was designed for purposes antithetical to the genuine sovereignty and development of African peoples. The AU cannot deliver what African peoples need because it is built from units that were never designed to deliver it.

It is in this context that the AU's Decade of Reparations must be understood. An institution that cannot protect its member states from their own governments, that cannot free those states from financial dependency on the institutions whose capital was built on colonial extraction, that cannot prevent the wars devastating African populations — this institution has declared itself the continental champion of reparations for the transatlantic slave trade. It has positioned itself as the representative of the descendants of the enslaved and the peoples of the continent from whom they were taken. It will negotiate on their behalf, administer any resulting funds through its member states, and determine what justice looks like for people whose specific conditions it has never been able to address.

The descendants of the enslaved in the Americas did not ask for this representation. The peoples of the continent whose indigenous political and spiritual traditions were destroyed by the colonial project did not ask for this representation. The AU appointed itself to this role because it serves the interests of the post-colonial state system to do so — not because it has any genuine mandate from the people in whose name it acts.

The resolution of March 25 is the product of this system. It was proposed by Ghana — a post-colonial state built on colonial administrative foundations. It was adopted by the United Nations — an institution constructed by the colonial powers while they were administering colonial territories. It will be implemented, if at all, through the AU — a confederation of post-colonial administrative units that has demonstrated across decades its inability to serve the genuine interests of African peoples. At every point in this chain, the instrument was forged in the same fire as the harm it claims to address.

Section Five: The Prior Question

Everything examined in this paper — the Westphalian settlement, the transatlantic slave trade, the Berlin Conference, the construction of the UN, the terms of decolonization, the OAU's codification of colonial borders, the AU's structural incapacity, the March 25 resolution — is a

sequence. Each element produces the next. Each is the logical consequence of what preceded it. The sequence is legible and the argument against it is complete.

But the sequence has a starting point that this paper has not yet named. And until that starting point is named, the argument, however complete, addresses consequences rather than causes.

The transatlantic slave trade did not begin with the capture of African peoples. It began with a decision about what African peoples were. Before a single person was taken from the Yaoundé highlands, before a single ship left the Bight of Biafra coast, before a single European power drew a territorial border that excluded African political communities from the protection of international law, a determination had been made. That determination was that the people of Africa were not fully human in the sense that entitled them to the protections European peoples claimed for themselves. Without that determination, the slave trade could not have been conducted. Without that determination, the Westphalian framework would not have been constructed with African peoples outside its protections. Without that determination, the colonial project could not have been justified. Without that determination, the post-colonial state could not have been imposed as the replacement for indigenous political organization. Everything in the sequence flows from this single foundational act: the denial of the full humanity of African peoples.

This denial was not merely a prejudice held by individual actors. It was institutionalized. It was given theological sanction by the Catholic Church through the Papal Bulls of the fifteenth century. It was given philosophical justification by Enlightenment thinkers who constructed elaborate theories of human hierarchy while writing simultaneously about the natural rights of man. It was given legal form by the Westphalian framework that recognized European territorial sovereignties while excluding African political communities from recognition. It was given commercial form by the insurance markets that categorized enslaved human beings as cargo. It was given administrative form by the colonial state that governed African peoples as subjects rather than citizens. At every level of the system — theological, philosophical, legal, commercial, administrative — the same determination was encoded: that African peoples existed at a lower level of humanity than their European counterparts, and that this determination justified everything done to them.

No reparations address this. No resolution names it adequately. No fund compensates for it. The harm that sits beneath every other harm in this paper is not the stolen labor, not the stolen wages, not the destroyed political communities, not the imposed borders, not the financial dependency — though all of these are real and all of these demand remedy. The harm that sits beneath all of these is the severing of African peoples from the knowledge of who they are.

A people who know who they are cannot be convinced that they are less than human. A people who know what their ancestors knew — about the nature of existence, about the purpose of human life, about the relationship between the living and the ancestral generations, about the cosmic order within which human beings have their specific place and their specific obligations — such a people presents a fundamental challenge to any system built on their degradation. The slave trade understood this. The colonial project understood this. The missionary enterprise

that accompanied both understood this. The systematic destruction of African initiatic traditions, sacred governance structures, ancestral knowledge systems, and the social organizations through which these were transmitted was not incidental to the extraction project. It was its necessary precondition. You cannot enslave a people who know who they are. You must first make them forget.

This forgetting was accomplished with extraordinary thoroughness. It was accomplished through the physical destruction of sacred sites and initiatic spaces. It was accomplished through the forced conversion to religious systems that explicitly denied the validity of African spiritual traditions. It was accomplished through colonial educational systems that taught African children that their ancestors had contributed nothing of value to human knowledge and that their future lay entirely in the mastery of European thought. It was accomplished through the Middle Passage itself — the deliberate mixing of peoples from different linguistic and cultural communities to prevent the transmission of shared knowledge and the organization of collective resistance. It was accomplished through the plantation system's systematic suppression of any cultural practice that might connect enslaved people to the memory of who they had been before capture.

The descendants of the enslaved in the Americas are the inheritors of this thoroughness. They are peoples whose ancestral knowledge was taken from them with a deliberateness that no other historical crime matches. They do not merely lack access to their ancestral traditions. Those traditions were targeted for destruction precisely because they represented the knowledge of who these people were — knowledge that, if retained, would have made the entire project of their degradation impossible to sustain.

No institutional remedy reaches this. The UN cannot restore what was taken. The AU cannot restore it. No fund, no apology, no formal recognition of the crime's gravity reaches the level at which the deepest harm was done. The deepest harm was done to the human being's knowledge of itself — its knowledge of its own nature, its own purpose, its own place within the cosmic order. This is not a harm that can be compensated. It can only be recovered. And recovery requires not institutions but knowledge — specifically, the knowledge that was taken, transmitted by those who kept it alive.

That knowledge exists. It has survived. Not in the institutions examined in this paper — not in the UN, not in the AU, not in the post-colonial state, not in the Westphalian framework of territorial sovereignty. It has survived in the initiatic traditions of the Nile Valley and their continuations on the African continent — traditions that predate Rome, that predate Westphalia, that predate the colonial project, that predate the entire sequence this paper has examined, and that carry within them the understanding of what human beings actually are and what they are actually here to do.

The transatlantic slave trade took people from communities where this knowledge was alive — where the relationship between human beings and their ancestors was understood, where the purpose of human life was oriented toward the development of genuine quality rather than the accumulation of material goods, where political authority was grounded in sacred obligation

rather than administrative capacity, where the measure of a society was the quality of the human beings it produced. The destruction of these communities and the severing of their descendants from this knowledge is the crime beneath the crime. It is the harm that makes all other harms possible and that no institutional remedy can reach.

The question that follows from this is not what institutions can do. It is what human beings must do. Specifically, what the descendants of the enslaved and the peoples of the continent must do to recover what was taken — not through the instruments of the system that took it, but through the living traditions that preserved it against everything that system did to destroy it.

This recovery is not a political project. It is a human one. It begins not with the reform of institutions but with the development of individual quality — the rigorous, demanding, lifelong work of becoming the kind of human being that the ancestral traditions describe and that the modern world, built on the denial of African humanity, does everything in its power to prevent. It proceeds through communities of people committed to this development, organized not around the administrative boundaries of the post-colonial state but around the living transmission of ancestral knowledge. It produces, over generations, the human quality that is the prerequisite for any genuine reconstruction of African political, social, and spiritual life.

The March 25 resolution will not produce this. It cannot. The UN was not built for this purpose and cannot be reformed to serve it. The AU was not built for this purpose and has demonstrated across decades that it cannot serve it. The post-colonial nation-state was specifically designed to prevent it.

The path forward does not run through any of these institutions. It runs through the knowledge that survived them — and through the human beings willing to do the work of recovering, transmitting, and living by that knowledge in the world as it is today.

That is not a comfortable conclusion. It offers no legislative remedy, no institutional reform, no diplomatic achievement to celebrate. It asks more of its reader than any resolution can ask, because it asks not for a vote but for a transformation. It asks each person who has read this argument to consider not what the institutions of the modern world owe them — though they owe much — but what they owe their ancestors: the recovery of the knowledge those ancestors carried, the living of a life worthy of that knowledge, and the transmission of that knowledge to those who come after.

This is what the ancestors ask. No resolution speaks for them. They have always spoken for themselves. The question is whether we are listening.

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