Book Review IV of The African Continental Free Trade Area Agreement: The Development of a Rules-Based Trading Order - Sub-National Governments, Cities and the AfCFTA

By:

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1. Introduction

Professor Kofi Kufuor, in his recent book on the African Continental Free Trade Area (AfCFTA), dedicates a chapter to African sub-national governments (SNGs), cities and the AfCFTA (generally see Kufuor, 2024: chapter 6, 148-160). In this chapter, Kufuor makes a compelling observation that cities and sub-national governments (SNGs) are absent from the AfCFTA complex (Kufuor, 2024: 148). He proceeds to explain this absence and the need for their

inclusion. This review critically reflects on Kufuor's assessment, drawing on the emerging literature on paradiplomacy in the African context and the engagement of SNGs and cities with integration in Africa. This review builds on Kufour's important insights by reflecting on sub-national governments' and cities' historical and contemporary roles in Africa's integration processes. It argues that, despite their exclusion from the formal AfCFTA framework, these actors have long contributed to regionalism through informal and locally driven initiatives. The analysis that follows highlights the need to recognise and engage these contributions more systematically as part of Africa's evolving integration architecture.

2. Centralised Legacies and the 'Odd Normality' of Subnational Exclusion from the AfCFTA:

Kufuor starts this chapter by characterising the absence of cities and SNGs from the AfCFTA complex as "normal yet odd"—normal because of Africa's post-colonial centralist state traditions, yet odd given the historical roles cities and SNGs have played in pre-colonial and colonial epochs of economic relations in Africa (Kufuor, 2024: 148). Kufuor traces the marginalisation of cities and SNGs in the AfCFTA and the wider process of integration to Africa's post-independence political history, where the dominant logic of nation-building was a catalyst for the centralisation of authority. According to Kufuor (2024: 148), "*The case for strong post-independence unitary governments rested on the multiethnic composition of the new states, the fact that they faced secession, and the need, therefore, to resist any measures that would help dismember the new African states.*" He argues that in the few instances where federal systems existed, federalism was cast as a threat to fragile unity in the immediate aftermath of decolonisation in Africa (Kufuor, 2024). Indeed, post-independence constitutions in Africa, shaped by what Go (2022) refers to as imperial isomorphism, largely reproduced the centralist norms of colonial governance Kuffor refers to, offering little room for sub-national governments to develop external agency. Although the influence of constitutions on the centralisation of governance in Africa is understood mainly within the context of the state and broader decentralisation literature, the need for comparative constitutional studies on these dynamics from the lens of sub-national governance remains pressing. Notably, its impact on the capacity of SNGs to act externally, especially in the foreing relations context, is still under researched in Africa.

Scholars have already begun applying post-colonial theory to paradiplomacy in other regions, offering valuable perspectives that must be extended to the African context. For example, Kristensen and Rahbek-Clemmensen (2018) have explored the concept of post-colonial paradiplomacy in the context of Greenland. Their work examines how Greenland, a former Danish colony, navigates its paradiplomatic activities within the constraints imposed by Denmark's control over foreign affairs. Greenland's engagement in international relations—particularly its efforts to assert indigenous sovereignty and independence—reflects broader post-colonial struggles for agency within hierarchical international structures (Kristensen & Rahbek-Clemmensen, 2018). This concept of post-colonial paradiplomacy provides a valuable framework for understanding how African SNGs similarly navigate the legacies of colonialism as they seek to engage in international relations. However, as I will argue subsequently in this review, African cities and SNGs have made a significant contribution to African integration despite their formal constitutional restriction from formally engaging in the regional integration process in Africa (Omiunu, Nganje, Aniyie, 2025 (forthcoming); Omiunu & Aniyie, 2018). Their contribution to African integration within the context of cross-border paradiplomacy is discussed later in this analysis.

3. Reclaiming Forgotten Frontiers: The Historical Centrality of Cities in Trade and Integration in Africa

Kufuor's focus on the historical function of pre-colonial African cities is an important contribution to an often marginalised but vital discussion on the role played by cities in Africa's trade and economic integration process. Historically, cities such as Timbuktu, Kano, Mombasa, Lagos and Accra were trade hubs and crucibles of political thought, cultural exchange, and resistance to colonial domination. Kufuor (2024: 149) captures a few of these instances, arguing that prior to colonial rule, city-states in Africa—such as Zayla, Berbera, Mogadishu, Merca, Baraawe, and Ibadan—were central to the continent's trade systems and political organisation. These cities functioned with a high degree of autonomy in pre-colonial and colonial times and were strategically significant regional and international commerce hubs. However, with the advent of European colonisation and the imposition of Centralised state structures, these city-states were absorbed into broader national entities, effectively ending their autonomous trading roles. Kufuor uses this historical lens to highlight the irony

that once pivotal in Africa's trade networks; cities are now excluded from formal roles in contemporary trade frameworks like the AfCFTA. Tracing the contribution of these African city-states and kingdoms as nodes of connection in these pre-colonial trading routes that traversed the African continent is an important contribution to our understanding of the origins and evolution of Africa's integration project beyond the constrained lens of dominant Eurocentric narratives of trade integration in Africa. Importantly, Kufuor's work builds on the growing body of African legal history literature by scholars such as Fagbayibo (2021) and Nwankwo and Ekhator (2021), Omiunu (2020), focusing on the pre-colonial trade relations of the Benin Empire and Lagos, respectively. Future research will hopefully link this historical analysis more systematically to contemporary evidence of subnational contribution to Africa's integration.

4. Paradiplomacy in Africa: From Peripheral Engagement to Political Necessity

Bringing the conversation forward to the current AfCFTA milestone achieved in the timeline of the Abuja Treaty of 1991, Kufuor makes a case for sub-national participation in this space on the premise that the domination of the Westphalian state is waning, opening up a vital space for non-traditional actors, including cities and other non-central governments to enter the arena of economic diplomacy. Connecting this re-pluralisation of the diplomatic space to the growing global trend of paradiplomacy, which is the external engagement of sub-national actors in areas traditionally reserved for national governments, Kuffour argues that "*as state power declines, the argument asserts international trade needs a new type of regulation, and these new mechanisms are not the monopoly of the state. Sub-state actors, including global cities, have a role to play in these processes (156).*"

This shift in the global diplomatic order reinforces the need to examine how African sub-national actors are positioning themselves within trade-related spaces, particularly as they navigate complex governance landscapes characterised by both constitutional constraints and practical economic imperatives. For example, in Africa, this paradiplomacy trend is increasingly visible (Omiunu & Aniyie, 2022; Omiunu & Nganje, 2024). However, the connections between the paradiplomacy scholarship in Africa and trade integration remain sparse. While there is growing documentation of

paradiplomatic activity across Africa, the specific links between these practices and the continent’s evolving trade integration agenda—especially through instruments like the AfCFTA—remain underexplored and warrant deeper scholarly attention.

As I mentioned in the introduction, Kufuor correctly highlights the lack of formal inclusion of SNGs in the AfCFTA. However, their absence must be understood within the broader landscape of informalism that characterises much of Africa's regional integration (Omiunu & Nganje, 2024). Kufuor alludes to this fact in his analysis, albeit tangentially. However, it is vital to draw further attention to this point because the limited attention that African cities and SNGs have received in the discussion of African integration is not unconnected with the same challenges that paradiplomacy in the African context has faced in the global paradiplomacy literature (Omiunu & Nganje, 2024). The limited focus given to this trend in Africa is due to the fact that the paradiplomatic practices by African SNGs often operate outside formal recognition yet play a substantive role in shaping integration outcomes. This appears to be an explanatory factor for the limited mention it gets in the context of the African integration process. For example, Nganje's research on cross-border paradiplomacy in Southern Africa (Nganje, 2023 (forthcoming)) shows how provinces and municipalities participate in regional initiatives like the Maputo Development Corridor, thereby embedding themselves in integration processes through informal yet structured engagements. These activities, while technically outside the remit of national foreign policy, illustrate what he has termed "developmental paradiplomacy"—a pragmatic form of engagement where local authorities pursue international partnerships to address infrastructure, investment, and trade facilitation (Omiunu, Nganje and Aniyie, 2025 (forthcoming)). This informalism reflects the flexibility paradigm that underpins much of Africa's regional economic governance. It is also attuned to Gathii's famous argument that African trade regimes are better understood as flexible legal regimes (Gathii, 2011). In this context, the informality of SNG participation in AfCFTA-related processes is not anomalous but consistent with how African integration functions.

This insight underscores the need to expand the scholarly lens, examining the nexus between paradiplomacy and trade integration in Africa. As was noted in a recent Regional & Federal Studies special section, understanding the informal,

often undocumented dimensions of African paradiplomacy is essential to grasping the full spectrum of regionalism on the continent. These "below-the-radar" activities may not always feature in formal treaty texts, but they are pivotal to the implementation and legitimacy of integration processes like the AfCFTA. A growing number of researchers, including myself and Nganje, are working to build a systematic body of scholarship on these practices. Comparative constitutional mapping and thematic analysis of post-colonial legal frameworks—particularly those shaped by intra-imperial isomorphism—are beginning to shed light on the structural constraints and innovative agency of SNGs in African integration.

5. Towards a Framework of Sub-National Inclusion

If the AfCFTA is to realise its promise of inclusive growth, it must move beyond its state-centric logic. Kufuor's work gestures toward this necessity but stops short of offering specific institutional pathways. African Union structures—particularly the African Charter on Decentralisation and Local Development (2014) and Agenda 2063—offer nascent frameworks for engaging SNGs in continental governance (Omiunu, 2020). These instruments should be operationalised to provide consultative status or observer roles for sub-national actors in AfCFTA deliberations, drawing inspiration from the EU's Committee of the Regions.

Moreover, SNGs themselves must enhance their institutional capacity and advocacy networks. Cities and state governments must not wait for formal inclusion to build external partnerships. The emergence of regional development-focused platforms such as the DAWN Commission and the Lake Chad Basin Governors' Forum shows the potential for bottom-up institutional innovation.

Moreso, as I have argued elsewhere, *"Encouraging the activism of African sub-national governments on issues pertaining to continental trade and investment is important, given that the successful implementation of the AfCFTA requires a synergy between governance structures at all levels around the continent."* This is important because the AfCFTA is, after all, an "intermestic" framework: its success depends on domestic capacity for implementation and localised economic development. In this light, SNGs are not just potential beneficiaries

but necessary collaborators. Signé and Van der Ven corroborate this point in a commentary on the unilateral border closures by Nigeria. They point out, and rightly so, that:

African leaders should embody the AfCFTA in their industrialisation and broader socio-economic development and governance, ensuring ownership at all the levels of governance, whether local, sub-national, national, sub-regional, or continental. Aligning with the AfCFTA, they should prioritise smart local and national strategies to enhance continental synergies and global competitiveness.

Kufuor's analysis of Africa's gradual embrace of paradiplomacy—especially through climate action, sustainable development, and informal cross-border engagements—aligns closely with the broader trend I have observed in my own work, particularly in response to global shocks such as the COVID-19 pandemic. As I have noted elsewhere, sub-national governments have emerged as 'glocal' actors, mobilising local resources to respond to global crises in ways that national governments often cannot (Omiunu, 2020). This was particularly evident in Lagos State's climate governance efforts, which Kufuor highlights as a leading African example of subnational innovation. These developments collectively reveal that the AfCFTA's implementation challenges—ranging from infrastructure gaps to environmental governance—cannot be addressed by central governments alone. As Kufuor rightly notes, African SNGs and cities are increasingly recognised in international frameworks such as Agenda 21 and the World Charter on Local Self-Government, signalling a shift away from rigid Westphalian models of sovereignty. Together, these developments point to an emerging multi-level governance architecture in which sub-state actors are indispensable collaborators in the realisation of continental trade and development goals.

6. Conclusion

Kufuor's chapter raises timely and provocative questions about the AfCFTA's silence on cities and SNGs. His framing of this silence as normal and odd is insightful, but we see its urgency through the lens of recent African experience. Drawing on the broader literature, I argue that the current trajectory of African regionalism cannot afford to ignore SNGs—not merely as implementers but as

co-creators of integration.

If the AfCFTA is to succeed, it must embrace the multi-scalar realities of governance in Africa today. The future of African economic integration will be as much about what happens in cities like Lagos, Nairobi, and Accra as it is about negotiations in Addis Ababa or Abuja.

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