



# Ukraine: Compliance and Noncompliance in the Process of Social Learning

Yuting He<sup>1,\*</sup>

<sup>1</sup> School of Public Management, Hubei University, Wuhan, 430062, China

\*Corresponding author. Email:  
201931101014039@stu.hubu.edu.cn

**Abstract.** Ukraine is one of the key topics in regional studies of international relations. Researchers mainly analyze Ukraine's participation in international politics from the perspective of geopolitics and realism, but rarely analyze the relationship between Ukraine and international norms. From the perspective of constructivism, based on the historical background and domestic situation of Ukraine, this paper will take the process of Ukraine's accession to the WTO and EU as an example to explore Ukraine's compliance and practice in the process of international socialization. According to the analysis, under the specific historical and social background, Ukraine was effectively persuaded by international organizations to learn and actively comply with the norms; At the same time, Ukraine's inherited identities and preferences, which nurture a lack of national consensus and inveterate neglect of implementation consistent with compliance, will be an obstacle to the progress of its social learning. In addition, other international actors such as the EU and Russia will also have an impact on the compliance of Ukraine. If Ukraine still pursues its goal of becoming a genuine European nation, it needs to reshape its identity, change its inconsistent parts, and take concrete action to live up to its norms.

**Keywords:** Ukrainian Studies, Constructivism, Compliance, Socialization

## 1 Introduction

The Russia-Ukraine conflict has become a global concern. As the war escalates, not only are the two warring parties deeply affected but the global is suffering from issues such as the food crisis and energy shortages. The 2022 Global Food Crisis Report predicts that between 179 million and 181 million people will be in crisis or above in 2022, i.e., barely able to meet their minimum food needs by consuming basic assets and requiring emergency action to sustain their livelihoods.

Why did the conflict erupt? From a geopolitical perspective, the strategic position of Ukraine is extremely important. The complex factors of geographical location, historical origins, and geopolitical games have triggered the military conflict today. From a realist point of view, security conflicts are the main factor triggering the war. The crisis and the regional armed conflicts prompted Ukraine's active negotiations with the North

Atlantic Treaty Organization (NATO), which provoked strong resistance from Russia. Ukraine, as a party to the war, has become a subject of current research and analysis in the field of international relations. But why has Ukraine chosen to alienate itself from Russia and even to de-Russify? What motivates the motivation?

On 24 August 1991, Ukraine's Parliament, or the Verkhovna Rada, proclaimed the independence of Ukraine, which was approved by 90.3% of the population in a referendum on 1 December 1990. Ukraine faced many issues as a newborn independent country: institutional reform, economic transition, and social transformation. It also needed to find its niche as a member of the international community.

International relations theory offers several mechanisms through which international actors such as international organizations (IOs) may influence state behavior. Constructivists view the international system as an international community where social construction processes and norms influence international politics [1]. From a constructivist perspective, while Ukraine is integrating into the world, the world, especially the international system, will greatly influence Ukraine. What does this mean for the politics, interests, and identity of Ukraine? To what extent is Ukraine influenced by and complied with IOs? Why does it comply and why not?

To address the puzzle, this article aims to analyze the compliance and norm learning of Ukraine in the interaction with international organizations from a perspective of constructivism. The first part will review the literature that explains compliance and interaction between international organizations and target actors. The second part will provide an empirical analysis of Ukraine's compliance with new norms and values persuaded by intergovernmental organizations such as the World Trade Organization (WTO). The third part then discusses the reasons why noncompliance occurs by evidence of the stop-and-go accession process between Ukraine and the European Union (EU). The article will conclude with a discussion of the prospects of Ukraine and its compliance.

## 2 An approach to compliance

When countries sign an international agreement, they modify their conduct, change interactions with other actors, and expect one another continuously and responsibly by its terms and norms. This is known as compliance [2]. Threats of punishment do not assure compliance; rather, a flexible process of interaction among the parties concerned...seeks to reconstruct the balance that gave rise to the agreement [3].

Constructivists contend that target agents, such as individual decision-makers and nations, can be socialized through international institutions. [4]. It is anticipated that the target entities will sustainably abide by new norms and values. Cooperation and compliance apprehension are learned attitudes that can be changed and modified. Constructivists study the intricate process by which agent interests and identities are formed via and during interaction in light of this condition of affairs. Social learning, socialization, and social norms are important mechanisms through which actors and agents can shift from a logic of consequences to a logic of appropriateness. Target actors'

compliance is influenced by socialization and interaction rather than coercion or personal preference.

In the absence of overt coercion and enforcement, argumentative persuasion is a mechanism of social interaction that involves influencing comprehension of consequences and appropriateness [3]. It is therefore a method for social learning and preference transformation. It is technically defined as "an action or process in which a communicator strives to influence a change in the belief, attitude, or conduct of another person. [2]" Persuasion is not equal to manipulation or control, but a process of shaping new ideas via argument and discussion and it is the transmission of a message in a situation where the target actor has a certain degree of free choice [3].

Five conditions contribute to the effectiveness of argumentative persuasion [3]. First, it is highly possible to succeed when the target actor is experiencing an unfamiliar situation, such as a domestic crisis, revolution, or transition. The uncertainty generated by such conditions triggers the target actor to absorb new norms and values. Second, if the target actor previously has few entrenched preferences against the new norms and values, persuasion is likely to be more receivable and acceptable. Third, the target actor tends to be open to new information when it comes from an authoritative persuader, who might also belong to or want to belong to a certain community. Fourth, the persuasion is less likely to be effective in a manner of lecturing or demanding rather than discussing and arguing consistently with the core norms. Fifth, persuasive interaction happens when the surroundings are less political and more isolated.

### **3 Ukraine and its social learning process**

In a new independent state in transition such as Ukraine, new norms and values seemed to be most persuasive and attractive. Ukrainian policymakers claimed that Ukraine belonged to Europe and held an aggressive and clear pro-Western foreign policy. The government continued to release the signal that it is eager to become a European country. Behind the compliance with new norms such as democracy, constitution, human rights, etc., a pattern of social learning deserved to be analyzed.

#### **3.1 Historical Context**

In Ukraine, what was left by history allowed compliance through persuasion and later interest redefinition. After the independence from the former Soviet Union, the economic links between Ukraine and the pro-communist countries were reduced; inefficient obsolete equipment and state-owned enterprises were left behind; there was an insufficient buffer between tight government price control and price liberalization; the indiscriminate issuance of currency led to severe inflation; developed countries only concerned about the disposal of nuclear warheads on Ukrainian land; the government has been erratic over economic reform; rampant official corruption and unsound legislation lagged the country behind. Ukraine's economic performance has been dismal. While many of the former Soviet republics, including Russia, suffered from economic collapse, Ukraine was the worst.

At the same time, the early domestic structure provided elites and political parties with enough freedom to make decisions in a centralized social system. Political parties have been state-dependent, top-down organized, and have little to no social or organizational support. In a 1999 poll, only 17% thought Ukraine was a democracy. Meanwhile, Ukraine is still in the process of getting used to making independent political decisions rather than rigidly following the instructions of a superior body. Particularly, the independent and isolated state of the Ukrainian political structure, which limits the exposure and openness of decision-making progress, produces the functional counterpart of the covert environments optimum for argumentative persuasion.

At the same time, Ukraine is amid a confusing and complex national identity. For a long time, Ukraine was under the domination of other countries or nations. Given these circumstances, it is comprehensible that social elites are perplexed and vexed about who Ukrainian should be and what is their common identity. In Ukraine, half of the population speaks Russian as a first language, while adherents of the Ukrainian Orthodox Church outnumber Roman Catholics [5]. Geographical circumstances vary the economic structure and political preferences of the western and eastern regions. These factors fail to provide a solid foundation for Ukrainian national identity, leaving it impressive to other norms and values.

### **3.2 Persuasion and Social learning: In Accession to WTO**

In such conditions, the initial declarations by Ukraine to join the World Trade Organization in 1993 were a crucial event facilitating compliance dynamics. Ukraine's policymakers place a high value on the country's membership in the WTO and integration into global economic organizations. This was a good indicator of trade and economic liberalization considering that the country had gone through years of unparalleled and catastrophic economic downturn.

Why did Ukraine make such a decision? First, given the historical context, Ukraine is facing completely new situations. Poor domestic economic conditions urge reforms and effective regulations. While the Soviet pattern is no longer attractive and useful, the liberal and market economy structure seems to be persuasive and prosperous. Ukrainian policymakers have to consider the western pattern and analyze the possibility of changing the economy. Though there are fears and public discussions that rapid adjustment, like price and trade regime, and trade competition would cause damage to the domestic economy, Ukraine will certainly give it a chance [6].

Second, many of the Ukrainian agents and elites are 'novices' with few mature conceptions of free trade and good governance. Previous economic practices did not bring about much experience in how to trade with other economies. This provides opportunities for the western norms to fulfill the blank space.

Third, the EU acts as an authoritative persuader in the WTO. Since Ukraine had shown great interest in joining the EU, a market economy is an important precondition. Moreover, the EU provides assistance and reform guidance supporting the necessary changes, including financial assistance, expertise, and advice through delegations and support group, as well as technical assistance on the drafting of new legislation, etc [7].

Fourth, the WTO provides a platform for Ukraine to negotiate with other member countries and this process occurs in less political and isolated settings. It guaranteed privacy and flexibility for parties to bargain and argue. And in the process of negotiating with each state member, experts from the other member and Ukrainian representatives engage in communicative dialogue where arguments and discussion rather than teaching or lecturing are the major part. Questions

In sum, key conditions mentioned above that promote persuasion, namely novel and uncertain environment, novice, authoritative persuader, private setting, and lack of lecturing, were in place. Ukraine is open to the persuasion of a new economic pattern and thus to compliance with the WTO norms and regulations. Ukrainian politicians and elites who are open to learning from norms and eager to promote them come to accept these standards. 'Ukraine seeks to establish a stable monetary-financial system, to implement denationalization and privatization of industrial enterprises and respective infrastructure, to create conditions for the restoration of private property in the agricultural sector to achieve the required efficiency of privatized entities, and to create a system of self-regulating market relations as the foundation for qualitative and structural changes in the economy, to reform the legislative framework [8].' As mentioned in the Memorandum on the Foreign Trade Regime provided by the Ukrainian delegation, the transition from a centralized to a more liberal economy can be found.

### **3.3 Barriers Lead To Noncompliance: In Accession to the EU**

It seemed that Ukraine went from being a potential European country to more of a tricky problem for Europe. It is imprecise to assert that Ukrainian agents haven't learned or complied with their aiming community and relative norms; Instead, their efforts and compliance are largely undermined by barriers caused by a historical and complex domestic background. They have inadvertently degenerated Ukraine's ability to comply with western values.

This is especially apparent in the process of Ukraine's European integration, characterized by instability and intertwining of pro-Western and balanced diplomatic principles. Ukraine was not recognized as a candidate country by the EU until 2022. After more than twenty years of cooperation and negotiation, the accession to the EU has gone through a stop-and-go process. This can be attributed to two factors: complex domestic factors and external factors.

First, the complex national context has led to a lack of consensus on EU accession. Ukraine's diverse and complex regional identities generate different interests and ideas. In western and central areas, political parties (Socialists, Our Ukraine, and the Tymoshenko bloc) that pursue an active foreign policy have gained popular support [9]. Eastern Ukraine, where the society has a stronger connection and shared identity with Russia, holds a passive and conservative attitude towards EU integration. Under such circumstances, to win the election, rhetoric pro-Russian or pro-western strategies are used and then abandoned by politicians. There are voices of integration but no solid reforms and implementations.

Second, the misunderstanding of the EU also indicates that Ukraine does not attach enough importance to the actual implementation of normative compliance. The political

structure and the operative system that was imported from the Soviet Union resulted in a neglect of enforcement procedures. Ukraine's goals about the EU have been warped by the overemphasis on geopolitics and bargaining calculation [10]. These ingrained beliefs in Ukrainian policymakers had not yet understood that, at moment, the actual democratic advancement and economic reforms are more important to the EU than their country's geopolitical location and strategic significance. It resulted in this concentration on geopolitical issues and the neglect of the political, legal, and economic components. Ukraine has given little attention to the necessity of upholding contractual obligations and normative compliance, which has led to a loss of credibility and attention from the EU.

These were self-evident considering the challenges faced by Ukrainian. Crimean and eastern regional issues indicate a potential threat to the state territory and national integrity. The strengthening of the Ukrainian language is accompanied by the suppression of the Russian language, showing the inequality of minorities. Corruption is still the main problem in the process of election. Economic conditions continue to deteriorate and reforms are not as effective as claimed or meant to be. Rhetorical compliance estranged the relationship between Ukraine and the EU.

In addition, limitations not only come from domestic political forces but also external elements like Russia and the EU, which can be considered two conflicting persuaders. Russia and Ukraine are connected historically and interactively. The successor of the Soviet Union inherited its ties with other former Soviet states. Ukraine's accession to the EU is largely constrained by the relationship between Ukraine and Russia. On the one hand, Russia sees Ukraine as a buffer zone with the West to avoid direct conflict; on the other hand, Ukraine becoming an EU country will also bring economic and military losses to Russia, since Russia's interests in the Black Sea region will be damaged.

Despite of complex relationship between Russia and Ukraine, reinforcement from the EU also shape the way Ukraine integrated with Europe. Although the EU attaches great importance to friendly relations with Eastern European countries such as Ukraine, it does not have a strong will to expand to the east. On the one hand, the EU does not want to provoke Russia and expects to maintain relatively stable relations with Russia; on the other hand, the EU itself is deeply involved in "enlargement fatigue" and is tired of dealing with its own internal complex political and economic relations. Until 2022, the EU never explicitly considered Ukraine as a candidate country. Caught between Russia and the EU, Ukraine has few options. Even if Ukraine prefers Western norms, the harsh reality makes it difficult to make substantive moves.

It seems natural that non-compliance takes place. Factors such as prior inveterate emphasis on geopolitics and calculation inconsistent with EU norms, two persuaders at odds with each other, and the open and political background settings, caused the fluctuation in Ukraine's accession to the EU and perplexed the Ukrainian whether it should comply or not.

## 4 Conclusions

To answer the questions mentioned in previous parts, this article will conclude with a brief review and a discussion about the future of norm compliance in Ukraine.

In the process of social learning, compliance, which means the target actor will change the way it thinks and behaves in consistency with accepted or even internalized norms, occurs under effective normative persuasion. Noncompliance indicates the target actor hardly or rhetorically agrees with the appropriateness to follow those norms and act as it is supposed to. It can be the outcome of both domestic and external factors influencing the persuadee.

In order to analyze the compliance behavior of Ukraine, the article first explains the historical and domestic conditions after Ukraine was independent of the former Soviet Union. The economic dismal, centralized political structure, policymakers with novices and without common identities have built the foundation for argumentative persuasion and new norms coming after. The accession to WTO confirmed the effectiveness of persuasion which generated compliance during the process of social learning. However, barriers leading to noncompliance are also created by those conditions, which is evident in Ukraine's accession to the EU. In addition, external elements, such as pressure from Russia and lack of substantial reinforcement from the EU, also widen the gap in the Ukraine-EU relationship.

The war between Ukraine and Russia is continuing. Although this can be considered a disaster for citizens, soldiers, innocent lives, and a crisis that influences the global food security and economic dynamics, it is also a chance for Ukraine to reconsider what role it should play in the international political arena. If it is able to seize the opportunity to implement a thorough transformation, which means it has to handle the complex relations and identity problems, Ukraine has the potential to be what it has long been eager for, recognition as a European country and a truly independent state. Rhetorical claims should be replaced by operative enforcement and implementation. Obstacles hindering norm compliance should be cleaned out. Indeed, it is not easy to change the existent disparities in the economy, political belief, and even culture in a day, nor to get rid of the overwhelming influence of powerful countries, but at least a basic consensus about what is Ukraine and who Ukrainians are should be reshaped. Therefore, the integration with regional or international communities will not result from strategic calculation and bargaining; rather, it will be the byproduct of the complete socialization process.

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