

# COVICORR: Comparing Mask Scandals in 27 European Union Member States

**Principal investigator:** Prof. Dr. Eva Thomann, Full Professor of Public Administration, Department of Politics and Public Administration, University of Konstanz

**Research associate:** Dr. Tiziano Zgaga, Postdoctoral Researcher, Department of Politics and Public Administration, University of Konstanz

**Summary of project.** In times of crisis, swift public procurement is often crucial for enabling the public administration to ensure an effective response. For example, the outbreak of the COVID-19 pandemic created a sudden and immense demand for personal protective equipment (PPE) which led the Commission of the European Union (EU) to render the rules for public procurement more flexible. However, doing so also risks creating opportunities for corruption. Which factors contribute to or hinder to these opportunities being exploited in some instances but not in others? This project analyzes the *determinants of “mask scandals”—uncovered instances of corruption in the public procurement of PPE—during the first year of the COVID-19 pandemic*, by investigating and comparing all 27 EU member states. Based on a multi-level causal model, the project combines within-case study methods with cross-case comparison using set-theoretic configurational analysis to explore the necessary and sufficient conditions level that constitute the mechanisms explaining the occurrence or non-occurrence of corruption in crisis. The findings will improve our understanding both of the unintended consequences of crisis policy responses, and of the causes of unethical and dysfunctional administrative behavior in times of crisis.

## Project description

### Research background, aims and questions

**Research background.** Public procurement—the purchase of goods, services and works by governments and state-owned enterprises (Thai 2001)—accounts for a substantial portion of taxpayers’ money (OECD 2020). Public procurement played a significant role in governments’ early responses to the COVID-19 crisis (Hoekman *et al.* 2021), when large amounts of medical and Personal Protective Equipment (PPE) had to be made available swiftly (Fazekas *et al.* 2021). The European Union (EU) regulates the public tendering processes of member states through binding directives, a public procurement strategy, legal support, and regulatory networks (Greer *et al.* 2021). In April 2020, the European Commission issued a communication to facilitate a common European pandemic response. It recommended to remove unnecessary burdens and provide room for manoeuvre for the procurement of supplies, services and work. Simultaneously, public procurement in health systems is particularly prone to corruption, as it entails direct economic interactions between public and private actors (Bauhr *et al.* 2020; Charron *et al.* 2017; Dávid-Barrett and Fazekas 2020; Fazekas *et al.* 2021). Moreover, crises create an environment of disorder and confusion that is generally conducive to corruption (Gugiu and Gugiu 2016; UNODC 2020). With the Covid-19 pandemic, health procurement became vulnerable to corruption (Anac 2019), as international public procurement standards of transparency, integrity, equal competitive access, equal treatment of businesses, and best value for money and efficiency were lowered (Bauhr *et al.* 2020). This crisis response therefore created a risk of corruption which deserves scrutiny. Anecdotal evidence of corruption in public procurement has since emerged, such as several mask scandals in different countries.

**Research gap.** However, the link between COVID crisis, its management, and corruption in public procurement has not been analyzed systematically yet (Gallego *et al.* 2021). This is a research significant gap. Approximately 12.5 per cent of public procurement contracts are corrupt, the estimated average loss to corruption is 3.65 per cent (EC 2013; Button *et al.* 2019). Corruption implies a waste of public resources that are direly needed in order to ensure effective crisis responses and public safety. Thus, if attempts to manage the crisis through flexible public procurement foster corruption, then this has the potential to undermine an effective crisis response (Boin and t’ Hart 2003; Boin and Lodge 2016; Davidovitz *et al.* 2021; Duit 2016).

**Aims and research questions.** COVICORR departs from an empirical puzzle. While all 27 EU member states faced a comparable urgency at the beginning of the pandemic, operated under the same EU legal procurement framework, and were similarly targeted by the EC’s crisis response, not all of them had a “mask scandal”. We define **mask scandals as uncovered instances of corruption in the public procurement of PPE**. We focus specifically on the first year of the pandemic, when problem pressure was overwhelming and global supply of PPE was short. While the EC’s crisis response created similar opportunities or risks for corruption, not in all countries were these also exploited. The goal of COVICORR is therefore **to document and explain the occurrence or non-occurrence of mask scandals in EU countries**.

The project addresses four questions. First, we obtain a robust, descriptive empirical picture of the mask scandals that occurred in the EU during the COVID-9 crisis. *What mask scandals occurred in EU member states in the first year of the pandemic, and how did they unfold (RQ1)?* We map the actors, actions and events involved in each mask scandal. Second, we explain the differences in how opportunities for corruption were exploited. *Why did mask scandals*

*occur in some EU countries, but not in others (RQ2)?* We compare the mask scandals based on a multi-level model of contextual, regulatory, political, organizational, and individual explanatory factors. Third, COVICORR scrutinizes the implications of the EU's crisis response and its implementation. *How did the regulatory crisis response affect the risk of mask scandals (RQ3)?* National procurement frameworks are analyzed and their role in enabling or preventing corruption is traced comparatively. Finally, we scrutinize whether some contexts are more prone to corruption than others. *Do we see systematic regional patterns in the occurrence of mask scandals, and what explains them (RQ4)?* We tackle the accuracy of conventional wisdoms about some countries generally having higher corruption levels than others. Taking advantage of a unique comparative setting, the project enhances our theoretical and empirical understanding of the corruption and unethical administrative/political behaviour in crises.

## **Theoretical background and expectations**

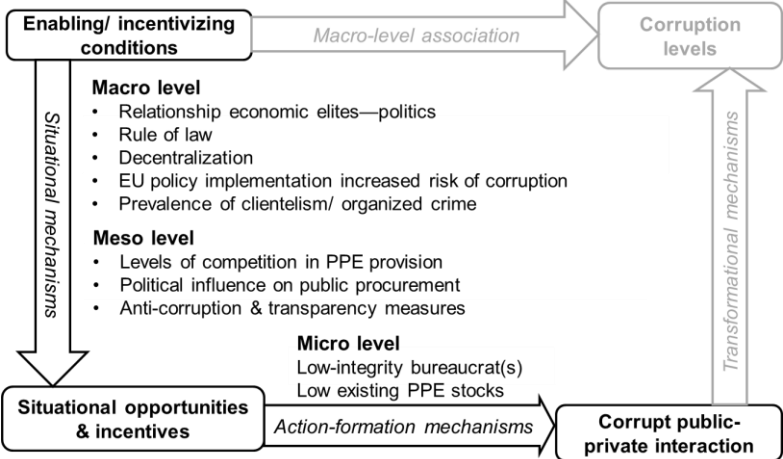
**Object of inquiry.** Corruption is the misuse of public office for the purpose of private (individual or collective) material gain (Ashforth *et al.* 2008; De Graaf and Huberts 2008; Meyer-Sahling *et al.* 2018; Meyer-Sahling and Mikkelsen 2020; Mikkelsen 2013: 367-368). The empirical study of sensitive and hidden behaviours like corruption is complicated by ethical concerns, social desirability bias, a high reactivity, and low cooperation levels (Ashforth and Anand 2003; Blair *et al.* 2020; De Graaf and Huberts 2008; Rosenthal *et al.* 2016; Schwickerath *et al.* 2016; Tourangeau and Yan 2007). Researchers face a trade-off when using highly aggregated and indirect corruption indicators (Bello y Villarino 2021; Chabova 2017; Fazekas and Kocsis 2020; Heinrich and Hodess 2011). COVICORR circumvents some of these challenges by focusing on *actual corruption in mask scandals as uncovered through media reports, investigations of NGOs, expert knowledge, and/or judiciary authorities.*

**Explaining mask scandals.** A rich literature addresses the determinants of corruption at macro, meso, and micro level, often looking at highly aggregated associations between different economic, political, and institutional macro-level phenomena (De Graaf 2007; Lambsdorff 2006; Mocan 2008; Søreide 2002; Treisman 2000). COVICORR analyzes corruption as a dysfunctional administrative behaviour that results from a causal chain involving multiple contextual and situational factors (Bach and Wegrich 2019). These factors together form situational and action-formation mechanisms resulting in a corrupt interaction (Hedström & Yloski 2010; Seibel 2022). Thus we model how different conditions operating at macro-meso, and micro level work together to enable, hinder, incentivize and trigger corruption, see Figure 1 (Beach 2021). This multi-level explanatory model will be deepened and refined in the early stages of the project, and complemented to also account for potential *causes of corruption not being uncovered.* Our general expectation regarding RQ2 is that *mask scandals result from an interplay of macro-, meso-, and microlevel opportunities and incentives for corruption.*

**System/macro level.** Decentralized states tend to have higher levels of corruption (Kunicova and Rose-Ackerman 2005; Gerring and Thacker 2004). Economic elites may seek influence over public institutions by bribery and by channeling funds through political figures (Johnston 2014). In clientelist systems politicians may be able to influence procurement stages through political influence over bureaucrats or as part of socially complex patterns of loyalty and reciprocity (Charron *et al.* 2017; Goldman *et al.* 2013). Corruption and “organized crime” are strongly interconnected (Fazekas *et al.*, 2021; Van de Bunt and Huisman 2007; Ross 2000; Huisman and Vande Walle 2010). We generally expect that *such political, institutional, and economic factors provide an enabling context for mask scandals.* Regarding RQ4, we expect

a higher prevalence of mask scandals in regions with higher prevalence of clientelism, mafia-type organizations, and close ties between politicians and economic elites. Corruption is facilitated by complex, confusing and/or contradictory regulations that increase information asymmetry between citizens and bureaucrats (De Soto 1989; Manion 1996), while constant, predictable law enforcement lowers the risk of corruption (World Bank 1997). Regarding RQ3, we expect that *the loosening of the public procurement rules provided an incentive for mask scandals to occur, however only in contexts of regulatory opacity and weak rule of law.*

Figure 1: Multi-level explanatory model



Grey shade: Levels/mechanisms not scrutinized in COVICORR.  
Own elaboration, based on Hedström and Ylikoski 2010.

**Meso/sectoral/organizational level.** The risk of corruption being detected is higher in a competitive than in a monopoly market (Treisman 2000; Leite and Weidemann 1999; Ades and Di Tella 1999, 1997; Sung and Chu 2003; Gerring and Thacker 2005; Wei 2000). Corruption also depends on the political influence on bureaucrats’ career incentives (Bauhr *et al.* 2020; Charron *et al.* 2017; Goldman *et al.* 2013; Meyer-Sahling *et al.* 2018; Meyer-Sahling and Mikkelsen 2020, 2016). Organizations can implement mechanism to prevent and combat corruption, e.g. transparency, accountability, internal and external control mechanisms (Bauhr *et al.* 2020; Dávid-Barrett and Fazekas 2020; Meyer-Sahling and Mikkelsen 2020). We expect that *politicized appointments incentivize mask scandals, whereas more competitive PPE sectors and more stringent anti-corruption measures act help prevent mask scandals from occurring.*

**Micro/individual level.** At individual level, values of trust, reciprocity and honesty influence corruption levels (Gächter and Schulz 2016; La Porta *et al.* 1997; Lambsdorff 2006; Lambsdorff and Cornelius 2000; Uslaner 2006). Individuals lacking professional integrity may set the wrong priorities when taking procurement decisions, while rationalizing and normalizing their unethical behaviour for impression management and to maintain a moral self-concept of themselves (Heggstad and Froystad 2011; Seibel 2019, 2022). We expect *the bureaucrat’s professional integrity to contribute to the action-formation mechanism underlying a mask scandal, but it interacts with the demand-supply gap for masks.*

## Research design

**Case selection.** COVICORR compares mask scandals (uncovered instances of corruption in PPE-related procurement) during the first year of the pandemic in all 27 EU member states. While not painting a comprehensive picture of corruption levels, we capitalize on the COVID-19 crisis as a rare opportunity for the comparative study of corruption, circumventing problems of access and social desirability, while having to assess the quality of evidence available. The first advantage is **comparability**: the crisis created similar problem pressures for EU countries, operating in a supply gap under a common, loosened legal framework for public procurement. The second advantage is the availability of comparable data on **actual instances of corruption**. PPE-related corruption had a similar likelihood of being uncovered when extraordinary public scrutiny was fuelled by high public interest early in the pandemic. This allows us to disentangle the relevance and interplay of determinants of corruption at different analytic levels.

Table 1: Possible sources and approaches for data collection

Method	Possible sources	Variables
Textual/document analysis	Media reports (e.g. Lexis Nexis), NGO reports (e.g. transparency international), governmental/judiciary reports	Mask scandal, professional integrity, problem pressure
Legal/policy analysis	Policy, legal, and organizational documents of procurement regulations and anti-corruption/transparency measures	Procurement rules & procedures, anti-corruption/transparency measures
Online research	Online governmental/EU databases	Levels of competition, political influence
Literature review/online research	Academic research, academic or NGO online databases	Decentralization, economic elites, clientelism/organized crime, rule of law
Expert interviews (online/phone)	Country experts, journalists or experts from extant organizations (e.g. transparency international, EU, UN)	Missing information, corroboration of existing information

**Data collection.** We collect empirical information about the mask scandals and the explanatory factors by triangulating different data sources to enhance the robustness and validity of the evidence (Table 1). The focus on mask scandals implies that we focus on events uncovered by media, non-governmental or governmental sources. When determining whether a mask scandal occurred, we systematically account for the “goodness” of the evidence (no evidence, allegations only, indicative, conclusive evidence). We recruited paid student assistants with dedicated language skills for all 27 member states, who provide English-language in-depth case documentations based on a joint analytic scheme and close guidance.

**Data analysis.** COVICORR innovates corruption research methodologically as it combines qualitative within-case study methods (Hedström and Ylikoski 2010; Seibel 2022) to map mask scandals (RQ1) and underlying mechanisms with innovative techniques for cross-case comparison of small case numbers. We use set-theoretic configurational analysis (Oana *et al.* 2021; Ragin 2014) to explore the necessary and sufficient combinations of conditions that explain the occurrence or non-occurrence of mask scandals (RQ2; see Figure 1). To analyze RQs 3 and 4, we complement this approach with a nested comparative case study design and causal process tracing (Beach 2021; Blatter and Haverland 2012).

COVICORR offers a unprecedented opportunity of studying actual corruption in a systematic comparative fashion which will significantly advance existing knowledge on the determinants of corruption. Its findings will improve our understanding both of the unintended consequences of crisis policy responses, and of the causes of unethical and dysfunctional administrative behavior in times of crisis.

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