PHIL 408Q/PHPE 308D
Fairness

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Fair Representation Act

Recently (March 20), Rep. Don Beyer (Va.) and a half-dozen of his fellow Democratic lawmakers presented the latest version of the **Fair Representation Act**:
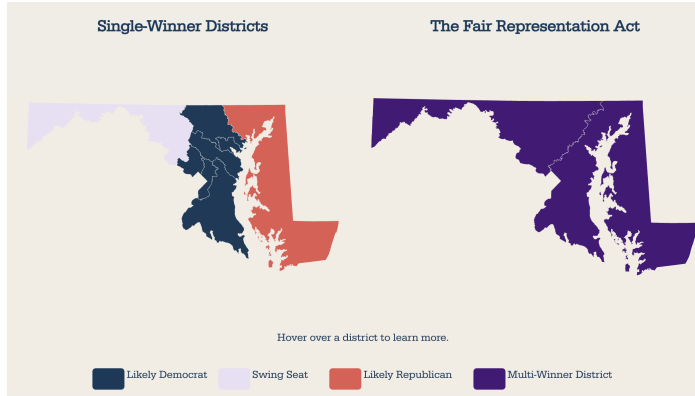
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The bill requires (1) that ranked choice voting be used for all elections for Senators and Members of the House of Representatives, (2) that states entitled to six or more Representatives establish districts such that three to five Representatives are elected from each district, and (3) that states entitled to fewer than six Representatives elect all Representatives on an at-large basis.

https://fairvote.org/our-reforms/fair-representation-act/

Fair Representation Act in Maryland

Single-Winner Districts   The Fair Representation Act

Hover over a district to learn more.

Likely Democrat   Swing Seat   Likely Republican   Multi-Winner District

https://fairvote.org/the-fair-representation-act-in-maryland/

In this report, we investigate potential representational outcomes under the FRA, focusing on the potential for members of racial and ethnic minorities to elect candidates of choice.

MGGG Lab (2022). *Modeling the Fair Representation Act*. https://mggg.org/FRA-Report.

Figure 1. High-level view of methods. We generate an *ensemble* of random multi-member districting plans; we generate *simulated elections* based on voting history in each state; then we run the STV algorithm to combine the districts and votes into outcomes. Figure 7 shows the results for the whole nation, with yellow boxes for the statewide share of minority population and blue circles for the projected share of minority-preferred representation.

Throughout this report, we discuss how the electoral system implemented by the FRA may change the representational landscape for people who have systemically been denied equitable political representation. Below, we broadly refer to "POC" (people of color) and "White" subgroups, where White refers to those whose census response lists them as non-Hispanic single-race White, and POC is the complement. It is important to remember that the models in this report do not predict how many representatives will be people of color themselves, but rather how many will be POC-preferred.

Generating Ballots

▶ Plackett-Luce: voters have an overall preference between two slates and then flip a weighted coin to choose from each;

▶ Bradley-Terry: the likelihood of a given ballot is based on how it ranks the candidates pairwise;

▶ Alternating Crossover: every voter is either a bloc voter whose ballot type puts one slate entirely above the other or an alternating voter who trades off between the two slates;

▶ Cambridge Sampler: ballot types are chosen at random from actual historical RCV elections in Cambridge, MA

Instead of choosing between these models of voter behavior, we run them all and report the results split out by model before aggregating.
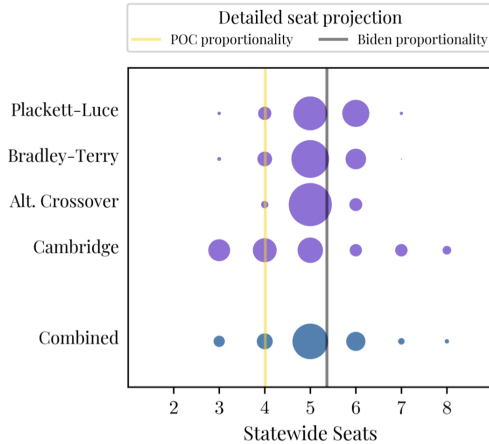
Figure 4. Maryland's 8 seats are grouped into one 3-member district and one 5-member district. The state has just over 50% POCVAP and supported Biden-Harris at roughly 67%.
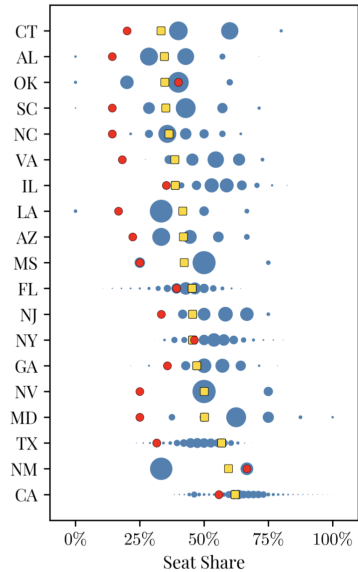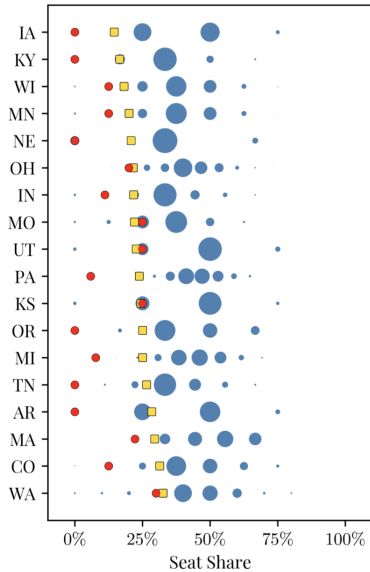
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Overall conclusion: Single transferable vote in multi-member districts can secure proportional representation for minorities without a race-conscious line-drawing process.

V*—FAIRNESS

by John Broome

This paper presents a theory about fairness, as it applies to the distribution of goods between people. I shall concentrate particularly on random lotteries. Sometimes a lottery is the fairest way of distributing a good, and my theory explains, better than any other theory I know, why this is so. That is the main evidence I offer for it. But the theory is not limited to lotteries; it is intended to apply whenever goods are distributed between people. I shall use the fairness of lotteries as a guide to fairness in general.[1]

Suppose that there is a single indivisible good that must be given to a group of individuals.

How should it be decided which of the candidates should get the good?

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- ▶ Have an authority judge the merits of the candidates and select the best.
- ▶ Use a **fixed rule**.
- ▶ Use a lottery.

Have someone pick the "best" candidate

Some problems:

▶ The job of assembling and assessing the necessary information may be expensive and time consuming.

▶ The responsibility of deciding who is to live and who to die (if that is in question) may be an intolerable emotional burden.

▶ The authority may not actually succeed in picking the best candidates. It may choose the candidates who best meet corrupt or prejudiced criteria, rather than the ones who are actually the best.

Fixed Rule

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E.g., for life saving, the rule of picking the youngest will do this. Age will certainly be one of the factors that helps determine which candidates are the best. Other things being equal, it is better to save a younger person than an older, because it does more good to the person who is saved: it gives her, on average, more years of life.

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How can a lottery be fairer than a rule such as picking the youngest, which has a tendency to select the better candidates? Answering this question is the main test that has to be passed by any account of the fairness of lotteries.

What needs to be explained?

A lottery is not *always* fair.

It would not, for instance, be a fair way of choosing whom to award the prize in a violin competition.

So in explaining the fairness of lotteries we shall need a criterion for distinguishing when lotteries are fair from when they are not.

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A lottery is sometimes more than just a handy means of getting the decision made when there is a tie. It is sometimes a better means than others because it is fairer. We, therefore, need a separate explanation of why it is fairer.

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Two examples illustrate this point:
1. Choosing who moves first in a game.
2. Selecting someone to go on a dangerous mission.

Example: Games

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Let us suppose there is a referee who, without prejudice or corruption, is easily able to pick out the best candidate. *It would still be wrong to leave the decision to the referee rather than a lottery.*

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1. One should send the most talented person.
2. Fairness requires a lottery to be held amongst all the candidates.

These two views are not incompatible. It may be that fairness requires a lottery, so that it would be unfair not to hold one, but that in this case fairness is outweighed by expediency, so that on balance it is right to send the talented candidate without a lottery.