## Foundations of machine learning Fairness and machine learning

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### Outline

- Targeted treatment assignment and supervised learning.
- Fairness as predictive parity and taste-based discrimination.
- Limitations of this notion of fairness.
- Alternative notions of fairness / discrimination.
- Social welfare as a unifying framework for many theories of justice.
- The causal impact of algorithms on inequality / social welfare.
- Case study: Predictive incarceration.

## Takeaways for this part of class

- Public debate and the computer science literature:
   Fairness of algorithms, understood as the absence of discrimination.
- We argue: Leading definitions of fairness have three limitations:
  - 1. They legitimize inequalities justified by "merit."
  - 2. They are narrowly bracketed; only consider differences of treatment within the algorithm.
  - 3. They only consider between-group differences.
- Two alternative perspectives:
  - 1. What is the causal impact of the introduction of an algorithm on **inequality**?
  - 2. Who has the **power** to pick the objective function of an algorithm?

## Fairness in algorithmic decision making - Setup

Binary treatment W, treatment return M (heterogeneous), treatment cost c.
 Decision maker's objective

$$\mu = E[W \cdot (M-c)].$$

- All expectations denote averages across individuals (not uncertainty).
- M is unobserved, but predictable based on features X. For m(x) = E[M|X = x], the optimal policy is

$$w^*(x) = \mathbf{1}(m(X) > c).$$

## Examples

- Bail setting for defendants based on predicted recidivism.
- Screening of job candidates based on predicted performance.
- Consumer credit based on predicted repayment.
- Screening of tenants for housing based on predicted payment risk.
- Admission to schools based on standardized tests.

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#### Definitions of fairness

- Most definitions depend on three ingredients.
  - 1. Treatment *W* (job, credit, incarceration, school admission).
  - 2. A notion of merit **M** (marginal product, credit default, recidivism, test performance).
  - 3. Protected categories A (ethnicity, gender).
- I will focus initially on the following definition of fairness:

$$\pi = E[M|W = 1, A = 1] - E[M|W = 1, A = 0] = 0$$

"Average merit, among the treated, does not vary across the groups a."

This is called "predictive parity" in machine learning, the "hit rate test" for "taste based discrimination" in economics.

• "Fairness in machine learning" literature: Constrained optimization.

$$w^*(\cdot) = \underset{w(\cdot)}{\operatorname{argmax}} E[w(X) \cdot (m(X) - c)]$$
 subject to  $\pi = 0$ .

## Fairness and $\mathcal{D}$ 's objective

#### Observation

Suppose that W, M are binary ("classification"), and that

- 1. m(X) = M (perfect predictability), and
- 2.  $w^*(x) = \mathbf{1}(m(X) > c)$  (unconstrained maximization of  $\mathscr{D}$ 's objective  $\mu$ ).

Then  $w^*(x)$  satisfies predictive parity, i.e.,  $\pi = 0$ .

#### In words:

- If  $\mathscr{D}$  is a firm that is maximizing profits and observes everything then their decisions are fair by assumption.
  - No matter how unequal the resulting outcomes within and across groups.
- Only deviations from profit-maximization are "unfair."

## Three normative limitations of "fairness" as predictive parity

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- They are narrowly bracketed.
   Inequality in W in the algorithm,
   instead of some outcomes Y in a wider population.
- 3. Fairness-based perspectives **focus on categories** (protected groups) and ignore within-group inequality.

## Alternative measures of fairness (1)

Measures that share the same limitations:

Equality of true positives:

$$E[W|M=1,A=1]-E[W|M=1,A=0].$$

Equality of false positives:

$$E[W|M=0,A=1]-E[W|M=0,A=0].$$

Balance for the negative class:

$$E[M|W = 0, A = 1] - E[M|W = 0, A = 0]$$

(Like predictive parity, but for W = 0.)

## Alternative measures of fairness (2)

Measures which share only some of these limitations:

Disparate impact and demographic parity:

$$\frac{E[W|A=1]}{E[W|A=0]}$$
,  $E[W|A=1] - E[W|A=0]$ .

Conditional statistical parity:

$$E[W|A = 1, X' = x'] - E[W|A = 0, X' = x']$$

for a subset of features X' considered "legitimate" sources of inequality. (Cf. Oaxaca-Blinder decompositions.)

Individual fairness:

$$E[W|X=x_i]-E[W|X=x_i]$$
 for  $d(i,j)\approx 0$ ,

for a measure of distance d(i,j) between individuals.

## Practice problem

- Which of these measures of fairness do you find more or less appealing?
- Why? For which contexts or applications?

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#### Social welfare

- The framework of fairness / bias / discrimination contrasts with perspectives focused on consequences for social welfare.
- Common presumption for most theories of justice:

Normative statements about society are based on statements about individual welfare

- Formally:
  - Individuals i = 1, ..., n
  - Individual i's welfare  $Y_i$
  - Social welfare as function of individuals' welfare

$$SWF = F(Y_1, \ldots, Y_n).$$

### Practice problem

- Who is to be included among i = 1, ..., n?
  - All citizens? All residents? All humans on earth?
  - Future generations? Animals?
- How to measure individual welfare Y<sub>i</sub>?
  - Opportunities or outcomes?
  - Utility? Resources? Capabilities?
- How to aggregate to SWF?
   How much do we care about
  - Trevon vs. Emily, Sophie vs. José?
  - Millionaires vs. homeless people?
  - Sick vs. healthy people?
  - Groups that were victims of historic injustice?

## The impact on inequality or welfare as an alternative to fairness

Outcomes are determined by the potential outcome equation

$$Y = W \cdot Y^1 + (1 - W) \cdot Y^0.$$

The realized outcome distribution is given by

$$\rho_{Y,X}(y,x) = \left[\rho_{Y^0|X}(y,x) + w(x) \cdot \left(\rho_{Y^1|X}(y,x) - \rho_{Y^0|X}(y,x)\right)\right] \cdot \rho_X(x).$$

• What is the impact of  $w(\cdot)$  on a **statistic** v?

$$v = v(p_{Y,X}).$$

Examples: Variance, quantiles, between group inequality.

Cf. Distributional decompositions in labor economics!

## When fairness and equality are in conflict

- Fairness is about treating people of the same "merit" independently of their group membership.
- Equality is about the (counterfactual / causal) **consequences** of an algorithm for the distribution of **welfare** of different **people**.

#### Examples when they are in conflict:

- Increased surveillance / better prediction algorithms: Lead to treatments more aligned with "merit" Good for fairness, bad for equality.
- 2. Affirmative action / **compensatory interventions** for pre-existing inequalities: Bad for fairness, good for equality.

## Influence function approximation of the statistic v

$$v(p_{Y,X}) - v(p_{Y,X}^*) = E[IF(Y,X)] + o(\|p_{Y,X} - p_{Y,X}^*\|).$$

- $\mathit{IF}(Y,X)$  is the influence function of  $v(p_{Y,X})$ .

  Formally: The Riesz representer of the Fréchet derivative of v.
- The expectation averages over the distribution  $p_{Y,X}$ .

## The impact of marginal policy changes on profits, fairness, and inequality

#### **Proposition**

Consider a family of assignment policies  $w(x) = w^*(x) + \varepsilon \cdot dw(x)$ . Then

$$\partial_{\varepsilon}\mu = E[dw(X) \cdot I(X)], \qquad \partial_{\varepsilon}\pi = E[dw(X) \cdot p(X)], \qquad \partial_{\varepsilon}v = E[dw(X) \cdot n(X)],$$

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where

$$I(X) = E[M|X = x] - c,$$

$$p(X) = E\left[(M - E[M|W = 1, A = 1]) \cdot \frac{A}{E[WA]} - (M - E[M|W = 1, A = 0]) \cdot \frac{(1 - A)}{E[W(1 - A)]} \middle| X = x\right],$$

$$n(X) = E\left[IF(Y^{1}, X) - IF(Y^{0}, X)|X = X\right].$$

## Uses of the proposition

- 1. Elucidate the **tension** between objectives.
  - Profits vs. fairness vs. equality vs. welfare?
  - Suppose  $\pi < 0$ , n(x) > 0 is positive, while p(x) < 0. Then increasing w(x) is good for welfare and bad for fairness.
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  - ⇒ Characterizes which parts of the feature space drive the tension between alternative objectives.
- 2. Solve for **optimal assignment** subject to constraints.
  - E.g. maximize  $\mu$  subject to  $\pi=0$ .
  - Then  $w(x) = \mathbf{1}(I(x) > \lambda p(x))$ .

## Uses of the proposition 1, continued

#### 3. Power and inverse welfare weights

- For a given  $w(\cdot)$ , what objective is implicitly maximized?
- What are the weights for different individuals that rationalize  $w(\cdot)$ ?

## Uses of the proposition 1, continued

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#### 4. Algorithmic auditing.

- Similar to distributional decompositions in labor economics.
- Cf. Fortin and Lemieux (1997); Firpo et al. (2009).

#### Power

- Both fairness and equality are about differences between people who are being treated.
- Elephant in the room:
  - Who is on the **other side** of the algorithm?
  - Who gets to be the decision maker  $\mathscr{D}$  who gets to pick the objective function  $\mu$ ?
- Political economy perspective:
  - Ownership of the means of prediction.
  - Data and algorithms.

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## Case study

- Compas risk score data for recidivism.
- From Pro-Publica's reporting on algorithmic discrimination in sentencing.

#### Mapping our setup to these data:

- A: race (Black or White),
- W: risk score exceeding 4,
- M: recidivism within two years,
- Y: jail time,
- X: race, sex, age, juvenile counts of misdemeanors, fellonies, and other infractions, general prior counts, as well as charge degree.

#### Counterfactual scenarios

#### Compare three scenarios:

- 1. "Affirmative action:" Adjust risk scores  $\pm 1$ , depending on race.
- 2. Status quo.
- 3. Perfect predictability: Scores equal 10 or 1, depending on recidivism in 2 years.

#### For each: Impute counterfactual

- W: Counterfactual score bigger than 4.
- Y: Based on a causal-forest estimate of the impact on Y of risk scores, conditional on the covariates in X.
- This relies on the assumption of conditional exogeneity of risk-scores given X.
   Not credible, but useful for illustration.

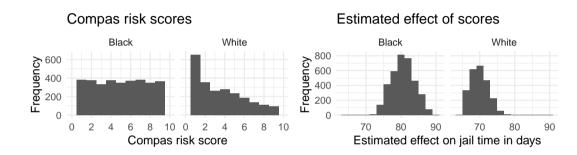


Table: Counterfactual scenarios, by group

|                  | Black     |                 |           | White     |                 |           |
|------------------|-----------|-----------------|-----------|-----------|-----------------|-----------|
| Scenario         | (Score>4) | Recid (Score>4) | Jail time | (Score>4) | Recid (Score>4) | Jail time |
| Aff. Action      | 0.49      | 0.67            | 49.12     | 0.47      | 0.55            | 36.90     |
| Status quo       | 0.59      | 0.64            | 52.97     | 0.35      | 0.60            | 29.47     |
| Perfect predict. | 0.52      | 1.00            | 65.86     | 0.40      | 1.00            | 42.85     |

Table: Counterfactual scenarios, outcomes for all

| Scenario         | Score>4 | Jail time | IQR jail time | SD log jail time |
|------------------|---------|-----------|---------------|------------------|
| Aff. Action      | 0.48    | 44.23     | 23.8          | 1.81             |
| Status quo       | 0.49    | 43.56     | 25.0          | 1.89             |
| Perfect predict. | 0.48    | 56.65     | 59.9          | 2.10             |

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