

A Coach's Notes¹

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Coginchaug High School and Fitch High School

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THBT the US Federal Government should provide a national financial support program for property insurance risk.

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Introduction

This edition relates to the February 1, 2025, CDA tournament and topic. Previous year's editions can be found through the Training Materials page on the CDA web site.

Accompanying this document are my notes from the final round at Coginchaug High School presented in two formats, transcript, and flow chart.

These Notes are intended for your benefit in coaching your teams and for the students to use directly. I hope that you will find them useful. Please feel free to make copies and distribute them to your debaters.

I appreciate any feedback you have, good and bad. The best comments and suggestions will find their way into subsequent issues. I would also consider publishing signed, reasoned comments or replies from coaches or students. If you would like to reply to my

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comments or sound off on some aspect of the debate topic or the CDA, I look forward to your email.

Limits to Fiat

As discussed in my notes from January, “fiat” is the ability to call a motion (on Gov) or a counterplan (on Opp) into existence without having to worry about whether real-world actors would ever actually do so. We want to debate the hypothetical of government support to property insurance, not how many Senators would vote for or against it.

There have to be limits on fiat in order to have a good debate that focuses on the issues underlying in the motion. Gov is limited to the terms of the motion and things reasonably required to facilitate it, debate’s “necessary and proper” clause². Here, Gov can set the details for a government property insurance program and assume the government will fund and implement it through normal means.

However, specifying funding by a carbon tax is step too far. The government has many ways of raising revenue to fund programs, and there is nothing about subsidizing property insurance that requires this particular method of financing. A carbon tax may be a good idea, it may complement the insurance program, and it may help limit climate change. But the tax and the benefits it brings don’t fall under the scope of the motion any more than building electric cars would. Simply, a carbon tax isn’t required to fund subsidized property insurance, and a carbon tax could be (and in many places has been) implemented with no reference to insurance.

A useful question to ask when evaluating aspects of the Gov plan is whether the benefits Gov claim are a result of adopting the motion or a result of the added plan provisions. In this case, is there any reason to believe that subsidizing property insurance would have any impact on reducing climate change? Probably not. But a carbon tax probably would. So if Gov included the carbon tax and claimed to a climate benefit, Opp should point out the climate benefit does not come from adopting the motion and should not be considered in judging the round.

As noted in the RFD below, the carbon tax and its potential benefits didn’t figure much in the final round at Coginchaug. But, had Gov emphasized the impact, I would have been inclined to discount it. Opp could have—and, had Gov emphasized the impact, should have—pointed out that the carbon tax exceeds Gov’s fiat and that any climate benefit from is not the result of changes to the insurance market.

Note also, one can fiat an action, but not a result. Gov has to present reasons why a government program would be more efficient, and Gov has to deal with Opp claims that the program would be unaffordable or create moral hazard, should Opp raise these objections and present arguments to support them. Gov cannot fiat an *efficient* insurance support program, or an *inexpensive* one. Impacts are always subject to debate.

² See Article I Section 8 of the US Constitution.

Opposition Fiat and Counterplans

Opp also has power of fiat with respect to extending the actions of the status quo or presenting a counterplan. Opp fiat also has to be limited for the debate to be fair. But determining the limits to Opp fiat is a bit trickier because there is no specific prescription for Opp to support similar to what the motion provides for Gov.

If Opp chooses to defend the status quo, then its fiat is limited to existing programs. These could be extended or enlarged. One issue that did not come up in this debate is that the US already has a national flood insurance program, and, through FEMA and other forms of disaster relief, programs to help communities rebuild. The latter are not insurance programs per se, but by providing grants and low-interest loans perform the same function as insurance. Opp could have argued expanding these existing programs are a better option than interfering with the property insurance market.

If Opp chooses to present a counterplan, then the provisions of the counterplan should operate in the same “space” as the motion. In this case, I think forbidding government interference in the property insurance market and allowing firms to set premiums based on risk and profit calculations is clearly valid. It deals with the central issue in the motion, which is property insurance. It is the way the status quo works today, absent consideration of state regulators’ authority over rate increases. It is clearly competitive, in that this ban and the motion as implemented in the Gov plan are clearly incompatible.

It is less clear that providing a subsidy to those who wish to move should be within Opp’s power of fiat. A direct subsidy isn’t about insurance, a strike against allowing it. It also does not require a loss to have occurred. If you have a home in an area that Opp would consider subject to climate risk, you can apply for this subsidy, even though your house is just fine. However, I was more inclined to accept it as it does relate to the central issue of how to deal with homes in hazardous areas, and, at a first analysis, seems likely to cost the same amount as Gov’s support program.

Gov could have argued that the Opp move subsidy exceeded reasonable Opp fiat here. The points above—the subsidy isn’t about insurance and does not require harm or loss to have occurred—support such an argument. Had Gov raised these points, I would have seriously considered them and looked for Opp to reply.

Lead with the Counterplan

If Opp intends to offer a counterplan, it should do so at the top of the LOC, not after presenting its contentions. In a policy debate Gov is generally defending a change to the status quo, and Opp is defending the status quo. Introducing a counterplan means Opp as well as Gov is rejecting the status quo and arguing for change. The debate is whether the world of the plan or the world of the counterplan is better. Both sides agree the world of the status quo is inferior. Opp should position all its arguments to reflect the new clash between the plan and the counterplan. The MG should re-align the Gov case with this clash.

Waiting to present the counterplan later in the LOC (or—and I have seen this—even in the MOC!) leaves Gov, and more importantly the Judge, in the dark as to Opp’s strategy. This can be confusing or can lead to the Judge misinterpreting Opp’s case. There is no advantage to confusing the Judge with a “counterplan surprise” after you have presented a few contentions or replies to the Gov case.

After a brief introduction and any comments on definitions, framework or weighing, the LO should clearly state Opp is presenting a counterplan and lay out the details. The LO still has the option of continuing either with the Opp offense or replies to the Gov case. But all of those arguments should be predicated on the clash between the world that will result from the Gov plan and the world that will result from the Opp counterplan. Why present the counterplan first? Because you can’t make those comparisons until everyone in the round knows what the counterplan is.

Competitive or Mutually Exclusive Counterplans

Counterplans should also be “competitive” or “mutually exclusive” in that there should be reasons why one cannot do both. If both the plan and counterplan can be implemented without conflict, Gov can simply argue, “let’s do both”, and should win the debate: “do both” means the motion/plan would be adopted. Adopting the motion is the central issue in the debate. If the Judge accepts it should be adopted, the fact that Opp’s counterplan would also be adopted would not matter.

In the final round at Coginchaug, Gov could have raised the argument that the subsidies portion of the Opp counterplan was not exclusive. In theory, you could subsidize movement out of climate-risk areas as well as subsidize insurance. Gov’s “one policy/one claim” is intended to incentive people to move. If Gov also argues that Opp’s impacts arise not from rising market-based insurance rates, but only from the subsidies, it would have a “do both” argument.

Opp could counter that while it was possible to subsidize insurance and moves, this would be twice the cost of either program alone, hence unaffordable. Opp would argue their market rates plus subsidized moves would be more effective than Gov’s one claim per policy in reducing risk from disasters.

All positions in a debate are subject to argument. “Just do the plan”, “just do the counterplan”, “do both” are positions teams can legitimately take. But each of them must be supported, and that support is subject to challenged.

Describing a World

Debate is about comparing two worlds: the world of the motion/plan and the world of the status quo or the counterplan. The team that does a better job of describing and contrasting those worlds is more likely to win the round.

Debaters often make a mistake that Tim Sonnreich calls “the illusion of sameness”, treating all entities in a category as if they were identical. They may have some things in

common, but they may also present significant difference. Considering those differences helps build a stronger case with more compelling arguments.

In this round, no one considers that homeowners differ significantly with respect to how this motion might affect them. There is one distinction that is handled only implicitly, in that the debaters are clear they are only talking about homeowners in climate-at-risk areas. There is also recognition some will suffer loss and others will not. But not much time is spent considering how many there might be in each group.

But there are other distinctions that can be made if you look at homeowners more widely. The differences among them are such that they would be affected differently by the solutions proposed by Gov and Opp in this round.

Consider:

- Homeowners already in climate-risk areas who suffered this year.
- Homeowners currently in climate-risk areas but currently whole.
- Homeowners planning on moving to climate-risk areas.
- Homeowners in areas where climate change won't affect property risk.
- Some of these homes are second homes, especially in Florida.
- Some of these homes are owned as rental properties.

Each group's access to insurance and decisions will be affected differently by a continuation of the status quo, the Gov plan, and the Opp counterplan. Each group contains a different number of people to consider when weighing costs and benefits.

Then there are differences in scenarios that neither team explores:

- If a homeowner files their one claim under the program and sells the property to another, can that person rebuild and get insurance since they have never held a policy on that property or filed a claim on it?
- If the homeowner/claimant rebuilds in a different at-risk area, can they get insurance, as they haven't yet made a claim for the new property?
- As people accept assistance to move under the counterplan, their previous homes are still intact. What happens to them?
- If either plan succeeds in moving people out of at-risk areas, what happens to these places? to all the businesses that no longer have employees or customers? Do we end up with large areas of slowly decaying ghost towns as they depopulate? Does Florida become the land of the very rich who don't need to care about insurance? If so, where do their staff live?

More possibilities, more arguments, more interesting debate!

RFD

This is an edited version of the RFD I posted in Tabroom. The posted RFD also includes some of the material above which I removed and expanded.

Gov presents a plan for property insurance in areas facing climate risk with some details about science-based regulation and carbon-tax funding. But the important detail in the round is that the program will only pay one claim per policy. It's not entirely clear whether this is based on the property involved or the policy holder, but the way it's discussed in the round is that if your home is destroyed, you get a full payout, but you cannot get insurance through this program for that property again. The presumption is that the policy holder will buy or rebuild elsewhere, but they do have the choice to rebuild in-place. Gov provides two justifications: the program is needed to provide insurance to at-risk areas; there will be a quicker response and therefore a quicker recovery.

Opp argues this program increases the moral hazard as it will lower the cost of insurance in at-risk areas; it is economically inefficient, because high premiums are an efficient way for the market to discourage building in these areas. Then Opp belatedly presents a counterplan which forbids any government subsidy or price controls on insurance, but provides a subsidy to those who choose to move out of at-risk areas, either because they choose to, or because they can't afford to stay, or because they have had a disaster (it's not entirely clear which).

The primary reason I voted for Opp was because I felt Gov failed to realize that, once a counterplan is presented, Gov needs to show their plan is superior to the counterplan. Most of Gov's reply continues to show their plan is superior to the status quo, which may be true, but doesn't help justify the motion against the counterplan. So when Gov notes that insurance will become unaffordable in some areas, Opp's reply is "exactly right" and we will help them move. There is a good Gov reply, "how are you going to move the entire states of California and Florida elsewhere" but we don't hear it. Opp emphasizes that the root cause of the problem is building in high-risk areas, and the counterplan does discourage this.

There are a few subsidiary arguments:

- Moral hazard: I think Opp wins this. Gov has to lower the cost of insurance to the homeowner for the plan to have an impact. We don't have important details on who is eligible, and there is no requirement that people leave after a claim is paid. Opp's plan is harsh, but rates rise to match the risk and provide an incentive.
- Climate change: Gov's carbon tax exceeds its fiat, but the impact is not stressed by Gov. There is no contention on its impact in the PMC, and only a brief mention in the middle of the MGC and at the end of the PMR. Gov wins the point that this tax probably does more on climate change, but it is not an important impact in the round.
- Cost and complexity: barely mentioned. It seemed to me that both plans would likely have similar costs to the government, and both required some bureaucracy to implement, so largely a wash.

- Gov's claim that Opp's subsidy contradicts its market argument: perhaps it does so philosophically, but the subsidy doesn't affect the insurance market at all, which I think is Opp's point on markets. Opp's reply that the subsidy reinforces the push provided by rising insurance costs does not answer this directly, but it's good enough.

Overall an excellent round on a complex topic. Both teams spoke well with good organization and clash. A pleasure to judge.