

12-11-2015

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Recommended Citation

Napoli, Lisa-Marie (2015) "Public Deliberation as a Tool for Managing the Commons: A Case Study of the Bloomington Community Orchard," *Journal of Public Deliberation*: Vol. 11 : Iss. 2 , Article 8.

Available at: <https://www.publicdeliberation.net/jpd/vol11/iss2/art8>

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Abstract

This essay focuses on how public deliberation is used as a tool for managing the commons. Through the lens of Elinor Ostrom's research of managing the commons, the Bloomington Community Orchard is analyzed as a case study to better understand the value of the process of public deliberation as a tool for managing the commons and the importance of timing for implementation.

Keywords

public deliberation, public voice, managing the commons

Acknowledgements

The Orchard Community Forum and this reflection essay are both team efforts. I am most grateful for the opportunity to work with such wonderful people on both projects. First, for the Forum, I deeply appreciate the work of the Bloomington Community Orchard Board of Directors, especially Amy Roche who saw the potential for our collaboration, and the Political and Civic Engagement (PACE) program student moderators, especially intern Catherine Krege. Second, in writing this essay, I could not have done it without the encouragement and editing support of Nancy Thomas who helped shape this essay more fully and guide the process to completion. Amy Countryman and Amy Roche, from the Orchard, both spent time talking with me and offering feedback to ensure the quality of the Orchard information was as clear and accurate as possible. Ryan T. Conway, from the Ostrom Workshop in Political Theory and Policy Analysis, helped guide me toward Elinor Ostrom's resources just when I needed them most. And finally, in PACE, I received support and encouragement from the entire staff and specifically, former Director Michael Grossberg offered helpful edits.

The Bloomington Community Orchard came to life in 2010 thanks to an Indiana University undergraduate student. In her Thesis, the student recommended the city create an orchard by planting a field of fruiting trees and making the fruit available to all community members. She suggested that the orchard should not function like a community garden where individual community members rent or borrow separate spaces to plant, tend and harvest. Rather, it should be a collectively shared area of land where hundreds of people could volunteer their time to plant a variety of fruit trees. It should also be truly collective, a common pool resource where all community members would be invited to plant, maintain, and harvest the fruit. The student's idea was supported by her advisor, and presented to the Bloomington Tree Commission, which endorsed it.

The idea would become a reality because many people came together in large numbers, showing support at government meetings and giving time and energy to resolve the practical and administrative needs inherent in such a collective enterprise. As they did so, those involved in the Orchard had to grapple with the challenges many community groups face in trying to manage the commons. Their struggles are illuminated by the seminal work on managing the commons of the late Nobel Prize Winner for Economic Sciences and Distinguished Professor at Indiana University Elinor Ostrom.

Lin Ostrom, as she was called by many, examined basic theories and assumptions about institutional arrangements. A revised version of her lecture, received by the Bank of Sweden Prize in Economic Sciences in Memory of Alfred Nobel in December 2009, can be found in the article, "Beyond Markets and States: Polycentric Governance of Complex Economic Systems." In this piece, along with her other writings, it is clear that Ostrom's work factored in complexity as an important variable to consider. Additionally, Ostrom put faith in local stakeholders to be able to address their own issues in diverse ways. Lin built on the work of her husband, Vincent Ostrom. Lin Ostrom's lecture highlights that the polycentric concept (as cited in V. Ostrom, Tiebout & Warren, 1961) identifies many centers of decision making that are formally independent of each other. Instead of viewing various patterns of interactions and multiple levels of decision making as chaotic, Ostrom identified these interactions, through her observations of public service industries and their abilities to manage common pool resources, as commonplace and effective. The concept of common pool resources was introduced by both Lin

and Vincent Ostrom as a very important type of good to be considered in economic theories.

After many years of complex, multi-layered research looking at various institutional arrangements and decision making, Lin Ostrom stated that “[e]xtensive empirical research leads me to argue that . . . a core goal of public policy should be to facilitate the development of institutions that bring out the best in humans” (2010, p. 665). Ostrom’s research examined many instances of face-to-face communication as a strategy for discussing best outcomes and the results showed that “the opportunity for repeated face-to-face communication was extremely successful in increasing joint returns” when dealing with complex social dilemmas (2010, p. 655). In this light, the importance of Orchard stakeholders coming together face-to-face to discuss how to best manage the site and face challenging decisions becomes essential to consider.

Lin and Vincent Ostrom created a Workshop in Political Theory and Policy Analysis in 1973 at Indiana University. The Ostrom’s espoused the idea that a “one size fits all” approach does not apply to complex problems (Conway, 2012; Ostrom, 2010). This message remains consistent today in the Workshop as does an emphasis on the importance of developing a grammar for institutions so that “people, when they come together, can share understandings and manage their resources by enforcing norms and rules of their own design” (Conway, 2012, p. 362). It is through this approach of developing a grammar, or a common language for managing the Orchard site, where the call for public deliberation sounds.

This essay focuses on how Lin Ostrom’s analysis of using local, face-to-face decision making with stakeholders to manage common pool resources can happen by using public deliberation as a tool. In addition to planning *how* to manage resources, I contend that a new problem to address is identifying *when* to make decisions about managing resources. The Orchard provides us with an example of using a public deliberation process in a preventive manner to avoid potential future challenges. The process is used as an opportunity to create public voice where board members, local stakeholders and community members came together to reflect and discuss management issues and determine action steps. Creating public voice, as David Mathews, President and CEO of the Kettering Foundation, suggests, requires people to interact as they attempt to solve common problems (2014). Discovering public voice is a pragmatic concept that applies in local decision making.

Many individuals came together in the early days of creating a public voice on behalf of the Orchard. The Bloomington Urban Forester championed the Orchard and secured an acre of land in a popular city park with \$2000 in seed money. A group of individuals most involved in creating the Orchard met regularly, and these volunteers applied for a grant from Edy's Fruit Bars and the Fruit Tree Planting Foundation to supply 60 fruit trees, a deer fence, and much-needed Orchard advising. A call was put out to create the Orchard board of directors and individuals nominated themselves as potential candidates. The Orchard community, defined at that time as anyone who had donated time or money to the Orchard in the past year, voted online to select official leaders of the Orchard. The newly-installed board immediately began to establish important relationships with the city of Bloomington on a few key fronts for the Orchard's success: support with grant applications, help with site preparation (including ADA-compliant pathways), and a reliable water supply to keep the newly planted trees, flowers and other vegetation hydrated.

With the successful birth of the Orchard and the planting of sixty trees, board members and volunteers faced their first major challenge as an organization. What would they do with the future harvest? Volunteers began asking very important questions about the harvest: Who would be responsible for the harvesting? Who could keep it? Could it be sold as a fundraiser for the Orchard? How would it be distributed? No one had clear answers yet they all recognized how important they would be to the future of the Orchard. It was at this point in 2012 when a forward-thinking Orchard board leader requested a community forum to determine whether it was time for community members to begin to reap the harvest. The rest of the board members agreed and announced the forum in the newsletter sent to all of those affiliated with the Orchard. The Forum was held in early 2013 with a very loose structure and, unfortunately, produced quite ambiguous results. The board received an array of comments that were hard to synthesize and make sense of as a basis for moving forward and determining how to manage the harvest.

Then one early spring day a few months later, some Orchard volunteers noticed that the first strawberries were starting to ripen. It was a small but auspicious sign that the harvesting would soon begin. The appearance of that first fruit compelled those involved in the Orchard to address very direct issues that would define the community project: Who gets the fruit? Should the volunteers who sighted the strawberries be able to pluck them off and pop them in their mouths? Should the

fruit be harvested and saved for those in greater need of nourishment? Should the board members be the first to taste the fruits of their labor, literally? At first glance, these concerns may seem trivial, but they reflect larger concerns that the group had grappled with in their indecisive community forum. *Who gets the fruit?* This became the driving question that board members and volunteers had to answer through a process of public deliberation. It went to the heart of the Orchard as a community activity.

The original Orchard promotional posters and signs had proclaimed: “Free Fruit for All.” However, the challenge of what to do with the first harvest revealed the complications of following this guiding principle for the Orchard, especially in the early days when the fruits slowly began to emerge and no structure had been put into place to distribute them. Although the principle itself was not contentious, at times, discussions about harvesting became so because different perspectives were voiced about how to implement it. This provoked discussions about how to share a limited resource with the greater community. The Orchard board revisited their initial commitment to share some of the harvest with a local community food bank, but it was not clear how that would be done. At the same time, challenges arose over the importance of ensuring that the harvest and distribution processes happened in a manner that was safe for the trees and happened quickly enough so that the fruit would not rot after it was picked and packaged for delivery.

It was during this struggle over managing fruit distribution that I became involved in trying to resolve the potential conflicts at the Orchard through public deliberation. I received a phone call from an Orchard board leader who knew about the deliberation process and thought it might be a way to address the Orchard community’s challenge. It was an opportunity to further develop public voice. The idea was to use deliberation as a means to articulate public voice more fully. Public voice is a collective understanding about a particular issue by a specific group of people. With this in mind, I realized the ideal fit between the organization’s challenges and public deliberation as a form of conflict resolution. As Director of the Community Deliberation Project in the Political and Civic Engagement Program (PACE) at Indiana University, I had a small cadre of recently trained, outstanding student moderators and a student intern who could participate in organizing and implementing a public deliberation forum. The PACE Community Deliberation Project (CDP) is a non-partisan effort to partner with local citizens and groups to achieve a variety of objectives: examine issues through public

deliberation; provide citizens with problem-solving skills; promote civil discussion of controversial issues; and provide college students with opportunities to moderate deliberations. The CDP initially developed through a collaborative research-learning exchange with the Kettering Foundation as a Center for Public Life and with some financial support through Indiana Campus Compact. These resources provided the opportunity for CDP to name and define itself, as well as begin to create a networking structure in the local community to offer public deliberation with trained student moderators. Since 2012, the CDP has organized public deliberations for diverse groups, primarily in south-central Indiana.

Each year, the CDP trains at least a dozen new students from the PACE program to moderate public deliberation forums about contentious and timely issues. The students' work begins through their involvement in a course called the Issue Forum where students prepare to facilitate a small group deliberation with peers about an important public issue. The PACE program supports this work through the development and implementation of the annual course. Following the Issue Forum, the students volunteer to participate in community deliberation opportunities to practice their newly formed skill set as moderators of public deliberation. For the Orchard's Community Forum, we invited those affiliated with the Orchard to join the facilitation training session to participate as co-moderators.

We began the planning process for the community-wide deliberation forum by meeting with Orchard board members to discuss expectations for the forum and to better assess their needs. The basic question for the forum remained: *Who gets the fruit?* The students, Orchard representatives, and I designed and sent out a survey to key stakeholders to receive feedback that would help us create an appropriate and usable issue guide that could be used to highlight key issues and different perspectives to generate conversation about the topic at hand. The survey questions focused on how community members viewed the Orchard, particularly its assets and challenges, and what they considered the most pressing issues were facing the larger community. Once we received feedback, we held a series of meetings with both PACE and Orchard representatives to sift through the responses, categorize the information and finally, after many hours, the PACE and Orchard representatives created an issue guide tailored for the occasion.

Creating the issue guide was a truly collaborative effort with PACE and Orchard representatives where the group divided into sub-groups to write the different

sections of the guide. The guide highlighted the Orchard's mission, "To Dream, Build, and Share an Orchard Community," and introduced a description of a public deliberation process. Considering the topic, it was valuable to spell out some assumptions about projected tree fruit production. The information included a list of trees, how many bushels or pounds of fruit expected within a harvest season and the age of tree where the harvest might be expected, barring any challenges due to inconsistent weather, insects, neglect, etc. We believed that listing these assumptions would prevent debate about the science of the harvest and keep participants focused on the larger issues. Through stakeholder data collection and analysis, the guide for the public deliberation forum (referred to as the Community Forum Issue Guide) focused on two key areas: access and equity issues. The access issues included: encouraging on-site experiences (for example, education and hands-on experiences); gaining access (to serve a diverse population); and ensuring sanitary procedures (for proper harvest and storage procedures). The equity issues included: honoring claims (such as original promises made); ensuring food equity (considering factors of rights, needs and earnings); and overcoming barriers (such as socio-economic factors of time, knowledge and money).

Although the turnout at the Community Forum was less than we hoped with a few dozen people present including Orchard board and community members, there was a mix of individuals who represented various perspectives and, in the end, the discussions were rich and thorough. Most importantly, they led to interesting insights and covered important topic areas for the Orchard community to consider. Five ideas emerged from the deliberation that became the top priorities for the Orchard. These top five ideas were determined by a sub-committee of PACE and Orchard representatives assigned with the task of reviewing notes from the Community Forum and debriefing the deliberation process. The synthesizing and debriefing work is an example of refining public voice to help manage the commons by exploring responses to the question about who gets the fruit.

The first idea that emerged from the Community Forum was that the Orchard board could now answer the question about who gets the fruit by making a decision to invite volunteers to harvest fruit at "Work and Learn Days" that were open to the public. This was discussed at the public deliberation forum and the board members later concurred that it was a good way to respond to the question considering the current status of the harvest. To best help volunteers navigate the Orchard site, the board members recognized that, due to the complex layout and the fact that

different trees have quite different needs for harvesting techniques, they needed to prepare educational signage and information. The discussion at the Forum helped the Orchard board recognize the need to develop a more thorough educational infrastructure for community members and volunteers to navigate the Orchard in a more informed manner by understanding the layout, the timing of the seasons, and information about what is ripe and when and how to best maintain the health and vitality of the trees and plants. This information was a key discovery for the group and became integral for improving the sustainability of the Orchard. Additionally, they realized that as the harvest yields greater quantities that this question will need to be addressed continually and so will the processes for fruit distribution.

Second, although the board had known that the Orchard was a child-friendly site, maintaining that feature of the project became a higher priority as a result of the Forum's discussions. The board reiterated and strengthened the idea of children being exposed to and educated about gardening and fruit growing. In light of national movements to address childhood obesity and First Lady Michelle Obama's initiative to encourage citizens to garden and provide children with a hands-on relationship with real food, the Orchard board wanted to do more to respond to this priority. The Forum provided an opportunity for them to reflect on this and in turn, they began to emphasize the youth program and created a Junior Stewards program.

A third priority outcome was that, in listening to the discussions during the Community Forum, the Orchard board gained a new perspective by acknowledging first the uncertainties about making predictions for the harvest and then the realization that it was not time yet to broadcast an invitation to the community to come and get the harvest. As a result, they shifted their conversation from harvest distribution to harvest production and thus organizational development and site maintenance. Because the Forum offered an opportunity for Orchard volunteers and community members to recognize and address broader issues like these, the Orchard board determined that it was fine to answer the question about who gets the fruit for the time being and to focus on the more pressing need of securing an accurate assessment of how things were currently developing in terms of fruit tree stewardship. The board also decided it should create a position for someone to manage the harvest and distribute it in town as the opportunity to do so arose. The details of this position are yet to be determined. Another realization that came to light was the fact that the group wanted to make a commitment that when harvesting

began to flourish, part of each harvest could go to the local food bank and thus to those in need of fresh and nutritious food.

A fourth priority was to create a new, hands-on, seasonal, and educational community event, HarvestFest. The Orchard board decided that the event could attract community members to become more familiar with the site and be in touch with the rhythms of the season. By scheduling HarvestFest in July when the blackberries, peaches, and plums are most abundant, community members could share in the experience of eating the Orchard's delicious fruits at a "shortcake bar" at the event.

A final key priority concerned overall management of a common pool resource. This approach came to light during the deliberations and, following the Community Forum, some Orchard leaders consulted with scholars at Indiana University's Ostrom Workshop to gain advice about how to best manage common spaces and govern public commons organizations. The Orchard board came to realize, all the more through the consultations, that shared resource management takes structure and policies to function effectively. To do this, while staying true to the Orchard's founding commitment to maintain an open and give-away culture, required concerted attention to how the board developed and defined itself and the role of the Orchard in the community. The opportunity for deep reflection provided by this follow-up led them to refine their image and create new ways of collaborating with community members.

In the end, when considering the priorities derived from the Community Forum, it is evident that the Orchard board took advantage of the public deliberation process to further address their major challenges and evolve their culture. The opportunity to deliberate important and timely Orchard-related issues and develop public voice clearly served as a bonding experience for those who attended and enabled them to recognize their shared values. In observing the interactions, I was touched to witness Orchard board and community members express deep appreciation for what the Orchard does and how they do it. One of the values that emerged as most important among the group was generosity. Because the Orchard is a communal public space, the discussions all seemed to point to the fact that the Orchard board wants to remain generous with volunteers and the larger community. In this way, the strong spirit of the Orchard was enhanced and board members and volunteers now convey this message in a more direct way to the larger community. They call

the Orchard an “edible park” and they mean it in the truest sense. More recently, the Orchard board followed up on the priorities derived from the Forum by writing an ethos statement. It highlights their commitment to running the Orchard in a collaborative manner and continuing to connect with others in the city. As the Orchard community has functioned in this way they have set a great example for other volunteer-powered community organizations.

Although the topic of harvest distribution is currently not a contentious issue in the Bloomington community, I was surprised at the challenging conversations that emerged in response to understanding growing seasons, knowing proper pruning techniques to reap the harvest in a healthy manner for the trees, finding ways to transport fruit before it rots and other specific issues that made a simple issue look more complex than it appears. In the Orchard, since everything is shared, from planning, planting, maintaining and harvesting and all the in-betweens, the recurrent need for public deliberation emerged as an essential component of the community. The approach of surveying key stakeholders, inviting these stakeholders along with the larger community to meet face-to-face to reflect collectively on harvest distribution issues, and taking action in response to the discussions was an opportunity to create public voice and overcome some of the challenges by prioritizing key ideas and actions. This process will need to be repeated regularly to maintain shared responsibility in the community.

When considering assessments of and advocacy for public deliberation processes, it becomes too easy to focus simply on the critical importance of crisis problem solving and providing feedback to political and civic leaders. No doubt these approaches are important, however, the Orchard Community Forum provides an example for practitioners and scholars of public deliberation to conceptualize various ways public voice emerges and at what point in decision making opportunities for deliberation exist. As one Orchard board member insightfully stated, the Community Forum was an opportunity for the group to interrogate their own privilege, entitlement and earnings in a sustained manner. This level of deep reflection takes time, but if done effectively has a positive qualitative impact on both individuals and communities. Creating spaces for public deliberation as the Orchard community did allows groups like theirs to express a shared public voice and make decisions in a collaborative and informed manner. Additionally, in the spirit of Lin Ostrom’s work of managing shared resources to prevent a tragedy of the commons, public deliberation like this one stands out as a preventive tool for

dealing with issues in both contentious and non-contentious contexts. Practicing the art of deliberation allows for skills to develop so if a crisis emerges, the community has the capacity to resolve the problem more effectively.

As an organizer, facilitation trainer and participant-observer of the Orchard Community Forum, I was moved to see that participation in the event was a bonding experience for the board and the community. In the end, they were able to solve a problem, prevent future problems, and follow-up by refining the way they educate community members to make a significant difference at the Orchard and for the larger community. Since addressing their challenges directly, the board continues to witness a substantial increase in attendance at Orchard events, which, in turn, ensures the sustainability of the Orchard itself. In thinking about how to manage common resources, I think the Orchard example has great value to consider. Throughout this experience, I was continually reminded of the importance of coming together to talk about issues in a preventive manner that addresses conflicts instead of letting them fester only to explode later with more harmful consequences. It was a rich experience for the PACE students and me to participate in this project and to see amazing work that continues to emerge from the thriving Orchard.

This story began with a student sharing an idea. Key community members thought it was a good one and worthy of follow through. The city designated land and water to support the Orchard and, in theory, this became an experiment to see how to manage the commons, as Ostrom's work informs. It is through the participation of PACE students and community members as volunteer moderators that allow for public deliberation to happen. Public deliberation becomes a valuable tool in providing an opportunity for public voice and decision making to manage the Orchard's resources.

The creation, maintenance and development of the Bloomington Community Orchard is exceptional in many ways. The lessons learned from this example show that public deliberation is a process that can crystallize ideas for clarity and growth in an organization. It provides an opportunity for deep reflection and perspective-taking through the creation of a public voice in decision making. The actions that emerge from a deliberative process can be preventive or responsive to challenging situations and, either way, there is value. The skills of reflection, decision-making and action combined for managing common resources is an example of what I refer to as public-voice-in-action. It is important to recognize that the timing and the

context for implementing public deliberation opportunities vary depending on the needs for decision making and action. As researchers and practitioners in the field, we can continue to be more reflective ourselves in determining when the time is ripe to respond to, encourage or offer these opportunities.

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