



THE EQUALITY COLLECTIVE

Ukulingana Nokulingana Ngoku

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FOREWARD

The Equality Collective, based in the rural Eastern Cape, is an activist and community-centered law project. It builds off extraordinary work done by the Bulungula Incubator and the local community from the Xhora Mouth Administrative Area. They have campaigned for an ambulance and access to emergency services and a health clinic with positive results and campaigned for and won a community radio licence (in the face of an irrational moratorium) to fulfill the right of freedom of expression. They have also conducted human rights workshops, provided walk-in paralegal services and supported surrounding advice offices and NGOs on law related issues.



In 2017, the Bulungula Incubator began asking questions: how is the social justice sector positioned in respect of rural communities and in what ways does it need to change? What should community-centred lawyering look like? Can we meet the immediate needs of our community members and do transformative systemic work? The Equality Collective was conceptualised at the grassroots level from the lived experience of those who are very far from centres of power with no direct access to organisations focussed on social justice work. The need for a rural based activist and community-centred law organisation emerged.

The Equality Collective aims to model community-centred lawyering and be innovative in the advancement of access to justice. It aims to build the capacity and infrastructure for larger-scale transformation of power relations in our rural communities in order to build a just and caring society. And it aims to use evidenced-based research and lessons learnt on our models of delivery to provide strategic leadership and learning for broader impact across the country.

In January 2019, our Board approved this strategy after consultations with community members, the Bulungula Incubator Management Team, people within the sector and potential partners. The Equality Collective is a project of the Bulungula Incubator and they provided initial administrative, financial, advisory and infrastructure support to the Equality Collective. For more information about the Bulungula Incubator please see *Appendix A: Bulungula Incubator*.

We are committed to ensuring that the Equality Collective is a powerful vehicle to fulfill our bold vision of justice and realisation of constitutional rights in rural communities. There will be many more iterations of this strategy as we grow and deepen our work and we thank and welcome your insights. Please contact tess@equalitycollective.org.za for any additional information.

Forward!

Tess Peacock
Executive Director

OUR DIRECTORS



Yana Van Leave

"The Equality Collective is a refreshing and humble approach to centering legal practice and applying the law in the context of the lives and communities it wants to support. It aims to offer tools to the poor to access rights and participate in social and democratic structures such as local government, courts, legislatures and traditional leadership. It will do this by adding and building capacity within existing community organisations, meaningfully and sincerely, understanding that change is achievable when driven by communities"

Yana commenced her career in constitutional litigation at the renowned Legal Resources Centre, founded by Chief Justice Arthur Chaskalson. She later specialised in education law and policy and currently serves on the National Council of Equal Education. Following a year of clerking at the Constitutional Court for Justice Edwin Cameron, Yana joined Cliffe Dekker Hofmeyr as an Associate in 2016 and is now a Senior Associate there. Yana operates primarily in the Public Law Sector, focusing on constitutional, administrative and regulatory law.



Lunga Siyo

"Access to justice has been one of my main preoccupations since my first year in university. So it's a privilege to be part of an organisation that seeks to venture into this terrain by collaborating with the community in the provision of access to justice. My wish is that the Equality Collective will be a walk in community law clinic that is capable of addressing the legal needs of the community"

Lunga Siyo was admitted to the Eastern Cape Society of Advocates, Grahamstown, where he began his career in December 2013. He was admitted to the Johannesburg Society of Advocates in 2015. He holds an LLB and an LLM in Constitutional Law. Lunga is also in-house counsel at the Constitutional Litigation Unit of the Legal Resources Centre. His areas of interest include constitutional law, administrative law, land rights, mining law, customary law, medical negligence, personal injury law and general litigation. He has appeared in the High Court, Land Claims Court and the Constitutional Court.



Khaya Tyatya (Chairperson)

“A truly community driven organization that focuses on taking up community issues, with and through the community. I see The Equality Collective as a vehicle for the achievement of human rights, as enshrined in our constitution”

Khaya Tyatya is currently employed as Director: Programmes at the Zenex Foundation, an independent philanthropic Foundation focused on education investments. Khaya has extensive experience

in the area of education and grant making having previously worked for Tshikululu Social Investments where he held numerous roles including Client Relationship Manager and education specialist where he was largely responsible for the development and management of corporate social investment (CSI) strategies and programmes. Khaya has also worked as education specialist at the National Education Collaboration Trust and JET Education Services. Khaya has expertise in the areas of programme design, strategy development and stakeholder engagement amongst others. Khaya is a Ph.D. candidate in Department of Educational Leadership and Management at the University of Johannesburg. His research focuses on understanding factors that affect student academic success in post school education.



Rejane Woodroffe (Treasurer)

“The Bulungula Incubator welcomes the opportunity to deepen and strengthen support for community organising, advocacy and agency through the Equality Collective. Because rural communities are likely to be located further away from the centres of power than urban ones, they will benefit from the kind of support that the Equality Collective will facilitate”

Réjane is an Economist and a CFA charterholder. She completed her undergraduate degree in Business Science at the University of Cape Town and her Masters degree in Development Economics at the University of Sussex, UK. She has previously held the positions of Chief Economist and Head of International Portfolio Investments for Metropolitan Asset Managers and Research Analyst for US investment bank, Merrill Lynch, in the economics and fixed-income sales and trading departments. Réjane was a trustee and the National Treasurer for TCOE, the Trust for Community Outreach and Education. She has previously served as a volunteer counselor and a member of the board of directors of the Rape Crisis Cape Town Trust. She is a fellow of the Africa Leadership Initiative (ALI) and the Aspen Global Leadership Network (AGLN). Réjane is a founding member of the Bulungula Incubator.

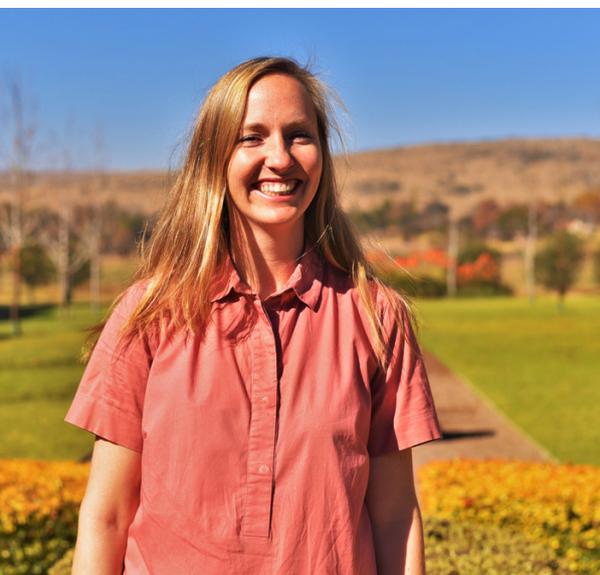


Megan Bryer (Secretary)

"It's quite common to reflect at the end of a chapter but far less common, though perhaps even more important, to reflect in the beginning. The Equality Collective has at its core an ambition to harness collective power and I am most excited about practicing development in a way that recognises and reinforces the power of the community that the EC serves. I feel very fortunate to be a part of a group of people who seek to bring about change for rural communities to flourish by grounding our understanding of progress and practice in the communities we will work

with. I hope through my efforts to support the collective effort to realise a more just and equitable society, beginning with the most marginalised and deprived communities in the South Africa"

Megan is a senior economist in the Economic Policy division of South Africa's National Treasury. She has worked since 2012 in development economics, in the private sector for Genesis Analytics, in the academic space for the Universities of Johannesburg and Witwatersrand, and as an independent researcher. Though she had the misfortune of studying economics at the height of the neoliberal project, she has been on a journey of recovery, wading into feminist economics, economic history and heterodox economic ideas. Her work on the EC shifts her away from her focus on urban poverty, inequality and joblessness to a rural expression of these challenges; re-orientating her from the abstractions of policy-making to the practice of community-centred change. Megan has an MSc in Development Studies from the London School of Economics.



Tess Peacock

"The Equality Collective aims to galvanise and support powerful organising rooted in community struggles. I am humbled by the opportunity to grow the Equality Collective fighting for ukulingana nokulingana ngoku! (real equality now)"

Tess has a B.Soc.Sci in Politics, Philosophy and Economics as well as an LLB from UCT and an LLM from Harvard University. She completed her articles at Webber Wentzel attorneys before moving to the Legal Resources Centre for human rights experience. She also

spent a year clerking at the Constitutional Court, appointed by Justice Skweyiya. Tess also has experience working in the education and early childhood development sectors at the grassroots, grant-making and policy levels (having worked at the Bulungula Incubator, for Tshikululu Social Investments and as a consultant for Ilifa Labantwana and the Nelson Mandela Foundation). She serves as the Treasurer of Equal Education and is a 2019/20 Atlantic Fellow for Racial Equity. She has already lived in Nqileni Village for three years.



Hombakazi Mercy Nqandeka (advisory member)

"I'm excited to work with Equality Collective because it is an organisation that is anchored on rural development. It is an organisation that is about hearing people's grievances for basic services and it is an organisation that advocates for the delivery of basic services to the least developed people."

Hombakazi Mercy Nqandeka was born in Mqele location at Elliotdale (Xhorha) in the Eastern Cape Province in South Africa.

She is a driven young woman who takes pride in the betterment of the preservation and promotion of the Xhosa culture. She is passionate about Rural Development and Africa at large. She has authored and published two books: *The Dissonant Rainbow* (2019) and *To My Young Self* (2020). She was until recently investing her time in volunteering at Bulungula on a women's farming project. Mercy also teaches bead-making to the Bulungula youth. She holds double Masters degree in Agriculture Climate Change Transition from the National University of Ireland, Galway and SupAgro, Montpellier, France. She now works for Viva con Agua on their Water and Sanitation projects in the local schools in the Xhora Mouth Administrative Area.



Mzuzile Mhlola (advisory member)

"Being on the EC Board is great exposure as it is my first time being a board member. The EC is addressing issues that affect people who stay in rural areas, these are the people who really need to be empowered. The EC is advocating for people's rights especially for rural communities and I which I belong too as well. It is also a platform to connect and be part of a discussion that would really make change to people's lives."

Mzuzile Mhlola was born in Mgojweni (in the Xhora Mouth Administrative Area) and finished school at neighbouring Zithulele.

Mzuzile Mhlola was born in Mgojweni (in the Xhora Mouth Administrative Area) and finished school at neighbouring Zithulele. He started working at the Bulungula Incubator as the only male Nomakhaya (home based worker) and quickly moved up the ranks to Assistant Manager of the BI health programme, showing leadership and dedication to his work and community. In 2017, he became the first Vibrant Villages Manager leading and shaping a new area of projects for the BI that includes: managing the Bulungula Radio and running sports leagues in all the villages. He describes himself as deeply committed to development.

ABOUT

VISION:

Thriving rural communities collectively participating in a just and caring society.

MISSION:

We are innovative in the advancement of access to justice, build the capacity and infrastructure for collective participation and share research and learning to create a more just and caring society.

PEOPLE:

Our work centres our rural communities and their lived struggles. It prioritises the needs of marginalised communities, especially women and children.

PREMISE

The rights in our Constitution have provided millions with hope for a more equal country based on dignity and freedom. We have the right of access to basic education; healthcare; water etc. and section 34 of our Constitution guarantees **the rights of access to justice**. The context we work in reinforces a perception that these are “paper rights” (worth no more than the paper they are written on). There is great need for skilled resources to be poured into our poorest communities. Instead, the provision of skilled services is fragmented and sporadic at best.

Currently, the public interest lawyers are too removed from the challenges, disasters and problems; there is insufficient knowledge of the landscape as well as too few strong partnerships and relationships with communities.

In contrast, the Equality Collective is embedded, based in Nqileni Village in a remote rural part of the Eastern Cape in the Mbhashe Municipality. This is an area along the Wild Coast that was classified as a “Black Homeland” under Apartheid and is one of the poorest in the country. There are poor roads and the geography is marked by steep hills and deep river gorges which means traveling distances are long. Access to electrical power, safe water, sanitation, healthcare, emergency healthcare and communications is limited and local and regional government are some of the most dysfunctional in the country. **The area thus epitomises the most acute poverty challenges of the country.**

Despite this, it has an immense richness in other ways: there is a strong sense of community and history, the land is incredibly fertile and breathtakingly beautiful, there are still pockets of excellence in subsistence farming, and the people have a strong desire to work towards improving their situation. It is this combination of difficulties and strengths that make the Xhora Mouth Administrative Area an ideal place to grow the work of the Equality Collective.



STRATEGY

The Equality Collective's long term vision is thriving rural communities collectively participating in a just and caring society. Our vision for change requires meeting the immediate needs of community members together with building the infrastructure for grassroots power to make far reaching and profound structural change. The Equality Collective will help build a more just and caring society by advancing **access to justice**; building the capacity and infrastructure for **collective participation** for large-scale transformation; and by being a **research and learning** institution to ensure broader impact.

Access to Justice



Provide a community walk-in clinic

Community-centered lawyering

Build and support paralegal services in multiple geographies

Collective Participation



Capacity building

Campaigns

Establish and grow the Equality Collective Network

Research & Learning



Developing a theory of community-centered lawyering in practice

Evidence-based research to influence policy & law

Knowledge sharing

STRATEGY

Access to Justice

Since we are embedded, there is an element of the Equality Collective that seeks to serve the direct needs of our communities. We provide walk-in services with the support of the Bulungula Incubator; we support existing paralegals in Advice Offices and we support existing organisations (mostly NGOs) to provide basic legal services to their communities. We intend to be innovators around the promotion of access to justice services and leaders on how to best support paralegal services at the grassroots level. We also plan to model community-centred lawyering that uses the law (in a variety of ways) across a plethora of issues in the fight against poverty.

Collective Participation

One of our main activities under this pillar will be building the capacity of community members to shape their lives and the world around them. Part of our job will be to build and network power in support of our campaigns.

Our campaigns are driven by community need and identified from the grassroots and intersect key socio-economic rights.

We provide the support (research, technical, navigation) for the collective participation *and action* of marginalised communities.

We have started to develop two major project areas falling under this pillar: 1) the Real Reform for Early Childhood Development Campaign (www.ecdreform.org.za) and 2) the emergence of a coalition between residents and community leaders, working constructively with Amathole District

Municipality (ADM), to claim the right to water in deep rural communities.

Research & Learning

This is a central pillar to ensure that our “access to justice” and “community organising” pillars are based on strong evidence and sound research. In 2020 we started a research partnership with the Harvard Human Rights Law Clinic who are assisting us with research on access to water issues facing our communities which will lay the foundations of a future campaign on consistent access to water. The “research and learning” pillar will also ensure that we are able to have a broader impact while keeping grounded.

The Equality Collective registered as an NPC in 2020 and finalised our PBO registration in the same year.

Even though these are all BIG pillars, our hope is to stay small yet have a BIG impact.



WHERE WE WORK

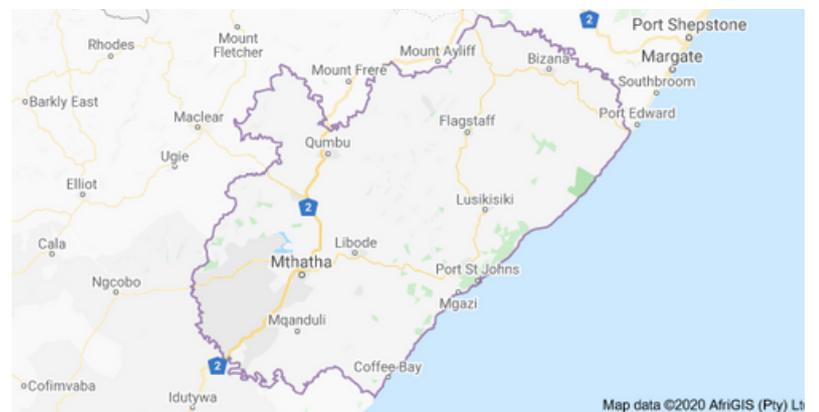
The Equality Collective works directly with rural communities, where the need is the greatest. Based on where we have worked already and where we are based, our direct work is limited to two district municipalities:

- Amathole District Municipality; and
- OR Tambo District Municipality.

Much of our work, however, still has provincial and national impact.



Amathole District Municipality



OR Tambo District Municipality

APPENDIX A: BULUNGULA INCUBATOR

The Equality Collective is a project of the Bulungula Incubator. The Bulungula Incubator (BI) is a non-profit organisation established in 2007 although their work in the area began in 2004 with the establishment of the eco-sustainable and award winning community owned, Bulungula Lodge (www.bulungula.com). The BI aims to be a catalyst in the creation of vibrant and sustainable rural communities. They work with community members from conception to career with an integrated development strategy in education, health and nutrition, and sustainable livelihoods. They employ about 200 people in the region. The Bulungula Incubator is independently audited (the Equality Collective does not yet have audited financial statements) and is willing to be a fiscal agent for the Equality Collective, where necessary.



The Bulungula Incubator has won significant awards:

- Winner: British Council Study UK Global Award
- Winner: John P. McNulty Prize
- Winner: ABSA/DSD Award for Best ECD Centre

More information about the Bulungula Incubator can be accessed here: www.bulungulaincubator.org