



Feminist Strategic Litigation

Measuring Impact

4 KEY PRINCIPLES:

- It is important to look beyond the courtroom to assess the effectiveness of FSL
- Evidence of impact can be found in the process of the case as well as the outcome
- Impact can be positive or negative, both positive and negative or there can be no impact
- Understanding context – including the particular goals of a case, its characteristics, and the circumstances in which it emerged – is critical to assessing impact

1 Impact on individual(s) involved in the case

THE JUDGMENT

- Recognition of rights

THE REMEDY ORDERED

- Monetary award
- Symbolic reparation

THE PROCESS AND INVOLVEMENT

- Opportunity to communicate their position or story
- Chance to mobilize others
- Financial costs
- Emotional costs
- Reputational costs
- Violence or harassment



2 Impact on broader communities or groups

- Those involved in the litigation or facing similar challenges
- Those not immediately involved in the litigation or who have different or conflicting interests



3 Impact on legislation, regulations, and policy

- Reversal or removal of legislation, regulations, or policy
- Enforcement or implementation of legislation, regulations, or policy
- Protection for problematic laws, or cover for political actors who did not want to change the law
- Creation of new legislation, regulations, or policy? How?



4 Impact on public discourse and perception

- Public awareness
- Framing or reframing issues
- Media coverage
- Social media engagement
- Academic commentary
- Other engagement
- Backlash or hostility



5 Legal Impact

- Outcome of the case
- Precedent set (good, bad, neutral) and value for future arguments
- Adoption of feminist or substantive equality arguments
- Impact on legal culture (e.g. education, mainstreaming of arguments or evidence)



6 Impact on social movements and empowerment

- Mobilization of support from individuals, organizations, and/or other groups
- Attraction or loss of supporters
- Strengthening or weakening of connections with individuals in the feminist movement or other movements
- Strengthening or weakening of connections with influential actors
- Changes to organizational capacity

