

EVELYN DOUEK

ASSOCIATE PROFESSOR · STANFORD LAW SCHOOL

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ACADEMIC EMPLOYMENT

STANFORD LAW SCHOOL

Associate Professor of Law, 2025–

Assistant Professor of Law, 2022–2025

John Bingham Hurlbut Award for Excellence in Teaching, 2024

KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY

Senior Research Fellow, 2021–2022

HARVARD LAW SCHOOL

Lecturer on Law, 2020–21

EDUCATION

HARVARD LAW SCHOOL

Doctor of Juridical Science (SJD), 2022

Master of Laws (LLM), 2017

UNIVERSITY OF NEW SOUTH WALES

Bachelor of Commerce/ Bachelor of Law (BComm/LLB), first class honors, 2013

UNSW Law Journal, executive editor (editor-in-chief)

UNSW Council, elected student representative

CLERKSHIP

HIGH COURT OF AUSTRALIA

Associate (Clerk) to the Hon Justice Susan Kiefel AC, 2015–16

PROFESSIONAL SERVICE, FELLOWSHIPS & AFFILIATIONS

UNIFORM LAW COMMISSION, DOXING STUDY COMMITTEE

Observer, 2024–2025

BERKMAN KLEIN CENTER FOR INTERNET & SOCIETY AT HARVARD UNIVERSITY

Faculty Associate, 2022–

Affiliate, 2019–2022

JOURNAL OF ONLINE TRUST AND SAFETY

Editorial Board, 2021–

PROFESSIONAL EXPERIENCE

CORRS CHAMBERS WESTGARTH

Litigator, 2016

HERBERT SMITH FREEHILLS

Litigator & banking lawyer, 2014; Summer clerk, 2011–12

VOICELESS (animal rights non-profit)

Legal intern, 2011

ADMISSIONS TO PRACTICE

High Court of Australia, admitted on 18 March 2016
Supreme Court of New South Wales, admitted on 5 December 2014

PUBLICATIONS

ARTICLES & ESSAYS

TikTok v. Garland and the First Amendment Anti-Canon, SUP. CT. REV. (forthcoming 2026)

The Politics and Perverse Effects of the Fight Against Medical Misinformation, 134 YALE L.J.F. 237 (2025)

The Long Online Shadow of the Material Support Law, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (2025)

The First Amendment Problem of Stalking: Counterman, Stevens, and the Limits of History and Tradition, 113 CALIF. L. REV. 145 (2025) (with Genevieve Lakier)

Lochner.com?, 138 HARV. L. REV. 100 (2024) (with Genevieve Lakier)

The Meta Oversight Board and the Empty Promise of Legitimacy, 37 HARV. J. LAW & TECH. 373 (2024)

The Tug Between Private and Public Power Online, 61 DUQUESNE L. REV. 209 (2023) (invited symposium contribution)

Content Moderation as Systems Thinking, 136 HARV. L. REV. 526 (2022)

Governing Online Speech: From "Posts-As-Trumps" to Proportionality and Probability, 121 COLUM. L. REV. 759 (2021)

The Limits of International Law in Content Moderation, 6 UCI J. INT'L TRAN'L & COMP. L. 37 (2021) (invited symposium contribution)

Australia's 'Abhorrent Violent Material' Law: Shouting 'Nerd Harder' and Drowning Out Speech, 94 AUS. L.J. 41 (2020)

Facebook's 'Oversight Board': Move Fast with Stable Infrastructure and Humility, 21 N.C. J.L. & TECH. 1 (2019)

All Out of Proportion: The Ongoing Disagreement about Structured Proportionality in Australia, 47 FED. L. REV. 551 (2019)

Winner, Aus. Assoc. of Con. Law Cheryl Saunders Prize for Constitutional Law 2020
Honourable mention, Zines Prize 2019 for excellence in legal scholarship

OTHER ACADEMIC WRITING

"Falsely Shouting Fire," 4 J. FREE SPEECH L. 747 (2024) (with Genevieve Lakier)

Brief of First Amendment Scholars as Amici Curiae in Support of the Respondent, *Counterman v. Colorado*, --- S.Ct. ----, 2023 WL 2816039 (with Genevieve Lakier and Eugene Volokh)

Cited in *Counterman v. Colorado*, 600 U.S. 66 (2023) (Sotomayor J, concurring)

First Amendment Politics Gets Weird: Public and Private Platform Reform and the Breakdown of the Laissez-Faire Free Speech Consensus, U. CHI. L.REV. ONLINE (June, 2022) (with Genevieve Lakier)

The Siren Call of Content Moderation Formalism, in NEW TECHNOLOGIES OF COMMUNICATION AND THE FIRST AMENDMENT: THE INTERNET, SOCIAL MEDIA AND CENSORSHIP (Lee Bollinger & Geoffrey Stone eds., 2022)

The Accidental Origins, Underappreciated Limits & Enduring Promises of Transparency Reporting about Information Operations, 1 J. ONLINE TRUST & SAFETY (2021) (with Camille François)

“What Kind of Oversight Board Have You Given Us?”, U. CHI. L. REV. ONLINE (May, 2020)
Cited by the Supreme Court of Israel in H CJ 7846/19 Adalah -The Legal Center for Arab
Minority Rights in Israel v. Israeli State Attorney – Cyber Unit (2021)

The Free Speech Blind Spot: Foreign Election Interference on Social Media, in *Defending Democracies: Combating Foreign Election Interference in a Digital Age* (Duncan B. Hollis & Jens David Ohlin eds., Oxford University Press, 2021)

The Rise of Content Cartels, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (2020)

Verified Accountability: Self-Regulation of Content Moderation as an Answer to the Special Problems of Speech Regulation, HOOVER AEGIS PAPER SERIES NO. 1903 (2019)

SELECTED BLOG POSTS & COMMENTARY

The US Supreme Court’s TikTok Ruling is a Scandal, THE GUARDIAN (Dec. 15, 2025) (with Jameel Jaffer)

AAUP v. Rubio and the Big Chill, BALKINIZATION (Oct. 7, 2025)

Federal Funding as a Jawbone, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Jun. 10, 2025)

Can I Teach the First Amendment If I Only Have a Green Card?, THE ATLANTIC (Apr. 2, 2025)

The Government’s Disturbing Rationale for Banning TikTok, THE ATLANTIC (Dec. 12, 2024)

Title VI as a Jawbone, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Sep. 26, 2024) (with Genevieve Lakier)

The Hypocrisy Underlying the Campus-Speech Controversy, THE ATLANTIC (Dec. 20, 2023) (with Genevieve Lakier)

The Amendment the Court Forgot in Twitter v. Taamneh, HARVARD LAW REVIEW BLOG (Mar. 1, 2023) (with Genevieve Lakier)

Rereading the First Amendment Series, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (with Genevieve Lakier)

Introduction (May 18, 2022)

Rereading Alvarez (May 18, 2022)

Rereading Herbert v. Lando (May 26, 2022)

Rereading Bluman v. Federal Election Commission (June 23, 2022)

Rereading Schenck v. United States (July 7, 2022)

Rereading “Editorial Discretion” (Oct. 24, 2022)

The Supreme Court Seems Poised to Decide an Imaginary Case, THE ATLANTIC (Apr. 26, 2023) (with Genevieve Lakier)

The Cold Dose of Reality Awaiting Elon Musk, THE ATLANTIC (Nov. 1, 2022)

Running Twitter Is Going to Disappoint Elon Musk, THE ATLANTIC (Apr. 26, 2022)

1 Billion TikTok Users Understand What Congress Doesn’t, THE ATLANTIC (Oct. 10, 2021)

Facebook’s Responses in the Trump Case Are Better Than a Kick in the Teeth, but Not Much, LAWFARE (Jun. 4, 2021)

More Content Moderation Is Not Always Better, WIRED (Jun. 2, 2021)

Someone Has to Do It, THE ATLANTIC (May 6, 2021)

It’s Not Over. The Oversight Board’s Trump Decision is Just the Start., LAWFARE (May 5, 2021)

What Facebook Did for Chauvin’s Trial Should Happen All the Time, THE ATLANTIC (Apr. 21, 2021)

The Oversight Board Moment You Should've Been Waiting For: Facebook Responds to the First Set of Decisions, LAWFARE (Feb. 26, 2021)

The Facebook Oversight Board's First Decisions: Ambitious, and Perhaps Impractical, LAWFARE (Jan. 28, 2021)

Facebook Has Referred Trump's Suspension to Its Oversight Board. Now What?, LAWFARE (Jan. 21, 2021)

The Facebook Oversight Board Should Review Trump's Suspension, LAWFARE (Jan. 11, 2021)

Trump Is Banned. Who is Next?, THE ATLANTIC (Jan. 9, 2021)

The Year That Changed the Internet, THE ATLANTIC (Dec. 28, 2020)

Why Isn't Susan Wojcicki Getting Grilled by Congress?, WIRED (Nov. 17, 2020)

Twitter Brings Down the Banhammer on QAnon, LAWFARE (Jul. 24, 2020)

What Does "Coordinated Inauthentic Behavior" Actually Mean?, SLATE (Jul. 2, 2020)

Trump is a Problem Twitter Cannot Fix, THE ATLANTIC (May 27, 2020)

The Internet's Titans Make a Power Grab, THE ATLANTIC (Apr. 18, 2020)

COVID-19 and Social Media Content Moderation, LAWFARE (Mar. 25, 2020)

Facebook's White Paper on the Future of Online Content Regulation: Hard Questions for Lawmakers, LAWFARE (Feb. 18, 2020)

Facebook's Oversight Board Bylaws: For Once, Moving Slowly, LAWFARE (Jan. 28, 2020)

How Much Power Did Facebook Give Its Oversight Board?, LAWFARE (Sep. 25, 2019)

Finally, Facebook Put Someone in Charge, THE ATLANTIC (Sep. 18, 2019)

Why Facebook's "Values" Update Matters, LAWFARE (Sep. 16, 2019)

The Lawless Way to Disable 8chan, THE ATLANTIC (Aug. 6, 2019)

Facebook Releases Civil Rights Audit Progress Report, LAWFARE (Jul. 1, 2019)

YouTube's Bad Week and the Limitations of Laboratories of Online Governance, LAWFARE (Jun. 11, 2019)

Breaking Up Facebook Won't Fix Its Speech Problems, SLATE (May 10, 2019)

Facebook's New 'Supreme Court' Could Revolutionize Online Speech, LAWFARE (Nov. 19, 2018)

Facebook's Role in Myanmar: New Report Puts the Company on Notice, LAWFARE (Nov. 7, 2018)

Facebook's Role in the Genocide in Myanmar: New Reporting Complicates the Narrative, LAWFARE (Oct. 22, 2018)

Senate Hearing on Social Media and Foreign Influence Operations: Progress, But There's A Long Way to Go, LAWFARE (Sep. 6, 2018)

Zuckerberg's New Hate Speech Plan: Out With the Court and In With the Code, LAWFARE (Apr. 14, 2018)

The Supreme Court of Facebook: Mark Zuckerberg Floats a Governance Structure for Online Speech, LAWFARE (Apr. 5, 2018)

The Future of Misinformation: A Lesson from 'Access Hollywood', LAWFARE (Dec. 7, 2017)

PODCASTS

Co-host, *Moderated Content*, STANFORD LAW SCHOOL (2022–2024) (with Alex Stamos)

Host, *Views on First*, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (2022)

Co-host, *Arbiters of Truth Podcast*, LAWFARE (2019–22)