

JOHN M. KANG

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University of New Mexico**

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Publications

Book

Oliver Wendell Holmes and Fixations of Manliness (Routledge, 2018)

Articles

“Against Hyperindividualism,” 48 HARVARD JOURNAL OF LAW AND PUBLIC POLICY__
(forthcoming 2025)

“First Amendment Fetishism,” 2024 UTAH LAW REVIEW 679 (2024)

- Reprinted in FIRST AMENDMENT LAW HANDBOOK (Rodney Smolla, ed.) (Thomson Reuters 2025)

“Why the Actual Malice Test Should be Eliminated,” 50 FLORIDA STATE UNIVERSITY LAW REVIEW 513 (2023)

“Against Political Speech,” 22 NEVADA LAW JOURNAL 803 (2022)

“The Political Urgency of Black Manhood: Frederick Douglass on Constitutional Theory,” 52 NEW MEXICO LAW REVIEW 383 (2022)

“Anomalous Anatomies,” 21 NEVADA LAW JOURNAL 1061 (2021) (symposium) (coauthored with Karissa Kang)

“Patriarchy and Constitutional Origins,” in CONSTITUTIONS AND GENDER (Helen Irving, ed.) (Edward Elgar, 2017)

“Prove Yourself: Oliver Wendell Holmes and the Obsessions of Manliness,” 118 WEST VIRGINIA LAW REVIEW 1067 (2016)

“In Praise of Hostility: Antiauthoritarianism as Free Speech Principle,” 35 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 351 (2012)

“The Burdens of Manliness,” 33 HARVARD JOURNAL OF LAW AND GENDER 477 (2010)
(symposium)

“Appeal to Heaven: On the Religious Origins of the Constitutional Right of Revolution,” 18 WILLIAM AND MARY BILL OF RIGHTS JOURNAL 281 (2010)

“Manliness and the Constitution,” 32 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 261 (2009)

“Taking Safety Seriously: Using Liberalism to Fight Pornography,” 15 MICHIGAN JOURNAL OF GENDER AND LAW 1 (2008)

“Deliberating the Divine: On Extending the Justification from Truth to Religious Expression,” 73 BROOKLYN LAW REVIEW 1 (2007)

- Cited in *U.S. v. Polizzi*, 549 F.Supp.2d 308, 380 (2008) (E.D.N.Y.)

“John Locke’s Political Plan, or, There’s No Such Thing as Judicial Impartiality (And It’s a Good Thing, Too),” 29 VERMONT LAW REVIEW 7 (2004)

- Reprinted in *LOCKE AND LAW* (Thom Brooks, ed.) (Ashgate, 2007)

“The Irrelevance of Sincerity: Deliberative Democracy in the Supreme Court,” 48 ST. LOUIS UNIVERSITY LAW JOURNAL 305 (2004)

“On the Uses of Insincerity: Thomas Hobbes’s Theory of Law and Society,” 15 LAW AND LITERATURE 371 (2003) (peer-refereed)

“The Case for Insincerity,” 29 STUDIES IN LAW, POLITICS AND SOCIETY 143 (Austin Sarat and Patricia Ewick, eds.) (2003) (peer-refereed)

“Between Aspiration and Alternity: Sotirios Barber and Robert Cover on Constitutional Fidelity,” 22 STUDIES IN LAW, POLITICS AND SOCIETY 113 (Austin Sarat and Patricia Ewick, eds.) (2001) (peer-refereed)

“Deconstructing the Ideology of White Aesthetics,” 2 MICHIGAN JOURNAL OF RACE AND LAW 283 (1997)

- Excerpted in *RACE AND RACES: CASES AND MATERIALS FOR A DIVERSE AMERICA* (Juan Perea, Richard Delgado, Angela Harris, Jean Stefancic, and Stephanie Wildman, eds.) (West Group Publishing 2000, 2007)

Shorter Essays

“The Soldier and the Imbecile: How Holmes’s Manliness Fated Carrie Buck,” 47 AKRON LAW REVIEW 1055 (2015) (symposium)

“Fractured Manliness,” 13 SEATTLE JOURNAL FOR SOCIAL JUSTICE 399 (2015) (symposium)

“Does Manly Courage Exist?” 13 NEVADA LAW JOURNAL 467 (2013) (symposium)

“Affirmative Action: Race and Ethnic Preferences in College Admissions,” CABA BRIEFS, 26 (Summer 2012)

“Manliness’s Paradox,” in MASCULINITIES AND LAW: A MULTIDIMENSIONAL APPROACH (Frank Rudy Cooper and Ann C. McGinley, eds.) (NYU Press, 2012)

“Martin v. Malcolm: Democracy, Nonviolence, Manhood,” 114 WEST VIRGINIA LAW REVIEW 937 (2012) (symposium)

“*Hustler Magazine v. Falwell*: Worst Case in the History of the World, Maybe the Universe,” 12 NEVADA LAW JOURNAL 582 (2012) (symposium)

“A Review of Ronald Takaki’s *A Different Mirror*,” 2 UCLA ASIAN PACIFIC AMERICAN LAW JOURNAL 115 (1994)

Honors

University of New Mexico

Henry Weihofen Professorship, 2022-2024

Professor Pamela Burgy Minzner Award for Faculty Excellence & Professionalism, 2020-2022

“Humorcidal” Award from the SBA for being the most humorous professor, 2023

University of Michigan

Horace H. Rackham Outstanding Graduate Instructor Award, 2001

- Highest teaching award given to any graduate student instructor at the University of Michigan (approximately 15-20 awarded per year)

John W. Kingdon Outstanding Graduate Instructor Award, 2001

- Given to a graduate student instructor in the Political Science Department at the University of Michigan (three awarded per year)

Outstanding Undergraduate Concentration Adviser Award, 2000

- Given to a concentration adviser by the Political Science Department at the University of Michigan (sole recipient for 2000)

St. Thomas University Law School

Professor of the Year (for upper division courses), as voted by the students at St. Thomas University School of Law (*denotes Professor of the Year for first-year courses)

- 2019 (Professor of the Year for 1L courses *and* Professor of the Year for upper-division courses; 2019 was my final year as a professor at St. Thomas)
- 2018*
- 2017
- 2016
- 2015
- 2014
- 2012
- 2011
- 2010
- 2009
- 2008
- 2007

Teaching Areas

Principal interest: Constitutional law

Seminar topics: first amendment, jurisprudence, law and society

Education

University of Michigan, Ann Arbor

- Ph.D., Political Science, December 2006
- M.A., Political Science, May 2000

U.C.L.A. School of Law

- J.D., May 1996
- Editor-in-Chief 1995-96, UCLA Asian Pacific American Law Journal
- Special Features Editor 1994-95, UCLA Asian Pacific American Law Journal

University of California, Berkeley

- B.A., Political Science, May 1992
- High Distinction in General Scholarship
- Phi Beta Kappa
- Departmental Honors

Committee Service, University of New Mexico

AALS Executive Committee, Section on Law and Humanities, 2024-present

AALS Chair, Section on Law and Interpretation, 2022-2023, 2023-2024

Academic Success Committee, Chair, 2019-2020, 2023-2024

Promotion and Tenure Committee, 2019-2022

Hiring Committee, 2022-2023

Community Relations and Outreach Committee, 2022-2023

Admissions Committee, 2019-2022