

EULOGY FOR HOLDEN TANNER

JUSTICE JIMMY BLACKLOCK*

The following eulogy was delivered at Holden's funeral on Sunday, March 20, 2022, at the First Baptist Church of Pearland, in Pearland, TX. Footage of the funeral service, including this eulogy, can be accessed at <https://www.youtube.com/watch?v=cakUzk3LRyk>.

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I need to begin by expressing my deepest gratitude to Holden's dear wife Stephanie, and to his loving parents, Patty and John, for giving me this opportunity, this great privilege, to be able to share these words with you—in honor of my law clerk, my friend, my brother in Christ, Holden Tanner.

I hired Holden to be my law clerk at the Texas Supreme Court without meeting him at all! All I needed to see was his resume. I was partial to Holden's resume because it was so much like mine: raised by a Christian family not far from Houston, an undergraduate degree from a state school in Texas, then Yale Law School, with plans to come back to Texas for a judicial clerkship. On paper, we had a lot in common. Unlike me, Holden had gathered all these credentials after being homeschooled—and that part of his background assured me that he came from parents who sacrificed their own comfort and convenience to try to raise up a faithful and virtuous young man. All of us who knew Holden would agree that, with God's help, his parents did exactly that. We must all thank the Lord first for the blessing of our time with Holden—but we should also give thanks to Holden's parents and his wife Stephanie for helping to make him the man he was.

Judges compete with each other to attract the best law clerks, and I knew Holden was the kind of student I needed to scoop up quickly before somebody else beat me to it. So, I hired Holden the day I got his resume—after a quick telephone interview—for a clerkship that wouldn't start for another couple of years.

Little did I know when I hired "The Holden Tanner of the Sterling Resume," that "The Holden Tanner of Flesh and Blood" would walk in the door and exceed my wildest dreams! Holden was a brilliant, hard-working, extraordinarily well-read, sensitive, generous, and very principled young man. It does not do him justice merely to say—as is true—that he was as talented as any law clerk I could ever hope to have. To talk of Holden Tanner merely as a law clerk is not nearly enough. Holden was one of the most extraordinary *men* I have ever known—a talented lawyer, yes, but also a philosopher, a theologian, a political theorist, a writer, an artist at heart—and a far better lawyer because he was also all those other things. More important than all that—Holden Tanner was a man after God's own Heart. Working with him made me a better judge, and knowing him made me a better person.

* The Supreme Court of Texas. Holden Tanner clerked for Justice Blacklock in 2021–22.

Holden was really in his element at the Texas Supreme Court—a place where the life of the mind comingles with the affairs of the state. His presence at the courthouse was larger than life. His bellowing laughter rang down the hallways, full of joy for his work and love for his colleagues. His many talents were on full display at the Court. His intellect—sharpened over the years by untold hours of quiet reading and reflection—jumped off the pages of everything he wrote. His good moral judgment—the product of his upbringing and his faith—deepened and strengthened his understanding of the law. But perhaps what impressed me most about Holden was his passion—his relentless drive—to know and to speak the Truth.

Holden devoted himself tirelessly to the improvement of the law through the pursuit of the Truth—with a capital T. Holden saw the Law and the Truth as very closely connected. Like the Founders of our nation, Holden believed that our system of laws should be informed by the natural law, a higher source of law that comes not from fashionable opinion—but from a mature knowledge of our human nature as fallen beings, created in God’s image, who owe each other certain moral obligations. Holden believed that good legal rules begin as moral rules, and he believed that morality is an objective truth we can know, not an opinion we can choose.

Natural law, in Holden’s words, “reminds us that law is an institution with a purpose: to proscribe evil, protect virtue, and promote human flourishing. It holds that law, as a system of obligations, is a subset of morality. Natural law upholds the moral worth of the individual.”¹

Holden worked as hard as anyone I have ever worked with, and he did it in passionate pursuit of the Truth. He counseled me on case after case; he frequently volunteered to delve deeply into cases I had not even assigned him; and he helped me write opinions of the Court. His words, his ideas, are now part of Texas law because of his fine work on some of those opinions, and Texas is better for it. In the midst of all that work for me, he also wrote scholarly law review articles in his spare time that will be read and cited by other influential thinkers for years to come.

He did all of this graciously, joyfully, and selflessly. It was very clear to me that the reason he worked so hard was not to accumulate riches or accolades for himself; he didn’t do it for himself. He did it for love. He did it because he loved God, he loved his family, he loved his neighbor, and he loved his country. He dreamed not of money or power for himself. Instead, his dream was that his children and his children’s children would live in a world governed by the Truth, not by lies.

In addition to using his talents as a thinker and a writer to promote the Truth through the law, Holden boldly spoke the Truth every time he had the chance. You rarely had to ask for his opinion, but you were eager to hear it because you knew it came from a reliable and well-informed source.

Our world today, despite all our modern technology and conveniences, can sometimes feel spiritually like a barren wilderness, a wilderness of lies and half-truths about what is really good, true, and beautiful in this wonderful life God has given us. Holden was like a torch in the wilderness, a light in the darkness of this world. A bright light. And he did not hide his light under a bushel.

¹ Holden T. Tanner, *How to Recover Conservative Judging*, LAW AND LIBERTY (August 24, 2021), <https://lawliberty.org/how-to-recover-conservative-judging/>.

There are many different ways to respond to the lies the world tries to tell us. One way is to seek the safety of silence, to accommodate ourselves to the lies we hear all around us, to tell ourselves that maybe the lies aren't really so bad, perhaps even to repeat with our own lips things we know to be lies—just to get along or avoid trouble.

Another way to respond to the lies of this world was Holden's way. To boldly proclaim the Truth to all who have ears to hear it. To feel the divine spark within you lighting the fire of Truth—and not to hide it because you're afraid of what people will think about you, but to let it shine for all to see. To stand boldly for the Truth like a prophet in the wilderness. That's what I saw Holden Tanner do—with every breath of life God gave him.

And do you know what happened? Was he reviled or scorned or cast out for standing firmly for what he believed? Not that I saw. Quite the opposite, in fact. Holden was loved by everyone at the Court, especially by all the other law clerks, many of whom probably didn't agree with a word he said. Yes, he stood firmly for the Truth, but he did it in love. He did it with a tender and genuine spirit that made it impossible for those who disagreed with him to also dislike him.

C.S. Lewis, in his timeless classic, *The Abolition of Man*,² wrote that modern education—which tries to deconstruct and demystify the ancient heritage passed down to us by our ancestors—was creating a generation of “Men Without Chests.” These Men Without Chests lacked the confident moral judgment necessary to act virtuously. These Men, Lewis thought, would be particularly susceptible to modern fads and propaganda because they lacked a firm grounding in objective moral truth rooted in tradition and faith. Holden Tanner, ladies and gentlemen, was no such man. C.S. Lewis, I am confident, is going to absolutely *love* Holden Tanner when they meet each other in the presence of God!

Holden Tanner was a Man With A Chest. A big one. He stood for the Truth in a wilderness of lies. He defended the Faith that was his heritage and his hope. He stood for eternity in an age of forgetfulness. It was my great honor to stand beside him, even for a brief time.

Holden cannot be replaced, but we can remember him and honor him by ourselves lifting up the torch of Truth, spoken in love, which Holden carried so boldly and so well. To his parents, his wife Stephanie, his precious children Alex and Cordelia: you should be very, very proud of this great soul through whom God blessed us all so mightily—my dear friend, Holden Tanner.

Let me end by telling you that I know from multiple conversations with Holden that his hope was in salvation through Jesus Christ and that he firmly believed that when his time on Earth was through, the Lord would take him to his eternal home. Holden's hope, I know, for each of us, is that by faith we would all be reunited with Holden—and with all those who have gone before him—in God's presence, when our time has come.

The Lord gave, and the Lord hath taken away; blessed be the name of the Lord.³ Amen.

² C.S. LEWIS, *THE ABOLITION OF MAN* (1943).

³ *Job* 1:21 (King James).