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## Tribute to Professor Lack Bloom

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# TRIBUTE TO PROFESSOR LACK BLOOM

*David O. Taylor\**

I am profoundly grateful—and I am sure that generations of law students are too—that Lack Bloom served so faithfully and so well on the faculty of the SMU Dedman School of Law for so many years.

Nowadays at least, there are not that many conservative law professors on the law school faculty. Professor Bloom was one. In this respect he served as a mentor both to me and to scores of conservative law students over the years.

Professor Bloom combined his conservative views with strong convictions regarding free speech. As to his conservative views, he wrote repeatedly in favor of the interpretive doctrines of originalism and textualism, now widely embraced by conservative lawyers and judges. As one example, he recently excoriated Justice Gorsuch’s opinion for the Supreme Court in *Bostock v. Clayton County, Georgia*—writing that the opinion “is not simply patently wrong as a matter of law—but rather dishonest and fraudulent.”<sup>1</sup> Why? Because that opinion “is so inconsistent with the textualist methodology to which [Justice Gorsuch] purportedly adheres.”<sup>2</sup> And, further, because the “great danger is that the opinion will lead to other misapplications of textual analysis in the future, a methodology intended to constrain courts, not to free them to impose their own values on legislation.”<sup>3</sup> As to his strong convictions regarding free speech, again there are many examples, but I am reminded of a speech Professor Bloom gave entitled “Why We Should Protect Hurtful Speech.” In that speech, he described himself as “a passionate defender of freedom of speech,” which, he said, “is always under assault.” Indeed, there are several Supreme Court cases being considered this term addressing free speech—*Vidal v. Elster*, *Moody v. NetChoice, LLC*, *NetChoice, LLC v. Paxton*, *Murthy v. Missouri*, and *National Rifle Association of America v. Vullo*.

Beyond his conservative views and strong support of free speech, Professor Bloom also spoke his mind. Sometimes all these qualities seemed to converge. One example suffices to highlight the point. Early in my career at the law school, one of our colleagues complained to the Dean and law

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1. Lackland H. Bloom, Jr., *Gorsuch Made a Mockery of Textualism in Discrimination Case*, ORANGE CNTY. REG., June 20, 2020, <https://www.oregister.com/2020/06/20/gorsuch-made-a-mockery-of-textualism-in-discrimination-case-lackland-bloom-jr/> [<https://perma.cc/JLY2-BN7E>].

2. *Id.*

3. *Id.*

school faculty because a student at our commencement closed her prayer “in Jesus’ name.” While the exact language Professor Bloom used eludes me, I remember how he highlighted two arguments in favor of the student’s prayer: first, the students were attending, and we were working at, a Methodist-affiliated university, and, second, after all, Jesus Christ *is* Lord and Savior.

With all that said, whether you agreed with him or not, Professor Bloom has always been gracious with his time and support of activities at the law school. I have had the honor of serving with Professor Bloom as one of the advisors to the law school’s chapter of the Federalist Society for Law and Public Policy Studies. In this role I have repeatedly seen him make time to speak at student-organized events and host student leaders in his home. I also am personally grateful for Professor Bloom’s service as a founding member of the Executive Board of the Tsai Center for Law, Science and Innovation, an academic center I helped found and lead. He has always strongly supported the work of the Center.

If the walls could speak, I am sure they would echo the hundreds, if not thousands, of SMU law students that share my gratitude for Professor Bloom’s service to the SMU Dedman School of Law. I send my heartfelt thanks and congratulations to Professor Bloom upon his retirement, and I wish him well in his future endeavors.