

Revised Introduction to Justice Fred H. Blume's Annotated Justinian Code

From about 1920 to 1952, Fred H. Blume, attorney and Wyoming Supreme Court Justice, worked alone in his spare time to produce a massive, annotated English translation of Justinian's Code. Blume also translated Justinian's Novels (*Novellae Constitutiones*) into English during the same period, but neither of these projects was published in his lifetime. This web site is dedicated primarily to housing an edited, electronic version of Justice Blume's magnum opus--what he referred to as his Annotated Justinian Code, but it also contains his translation of the Novels and other materials related to Justice Blume's Roman law scholarship. However, this site is not a portal for research on the Code or Roman law in general.

Fred H. Blume's long life has been ably chronicled elsewhere by Wyoming Supreme Court Justice Michael Golden.¹ In addition, I have published [a detailed account of the translation itself](#): how Blume developed the extensive library that supported his translation; his approach to translation; his collaboration with Professor Clyde Pharr on related projects; and other efforts.²

Therefore, it will suffice for the purposes of this introduction to Justice Blume's translation to offer the reader the following chronology of important events concerning Fred H. Blume's life and work and a few comments about my treatment of the translation.

- 1875: Born Friedrich Heinrich Blume in Winzlar, Germany on Jan. 9.
- 1887: Immigrates to the U.S., by himself, to join his elder brother, Wilhelm.
- 1892: Settles in Audubon, Iowa where he works and completes high school.
- 1895: Enrolls at the State University of Iowa.
- 1898: Graduates, Phi Beta Kappa.
- 1899: Admitted to the practice of law in Iowa.
- 1905: Moves, with his wife, to practice law in Sheridan, Wyoming.
- 1907: Begins political career.
- 1912: Backs Theodore Roosevelt's Bull Moose party; when it fails, decides to retire from politics; begins reading history of Western civilization and building extensive library on the subject.
- 1919: Learns there is no English translation of Justinian's Code.
- 1920: Appears to have begun his Code translation.
- 1921: Appointed to Wyoming Supreme Court.
- 1923/24: Completes first draft of translation.
- 1929: Has revised version typed; teaches Roman law at Northwestern University Law School at the invitation of Dean John Wigmore.
- 1933: Receives letter from Clyde Pharr asking him to join Pharr's "Project for a Variorum Translation into English of the Entire Body of Roman Law," with Blume's translation of the Code to be used as the basis for the Project's version of that document.
- 1938: Addresses Riccobono Seminar on [The Code of Justinian, and its Value](#).
- 1939: Ceases work on the Code translation as his hopes for publication fade.

¹ Michael Golden, *Journey to the Pole: The Life and Times of Fred H. Blume, Justice of the Wyoming Supreme Court*, 28 LAND & WATER LAW REVIEW 195 (1993) and 28 LAND & WATER LAW REVIEW 511 (1993).

² Timothy Kearley, *Justice Fred Blume and the Translation of Justinian's Code*, 99 LAW LIB. J. 525 (2007).

- 1943: Pharr renews contact with Blume and revives scaled-down version of translation program to be called “The Corpus of Roman Law”; Blume re-reads Code translation and annotations, makes changes, sends copy to Pharr; works with Pharr and others on Theodosian Code translation (for which Blume’s own translation of Books XIV-XVI and part of Book X prove very helpful).
- 1951: Theodosian Code translation published by Princeton University Press as first volume in “The Corpus of Roman Law” series; Blume specially noted by Pharr in preface.
- 1952: Reviews Code translation again in anticipation of it being the basis of the project’s next publication.
- 1957: Writes to University of Wyoming President George Humphrey that he doubts his translation will be published in his lifetime.
- 1963: Retires from the Court.
- 1971: Fred H. Blume dies on Sept. 26, at age 96.

Justice Blume bequeathed his extensive library and his manuscript translations to the University of Wyoming. Thus, I became acquainted with the Justice’s life and work upon becoming Director of the University of Wyoming, College of Law Library in 1993 and discovering the manuscripts. The scope of his achievement was immediately apparent to me, but its scholarly significance was not because I knew that S.P. Scott had already published English translation of Justinian’s Code. When I realized that [Scott’s translation](#) was based on inferior Latin versions and had been poorly received by scholars, whereas Blume’s translation was based on the authoritative Latin edition by Mommsen and Krueger and had been well regarded by Professor Pharr, I understood that making it widely available would be an important contribution to scholarship. I thought the work would be an excellent candidate for publication on the internet: its length makes it prohibitively expensive to publish without a massive subsidy (which is what prevented it from being printed years ago), but it seemed as if for relatively little cost, and relatively quickly, it could be scanned and published as a web document. I was wrong in this assumption.

Justice Blume’s many penciled changes, his cut-and-paste revisions, and other physical aspects of his lengthy manuscript rendered it a poor subject for scanning. Experts advised me that the resulting errors would take more time to edit than it would take to completely re-type the manuscript. My hope of using voice recognition software to input the data was likewise dashed by the high error rate and slow input speed I encountered on account of Latin words and Blume’s many esoteric references. Hence, it was not until I was granted a sabbatical leave for the spring of 2005 that I began the process of typing the manuscript as a Word document, interpreting Justice Blume’s handwritten corrections as I went (using the German translation that aided him, as well as his own annotated Latin edition to guess what he intended by some of his less intelligible cramped insertions), and filling in his sometimes cryptic citations. Some three years later we published Justice Blume’s decades-long labor of love online. The version you see here is a corrected, second edition. The first edition is available in the [Internet Archive](#).

In reproducing Justice Blume’s work, I tried to make as few changes as possible. I have kept his manuscript’s format, with minor exceptions. I have left his writing nearly unaltered. In the course of drafting 4,521 pages it is inevitable that anyone will write some sentences that can stand editing, and there certainly are some here. But this is Justice Blume’s work, not mine, and I did not presume to change it in any significant respect. I did correct misspellings that my spellchecker noted, and I sometimes changed punctuation where that would aid comprehension. Blume did not type the manuscript himself, so I attributed these occasional lapses to his assistants and felt justified in making these minor changes. Researchers who would like to try to read Blume’s original

manuscript for themselves now can do so by using the [digital images](#) that were created of the manuscript by the University of Wyoming Libraries Digital Repository about a decade after our original project.

The most significant changes I made were in citation form. Justice Blume made it clear in his correspondence with Clyde Pharr that he was writing for American lawyers. Some of his citations are in a form that modern American lawyers would recognize instantly, while others are not. Also, in the course of the three plus decades of his work, Blume was not wholly consistent in how he cited material. Therefore, I standardized his references in something of a hybrid fashion, with an eye to the Bluebook form familiar to modern American lawyers. (The Bluebook: A Uniform System of Citation (18th ed. 2005.) I explain these changes and discuss his references in my introduction to the section of this site entitled "[References and Abbreviations in the AJC](#)." In that section, I have given full references to the works Blume cites in his annotations and footnotes in a less than complete fashion. However, I did not look up his every reference to ascertain that it was correct, since that would be an enormous undertaking. I did pursue any citations that looked especially odd, and this resulted in my making some corrections.

Most importantly, the collaborative use Blume long had wanted to be made of his work finally has come to pass. Justice Blume worked with Professor Pharr for many years in the hope that his single-handed Code translation would be used as the basis for a definitive, collaborative English translation in Pharr's "Corpus of the Roman Law" series (in which only two documents were ever produced). His hopes finally were brought to fruition when a panel of translators, using electronic files of Blume's work I supplied to them, produced The Codex of Justinian: A New Annotated Translation, with Parallel Latin and Greek Text (Bruce W. Frier, gen. ed. Cambridge University Press, 2016).

Finally, I would be remiss if I did not thank the Blume family for their gracious permission and encouragement to publish Justice Blume's work in this way. In addition, I want express my appreciation to the University of Wyoming for granting me sabbatical leave to get a solid start on this work, to the American Association of Law Libraries and the Aspen Law & Business Publishing Company for the grant that enabled me to hire an assistant to help me continue the work after my sabbatical ended, and to Debra Person, Tawnya Plumb and Edward Havugimana for their extensive assistance and invaluable work on this project.

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