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## ZDZISŁAW ZMIGRYDER KONOPKA – ANCIENT MILITARY HISTORIAN, CLASSICAL PHILOLOGIST, HISTORIAN OF ROMAN LAW AND TEACHER

### Abstract

The aim of this paper is to recall the figure of a Warsaw-based scholar who engaged with ancient history in its many aspects, exploring the language and literature as well as history in the broad sense, approached in the light of the ancient military and Roman law; a teacher of classics and an active contributor to Polish social and political life.

### Keywords

Zmigryder-Konopka, Germans, Roman law, Arminius, Caesarism, Jews, Latin, Teutoburg Forest

The now virtually forgotten Warsaw historian Zdzisław Zmigryder Konopka (1897-1939) dedicated his scholarly and teaching career to exploring antiquity in many of its facets. In his relatively brief research work – caused by his untimely passing – he focused on the history of Rome, though he did not confine himself to one particular period or topic, quite the contrary.

The protagonist of this paper has received the most attention from his student, Professor Iza Bieżuńska-Małowist<sup>1</sup>. Remembering her master, she cited a number of facts from his life, and the language of her texts betrays a tremendous emotional component and great esteem for Konopka: as a scholar and teacher, a community activist, but perhaps as a person in general above all.

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<sup>1</sup> See also *Uczniowie 1939-1945*, p. 655-659.

Somewhat less is known about Zmigryder's background, which must have left a certain mark on him, determining the direction of his research interests<sup>2</sup> and his later efforts in providing assistance to Jewish communities at a time of rising anti-Semitic sentiments in the 1930s.

Born on 23<sup>rd</sup> October 1897 in Warsaw, he had no siblings. Mieczysław Zmigryder, his father, was an engineer but taught mathematics for many years and then worked as a patent attorney<sup>3</sup>. His mother, on the other hand, came from a well-known Jewish family from Łódź (the Birencwejgs), albeit one which was strongly affiliated with and embedded in Polish culture.

From September 1915, the young Zmigryder (Konopka was a pseudonym from service with the Polish Legions) was a member of the Union of the Polish Youth for Progress and Independence as well as served in the Polish Military Organization<sup>4</sup>. The following year, having graduated from the Mikołaj Rej Secondary School in Warsaw, he continued his education by enrolling at the Faculty of Philosophy of the University of Warsaw<sup>5</sup>, where he studied Classical Philology and Ancient History.

However, he discontinued his studies to join the fight for Poland's independence. Following the end of the Polish-Bolshevik War, he continued to serve in the Polish Army for a time, only to leave it later – not without resistance from his superiors – as a two-time recipient of the Cross of Valour and the Silver Cross of the Order of Virtuti Militari<sup>6</sup>. He resumed his interrupted studies, which he had begun under the guidance of M. Rowiński, R. Ganszyniec and M. Kreczmar. When classical philologist Professor Gustaw Przychocki joined the faculty and assumed the chair at the university, it was under his supervision that Zmigryder worked on and defended his doctoral thesis on Jews in antiquity (*The Attitude of the Romans Towards the Jews*)<sup>7</sup>, as well as produced a number of other studies<sup>8</sup>. His further academic career saw him receive the postdoctoral degree from the University of Warsaw in 1933; in July 1937, he was appointed associate professor at the Free Polish University<sup>9</sup>.

Zdzisław Zmigryder Konopka was a type of true humanist – one seldom encountered today – whose values, espoused during university studies, shaped and permanently determined his philosophy of life. He came to be known as a man profoundly fascinated by his discipline, the subjects he taught and working with young people, traits which not always go hand in hand among people involved in

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<sup>2</sup> Biezuńska-Małowist 1991, p. 143.

<sup>3</sup> Ibidem.

<sup>4</sup> Ibidem, p. 144.

<sup>5</sup> Ibidem.

<sup>6</sup> Ibidem.

<sup>7</sup> Zmigryder, Biezuńska 1946, p. 18.

<sup>8</sup> E.g. Zmigryder-Konopka 1930-1931a, p. 334-350.

<sup>9</sup> Zmigryder, Biezuńska 1946, p. 18.

that particular field. His attitude and the professional role of a school teacher of Latin and Greek in 1921-1924 – which he took on due to mundane financial necessities – were in keeping with the fates of a generation of Polish humanists who, having acquired university education in the early 20<sup>th</sup> century, made up a group of intellectuals carrying out the mission of promoting science in independent Poland in the interwar period<sup>10</sup>. This bore fruit during the major ordeal of the subsequent war and occupation as well as later, with a generation of young people brought up in the spirit of patriotic traditions and values that inspired their dissent to the imposed totalitarian systems.

Zmigryder had the ability to draw on, and simultaneously benefit from the antique principles of conduct (*historia est magistra vitae*), many of which could be readily related to the issues of his time<sup>11</sup>. It was his interest in the contemporary problems that influenced the choice of research topics to which he would devote himself<sup>12</sup>. For the young people attending his lectures, that approach was quite an experience and won him numerous listeners and adherents, students and disciples. Thanks to the passion and linguistic proficiency, his research spanned all available sources, including iconographic ones; furthermore, he would undertake meticulous philological analysis, as opposed to the standard source criticism employed in historical research<sup>13</sup>.

In addition to his work at the university, he was a lecturer and instructor at the Free Polish University in Warsaw and Łódź, starting in the academic year 1930/1931. He was also active at the Workers' Society of Friends of Children in Żoliborz, where he delivered lectures at the secondary school run by the Society, not to mention his being involved in the Glass House Cooperative<sup>14</sup>. Zmigryder displayed certain personality traits which, combined with a kind of personal charm, translated into a powerful effect on his listeners. As a teacher, he was distinguished by his ability to organize collective activities among people who worked splendidly as a team in order to produce scholarly studies or carry out other projects<sup>15</sup>.

It was not only knowledge that he instilled in his students, but also a cult for the values of antiquity. During classes or lectures, his delivery and great dedication to the subject he was teaching made him equally respected and popular in his various social circles<sup>16</sup>. Simply put, he had the ability of adapting his classes to a particular audience.

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<sup>10</sup> See Słapek 2020, p. 60-61, where the author discusses Stanisław Dedio, secondary school teacher and university lecturer in Poznań, a representative of that milieu. Cf. Starnawski 1993, p. 9.

<sup>11</sup> Zmigryder, Biezuńska 1946, p. 18; Biezuńska-Małowist 1991, p. 145.

<sup>12</sup> Biezuńska-Małowist 1991, p. 143-144.

<sup>13</sup> Ibidem, p. 147, 150-151.

<sup>14</sup> Ibidem, p. 152.

<sup>15</sup> Ibidem, p. 151-152.

<sup>16</sup> Zmigryder, Biezuńska 1946, p. 18.

In the final period of his life, which already witnessed a rising tide of anti-Semitism and the imminent war, Zmigryder-Konopka became a member of the National Committee for Aid to Jewish Refugees from Germany in 1938, most likely due to the racist and anti-Semitic policies enforced by Nazi Germany. He was also involved in the activities of the Social Committee for the Defence of the State within the Jewish Community in Warsaw, which offered him greater opportunities to defend the democratic, human and civil rights of Jews in Poland. No doubt, he was able to be their advocate to an even greater effect thanks to the dignity of senator of the Republic of Poland, to which he was appointed the same year<sup>17</sup>.

As for his scholarly achievement, one can discern several directions of research which he pursued with varying degrees of intensity. Apart from strictly historical issues, there were several other areas of inquiry which at the time remained beyond the scope of interest in the scientific community. Today, it is hardly conceivable for a scholar to engage with a specific scientific discipline while maintaining such a broad range of interests. At present, keeping up to date with the literature in a particular field, with the nearly exponential growth of scientific publications, begins to exceed the capabilities of a single person, making very narrow specialization a necessity.

The outline of Zmigryder's prospective research was published at the end of the 1920s in an article on the history of the Roman political system<sup>18</sup>, and a related brief essay on the origins of individual power in Rome, which in this case meant dictatorship and the consequent Caesarism, as it was then called. The scholar argued that it derived from the erstwhile position of *magister populi*, which developed early on in Rome, even before the office of dictator was established<sup>19</sup>.

Zmigryder's studies on the Roman system were among the first after a hiatus dating back to the turn of the century<sup>20</sup>, marking the resumption of research into Roman law in the Polish literature on the subject<sup>21</sup>.

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<sup>17</sup> Ibidem, p. 18; Biezuńska-Małowist 1991, p. 152.

<sup>18</sup> Biezuńska-Małowist 1991, p. 146.

<sup>19</sup> Zmigryder-Konopka 1935, p. 501. One the penalty of expulsion under public law see idem 1936b, p. 496-500.

<sup>20</sup> Zmigryder-Konopka 1932, p. 1-27; idem 1936a; idem 1938. Zmigryder's studies concerned with Roman public law are listed in Szczygielski 2010, p. 394-396; the latter also cites works on procedural regulations, p. 394, the juncture of law and religion, p. 397 as well as epigraphy, p. 367, note 27. The essay in question contains a selection of contributions by legal scholars and classical philologists, including Zmigryder. The legal issues, it is concerned with are discussed against a broader background of Polish Roman studies in the interwar period, when the protagonist of this paper was active as a scholar.

<sup>21</sup> Zmigryder-Konopka 1936b. See Zmigryder, Biezuńska 1946, p. 18; Kłodziński 2012, p. 407, note 8; Szczygielski 2010.

In addition to the above, the researcher would explore the history of the Roman military, approached in a modern fashion and aligned with his interest in antique law, given the conspicuous social and political aspects of the problem<sup>22</sup>. Among other things, he was the author of several entries found in the Military Encyclopaedia, such as *legio*, *centuria*, or manipular formation<sup>23</sup>.

In his studies, the versatile researcher of Roman antiquity managed to go beyond a paradigm of the conventional methodology and analyze those problems which became particularly topical and important in the interwar period.

Specifically, the matter concerned German research into Germanic antiquity and the contacts between the tribes inhabiting the right bank of the Rhine and the Romans. The emotional factor inherent in that debate – which went well beyond the scientific – was due to the prevalent nationalist interpretation of the past in German historical and archaeological sciences; moreover, scholarly findings were exploited in politics as arguments in the discourse, with a view to reinforcing or “proving” hypotheses advanced by the contemporary German science with respect to early history of the European continent and implied rights to seize and occupy certain lands<sup>24</sup>. On the Polish side, Professor Józef Kostrzewski of the University of Poznań<sup>25</sup> and a group of his students were at the fore of disputing German propositions, although his efforts and assertions were defensive with respect to German scholarship<sup>26</sup>.

The phenomenon in question had already taken quite a definite shape in the 19<sup>th</sup> century, when German nationalism – though not exclusively – began to play an increasingly prominent role in Europe<sup>27</sup>. It persisted and escalated in the following century, to be taken advantage of on an unprecedented scale in the ideologies of the totalitarian states after the end of the First World War. It was fostered by the need to justify the territorial claims made after the Treaty of Versailles had entered into force. The Treaty sanctioned the creation or revival of hitherto politically non-existent states, mainly in central and eastern Europe, at the expense of the defeated Central Powers, in this case, Germany and Austria-Hungary.

That ideology found fertile ground in the awakened Germanic myth, which played a tremendous role in nurturing German national awareness in the 19<sup>th</sup> and

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<sup>22</sup> Biežuńska-Małowist 1991, p. 146; eadem 1950, p. 72-95; Szczygielski 2010, p. 395, note 71, where the author cites works by Zmigryder, categorized by legal-systemic issues, as well as studies he has been attributed.

<sup>23</sup> Biežuńska-Małowist 1991, p. 147-148.

<sup>24</sup> Hackmann 2002, p. 31.

<sup>25</sup> Kostrzewski 1926, p. 6-10; idem 1934a, p. 57-62, idem 1934b, idem 1939, p. 50-63.

<sup>26</sup> Kostrzewski 1970, p. 166.

<sup>27</sup> Friedberg 1946, p. 13; Feldman 1947, p. 335; Labuda 1968, p. 19-21; idem 1968a, p. 104; Shenan 1994, p. 7-11; Žak 1974; Wiwjorra 2006, p. 15-18, 32-37, 71-74, 280.

early 20<sup>th</sup> century<sup>28</sup>. Here, a crucial role fell to the ethnographic treatise on the Germanic tribes which largely inhabited the right bank of the Rhine in antiquity, namely Tacitus' "Germania"<sup>29</sup>.

Published in such circumstances, Zmigryder's meticulously researched and source-based "The Battle of the Teutoburg Forest"<sup>30</sup> should be regarded as a response to the Germanic line in discourse and simultaneously a substantive polemic against everything that German scholarship put forward, namely glorification of the Germanic past in European history. In practice, the inquiry in that paper consisted in thorough examination of a phenomenon that was greatly characteristic of Germanic societies, i.e. loyalty to an oath and personal allegiance to a chief<sup>31</sup>. This was associated with the specifically Germanic notion of ethics and the eminent role of the combat ethos, not to mention the superior principle of obedience, understood as a voluntary obligation of loyalty in mutual relations according to the sovereign-vassal paradigm<sup>32</sup>, to use the term anachronistically. This commitment required the vassal, in this case the Cheruscan tribal chieftain Arminius, also a Roman eques, to abide by the sovereign, i.e. the Roman emperor, until his death, and in return to take advantage of the latter's broadly understood generosity<sup>33</sup> of which he was the beneficiary, just as any client tribal leader. This was not the case, however, quite the opposite in fact. In all likelihood, this very aspect was highlighted in reference or an allusion to the political situation in Germany after Adolf Hitler's rise to power, the manner in which he exercised it and the evident course he took, which ultimately led to the outbreak of another world conflict.

The author provided a number of facts concerning the life of the Germanic communities, as well as devoted some attention to insights into their daily life and customs<sup>34</sup>. As a military historian, he carefully analyzed the sources in order to reconstruct the route of the Roman army, the course and the location of the battle itself<sup>35</sup>, although

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<sup>28</sup> Kmieciński 1994, p. 21-46; Labuda 1968, p. 48-49; idem, 1968a, p. 105; Shennan 1994, p. 7. On the origins of the Germanic myth and Germanic-Slavic relations see Wiwjorra 2006, p. 9-10, 71-74, 280 et passim. A very extensive definition of nationalism-induced myths and its corollaries is provided by Berlin 1991, p. 193-231; cf. also Topolski 1991, p. 243-254.

<sup>29</sup> Shennan 1994, p. 7; Wiwjorra 2006, p. 198-199; Kolendo 2007, p. 11; idem 2007a, p. 199; idem 2008, p. 51.

<sup>30</sup> Zmigryder-Konopka 1936, p. 48-66; *ibidem*, p. 108-132 (253-276); Kornemann 1934 (non vidi); Biezuńska-Małowist 1986, p. 365; Rochala 2005. Modern reconstruction of the course of the battle based on archaeological finds: Rost 2009, p. 1339-1345; Wilbers-Rost 2009, p. 1347-1352; *idem* 2010, p. 117-136.

<sup>31</sup> On this issue see Andreocci 2008, p. 95-99.

<sup>32</sup> Prinz 2015, p. 45.

<sup>33</sup> *Ibidem*.

<sup>34</sup> Zmigryder-Konopka 1936, p. 51.

<sup>35</sup> *Ibidem*, p. 108-124. See Biezuńska-Małowist 1986, p. 366.

the main emphasis was on socio-political problems<sup>36</sup>. Focusing on the structure of the Germanic community, he described the changes which occurred as a result of the Roman conquest and the brief existence of another province<sup>37</sup>.

An outline of the conspiracy mounted against the Romans and the course of the battle itself were extremely important in order to understand the conflict, while the source accounts were vague and inconsistent, thus offering ample opportunity to distort them as required. Zmigryder was particularly interested in how the legend of the event arose and how the historiographic view of the antique facts evolved<sup>38</sup>, which was splendidly exemplified in the work of his contemporaries and the aforementioned ideologization and mythologization of what the German historiography deemed glorious Germanic past<sup>39</sup>.

In addition, he approached the problem from a legal standpoint and examined the specific circumstances which caused Germanic tribes to develop an ethos of loyalty to their oaths, as well as assessed the impact of the watershed event that was Arminius' victory over Augustan legions in the Teutoburg Forest. Thus, Zmigryder demonstrated its crucial significance for German historiography of the time, since the nationally biased German scholarship described that success as a deeply mythologized act of virtual national liberation<sup>40</sup>, thanks to which the Germanic tribes – identified (anachronistically!) with Germans – retained their independence. Also, due to mythologization, their chieftain Arminius<sup>41</sup> was portrayed as leader who successfully opposed the superior world power of the time, the Rome of the Caesars.

In the battle, the tribes roused to war under his command annihilated three Roman legions commanded by the imperial governor, P. Quinctilius Varus. The defeat compelled Augustus to relinquish the newly conquered territories as far as the Elbe line, and effectively dissuaded him from his design to establish another province there in order to make the Rhine the permanent frontier of his domain<sup>42</sup>.

Zmigryder the historian delved into the sources in order to reconstruct the course and location of the battle. It was a novelty at the time that he focused less on strictly military matters, i.e. the strength of the opposing armies, their weapons or the tactics of the battle which proved deadly for the Romans. Instead, he studied

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<sup>36</sup> Zmigryder-Konopka 1936, p. 49-55. See Andreocci 2008, p. 74-237.

<sup>37</sup> Andreocci 2008, p. 74-237; Biezuńska-Małowist 1986, p. 366.

<sup>38</sup> Zmigryder-Konopka 1936, p. 132-138; Biezuńska-Małowist 1986, p. 366-367.

<sup>39</sup> For instance La Baume 1926, p. 19-35; idem 1934, or later collective study, published already during the war: *Vorgeschichte der deutschen Stämme* 1940. See Kochanowski 1901, p. 14-16; Żak 1974, p. 59, note 145, p. 60; Arnold 1990, p. 464-466; Musielak 1997, p. 6, note 16; Leligdowicz 1999, p. 173-221; Steuer 2001, p. 6-7; Leube 2004, p. 83-90; Modzelewski 2004, p. 429; Wiwjorra, p. 16-18 et passim.

<sup>40</sup> Alonso 2015, p. 181-185.

<sup>41</sup> Steuer 2001, p. 6-7; Andreocci 2008, p. 208-225; cf. Timpe 1970.

<sup>42</sup> Heather 2006, p. 74-77.



the structure of the Germanic community prior to the conquest and the changes its socio-tribal fabric underwent under Roman rule. It was more relevant for Zmigryder to examine the origins and the motives of the uprising, which did not necessarily had to stem merely from a desire to regain freedom and independence from Rome. Zmigryder noted this and drew attention to the gradual Romanization of the area<sup>43</sup>, which yielded far-reaching social changes that undermined the dominance of the local aristocracy – as a privileged stratum – and its particular interests as they sought to preserve the power they had held<sup>44</sup>, without having to reckon with the Roman officials and imperial policies. After all, those were the tribal elites which had hitherto been the mainstay of the Roman rule in the provinces. This would therefore have been a rebellion of certain social groups leading the rest of the population, a revolt of those who stood to lose their position and influence among their tribespeople in its ‘pre-Roman’ form, rather than a struggle of all the Germanic tribes settled on the right bank of the Rhine to defend their independence in the modern sense.

Such an interpretation of the Roman influence in Germania prior to the aforementioned battle seems to have prevailed, primarily in view of the successive archaeological discoveries which attest to the economic and – to some extent – cultural penetration of Rome into the area, as well as suggest overall development of the barbarian peoples as a result of their proximity to the Empire. It is noteworthy that Zmigryder came to such conclusions solely on the basis of a thorough analysis of the written sources<sup>45</sup>.

The scholar also observed that the Germanic hero of the battle went down in history under the Roman name of Arminius. Another important issue he drew attention to was the question of betrayal on the part of a former ally of Rome, a person who to some degree was already ‘proven’ having been subject to Romanization, a regular guest at Varus’ table<sup>46</sup>. This inconvenient fact was very much at odds with the strongly developed Germanic, and later German, sense of obedience and loyalty to an oath<sup>47</sup>. However, portrayed as a German(ic) hero, the Cheruscan chieftain acted contrary to that ethos, feigning friendship towards the Romans until the very last moment<sup>48</sup>, which facilitated his military and political success.

This detailed analysis of Germanic communities at the turn of the era, in which battle in the Teutoburg Forest served Zmigryder as a point of departure, was a voice intended to depict the event reliably in the right light, by way of contrast to what the German historiography had done.

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<sup>43</sup> Kolendo 1987, p. 385-399; Andreocci 2008, p. 74-237.

<sup>44</sup> See Goldsworthy 2020, p. 239-240.

<sup>45</sup> Von Schnurbein 2004, p. 8-9, 23-24, 27-28, with further literature; Wells 2010, p. 52-54; idem 2010, p. 352-359.

<sup>46</sup> Goldsworthy 2020, p. 233.

<sup>47</sup> Prinz 2015, p. 45.

<sup>48</sup> Biežuńska-Małowist 1991, p. 149.



After the outbreak of war, Zmigryder donned the uniform once again and took part in the defensive war of 1939 as a volunteer, from which he was actually exempt as a senator of the Republic of Poland and due to his health (kidney disease and hypertension). When the hostilities ended in late September, he went to Lwów to be a lecturer at the Jan Kazimierz University. There, on 4 November 1939, he collapsed while delivering a morning lecture, and died in the evening of the same day.

Looking at the life and work of Zdzisław Zmigryder-Konopka as a philologist, historian of Roman military and public law, a teacher, as well as a person involved in many other fields, one can see that whatever he did was rooted in antiquity, as his contemporaries had already noticed. Perhaps the most accurate assessment was made by his aforementioned student, who stated that he saw all his activities to harbour “[...] links to ancient traditions. For him, antiquity was eternally alive”<sup>49</sup>.

### Summary

#### ZDZISŁAW ZMIGRYDER KONOPKA – ANCIENT MILITARY HISTORIAN, CLASSICAL PHILOLOGIST, HISTORIAN OF ROMAN LAW AND TEACHER

Zdzisław Zmigryder-Konopka, Warsaw philologist, historian of the antique military, Roman law and teacher, engaged with antiquity in many ways during his scholarly and teaching career. Above all, however, he was trained as a philologist and for a certain period (when not employed at the university) he was even a teacher of Latin and Greek in secondary schools, where he enjoyed recognition among pupils and students. In his research work – interrupted by his untimely passing – he focused on Roman history, but his studies spanned a broad chronological timeframe and diverse range of topics, namely Roman law (social and constitutional) and military history.

He was a man utterly fascinated by his field and working with young people, not to mention his public activism. He was the type of true humanist whose values, formed and embraced during university studies, shaped and permanently influenced his attitude to life.

In the final period of his life, with the rise of anti-Semitism and growing threat of war, Zdzisław Zmigryder-Konopka became a member of the National Committee for Aid to Jewish Refugees from Germany. In addition, he became involved with the Social Committee for the Defence of the State as part of the Jewish Community in Warsaw. After the outbreak of the war, he volunteered to fight in the September campaign, and after it ended he arrived in Lwów to become a lecturer at the Jan Kazimierz University. Though affected by poor health and chronic illness, his death on 4 November 1939 still came as a surprise.

Discussed more broadly in this paper, Zmigryder-Konopka’s “Battle in the Teutoburg Forest” relied on an analysis of source text to deliver a substantive response to the assertions published in German scholarly literature of the 1930s, which eulogized Germanic past in European history following Germany’s defeat in the Great War of 1914-1918 and Adolf Hitler’s rise to power.

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<sup>49</sup> Ibidem, p. 153.

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