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THE LAW AS PRESENTED IN THE POLISH RENDITIONS OF WILLIAM SHAKESPEARE'S *THE WINTER'S TALE*

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Abstract: This paper addresses the topic of the law and legal vocabulary in William Shakespeare's *The Winter's Tale* and its Polish translations. Focus has been directed towards the trial scene of Hermione, one of the major characters of this play. By comparing the Polish renditions of the scene against the English original, the article attempts to present how Polish translators have reflected on the law as presented by Shakespeare and whether they have managed to recreate the law-embedded images and reconstruct the legal language of the source text in the target culture.

Scholars and critics agree that William Shakespeare was an inquisitive observer and avid commentator on legal matters. In his plays, which range from tragedies, comedies, and historical chronicles, he not only makes direct allusions to specific legal institutions, but also uses legal vocabulary aplenty. Many researchers, in particular those pursuing their studies in the field of law and literature, and law and language, have already addressed the topic of the representation of the law and its terminology in Shakespeare's literature [Zurcher 2010; Kornstein 1994; Sokol and Sokol 2004, to name but a few]. However, there is still a dearth of scholarly contributions treating the translation of legal scenes in Polish renditions of Shakespeare's plays.¹

¹ *The Winter's Tale* was thoroughly scrutinised in terms of its reception and translation in Poland, excluding the theme of the law, by Olga Mastela [2019].

This paper endeavours to fill this gap by discussing *The Winter's Tale*, a romantic tragicomedy, as this Shakespearean specimen is generally classified, in particular the trial scene of one of the main female characters thereof, Hermione, which was written by the Stratford playwright probably between 1610 and 1611.² By comparing the Polish descriptions of Hermione's trial scene against the English original, the survey intends to disclose how individual translators' decisions might shape the reception of the Sicilian court proceedings by potential readers or audiences. It also attempts to document the approaches and tendencies towards translating legal vocabulary in Polish versions of the play.

The first part of *The Winter's Tale*, which is of prime interest here, revolves around a visit of Polixenes, the King of Bohemia, to the court of Leontes, King of Sicily. Leontes fails in his entreaty to encourage Polixenes, who we learn from the opening lines of the play is his childhood companion and an ally, to prolong his nine months-long sojourn in Sicily. Leontes' wife, Hermione, intervenes, persuading the guest to postpone his departure to Bohemia. The action dramatically changes its course when Leontes, inferring sexual innuendos from a mere exchange of amicable body gestures and cordial expressions, becomes obsessively jealous of his wife, suspecting that she is having a secret affair with Polixenes. He is wrongly convinced that the baby his wife is carrying is Polixenes' illegitimate offspring. Blinded by his unfounded conjectures, and incurious about the protestations delivered by Paulina, Hermione's loyal associate, and the lords at his court, especially Antigonus, who, in an attorney-like fashion, refutes the accusations levied against the Queen, Leontes finally yields to his frenzy and orders the officers to incarcerate Hermione. There, in prison, while awaiting her trial, Hermione gives birth to a daughter, later called Perdita. By Leontes' injunction, Perdita was to be transported by Antigonus to a desert place in Bohemia, and abandoned to the mercy of the wildlife. Polixenes, Hermione's supposed partner in the offence of infidelity, escapes death after being warned by Camillo, his would-be assassin, of Leontes' premeditated venture to murder the Bohemian ruler.

In Act Three of the play, Hermione is tried by the court convened by Leontes. She is accused of high treason, having supposedly committed adultery

² The trial scene is not the only instance of legal references in *The Winter's Tale*. Shakespeare alludes to English law in the description of the handfasting of Perdita and Florizel, a procedure of contracting marriage by wrapping up the hands of the couple by a piece of cloth in the presence of witnesses, and legal guardianship, referring to a protection of orphaned children by foster parents, as exemplified by the adoption of Perdita by Old Shepherd (on these and other marriage and family-related matters, see Sokol and Sokol 2003, and Cook 1991). In the play, Shakespeare also uses legal terminology, such as, for example, "with the manner" (4.4.722-723), meaning in the act of committing a crime, and "in handfast" (4.4.763), which translates into under arrest [Crystal and Crystal 2002, 212, 275; Orgel 2008, 203, 205].

with Polixenes, and conspired with Camillo to kill King Leontes.³ After the charges are introduced, Hermione gives a defence speech in which she denies perpetrating either of the alleged crimes and strongly asserts her fidelity to the sovereign, her husband. She appeals to the oracle of Apollo, a God of truth, wisdom, law, and justice, brought to Sicily by two envoys, Cleomenes and Dion, from Delphos, to reach a verdict in her case.⁴ The oracle eventually pronounces that Hermione is chaste, and Camillo a truthful servant. Leontes, the instigator of the legal proceedings, is proclaimed a tyrant. The oracle also prophesies that the King shall remain heirless until his neglected newly born child is found. In the last moment of the trial scene, the Queen supposedly dies, being informed of the death of Mamillius, her only son with Leontes, a demise triggered by consuming grief after his mother's harassment. The play culminates after an interval of sixteen years, in a reunion of the remorse-stricken, bereaved, Leontes and his disavowed adult daughter, and the miraculous transformation of Hermione's statue into a human shape, seemingly painted and sculpted by an Italian artist, Giulio Romano, an episode which still intrigues and perplexes scholars.

Many authors have made an effort to translate *The Winter's Tale* into the Polish language. The first renditions of the play in Polish were published in the second half of the 19th century by Gustaw Ehrenberg, Leon Ulrich, and Stanisław Rossowski. Gustaw Ehrenberg's version, titled *Zimowa powieść* and written in prose, reached the Polish audience in 1871. It was the only play from the rich palette of the Shakespeare canon translated by this Polish writer. A few years later, in 1877, Leon Ulrich, a prolific translator who created a Polish series of all Shakespeare's plays, translated his *Zimowa powieść*. The catalogue of the nineteenth-century translations of *The Winter's Tale* also includes Stanisław Rossowski's 1895 *Opowieść zimowa*.⁵ The 1960s and 1970s brought new translations of *The Winter's Tale*. In 1961, Włodzimierz Lewik's *Zimowa opowieść*, and, in 1978, Bohdan Drozdowski's *Ballada zimowa (The Winter's Ballad)* appeared in print. *The Winter's Tale* was also rendered into Polish by two renowned translators of the 1980s and 1990s, Maciej Słomczyński and Stanisław Barańczak. Maciej Słomczyński's *Zimowa*

³ The trial of Hermione might echo, as hinted by Pitcher, the court cases of Anne Boleyn, accused and arraigned by her husband Henry VIII of high treason on 15 May 1536 and executed a few days later, on 19 May the same year, and of Mary Queen of Scots (1587) [Pitcher 2010, 67]. Alongside a resemblance of Hermione's trial to that of Anne Boleyn, Orgel also spots analogies between Perdita and Queen Elizabeth I, Anne Boleyn and Henry VIII's daughter [Orgel 2008, 28-32].

⁴ Apollo is not only a judge in Hermione's case. The God sits in the tribunal, along other deities, who accuse and arraign Paris in George Peele's play titled, *The Arraignment of Paris*, performed in 1581 and published in 1584. The titular Paris is brought to trial on the charges of partiality when awarding the golden ball to Venus in the beauty contest. Act Three of the play, contemporaneous to Shakespeare's *The Winter's Tale*, emulates a trial with its appurtenances, such as arraignment, reading the indictment, accepting the defendant's plea, and announcing the verdict.

⁵ For more details concerning the biographies of the mentioned translators and the reception of their works in Poland, see Cetera-Włodarczyk and Kosim [2019].

opowieść was released in 1981. In 1991, Stanisław Barańczak's version of the play, also titled *Zimowa opowieść*, entered the canon of the Polish translations of Shakespeare. The most recent translation of the play is the 2014 *Opowieść zimowa* by Piotr Kamiński.

The English part of the play that bears scrutiny in terms of the way English law is depicted is Leontes' command that he directs at his lords to summon the proceedings of the tribunal in Hermione's case, pronounced by the King at the end of Act Two. Leontes addresses the noblemen of his court with the following words: "Prepare you, lords; / Summon a session that we may arraign / Our most disloyal lady; for as she hath / Been publicly accused, so shall she have / A just and open trial" (2.3.200-204).⁶ This short utterance illustrates three legal terms pertaining to the court proceedings: *session*, *arraign* and *just and open trial*, which, as the ensuing paragraphs expose, have proved challenging to transpose into the Polish language.

The English noun *session/sessions* means, according to the consulted dictionary definitions, judicial assembly, trial, sitting, or court [Collin 2004, 274; Curzon and Richards 2007, 532; Spevack 2002, 465; Crystal and Crystal 2002, 393; Garner 2014, 1579-1580]. Rossowski and Ulrich replace the source word with the Polish noun *rada* (council). Rossowski's version of the play contains the following quote: "Gotujcie się, proszę, / Zwołajcie radę, byśmy obłudnicę / Osądzić mogli" [Rossowski 1895, 101]. And Ulrich's text is as follows: "Bądźcie gotowi; zwołać całą Radę, / Bo przed nią chcemy sprawę tę wytoczyć" [Ulrich 1877, 729].⁷ The two Polish translations unanimously imply that Hermione's case shall be recognised by a special body of people consisting of lords, with Leontes as the judge, who are equipped with judicial competences. It might have been the Royal Council, endowed with advisory, legislative, and judicial capacities, which customarily accompanied a monarch at his court [Bardach et al. 2009, 44-45; Maciejewska-Szałas 2010, 515-520]. The Royal Council was actively involved in the legal proceedings regarding treason, as documented by the trials of Anne Boleyn (c.1501-1536) and Catherine Howard (c.1523-1542), two unfortunate wives of Henry VIII (1491-1547), through inspecting the facts of the case, interrogating parties and witnesses, and sitting on the bench during the court session [Baran 1994, 49; Bellamy 1979, 105-106]. Ehrenberg translates *session* as *zgromadzenie* (assembly) by which the author probably understands a special assembly of Leontes' prominent court dignitaries convened by the King with the purpose of trying Hermione: "Przygotujcie się panowie, zwołajcie zgromadzenie, żebyśmy

⁶ All quotations from *The Winter's Tale* which are made hereafter are based on: Shakespeare William. 2008. *The Winter's Tale*. Oxford: Oxford University Press [ed. Stephen Orgel].

⁷ Leon Ulrich's translation of *The Winter's Tale*, revised and appended with a commentary, also appeared in the edition of William Shakespeare's works published by Państwowy Instytut Wydawniczy in 1973. The focus in the present research is on the 1877 version, as listed in the bibliography.

mogli pozwać naszą niewierną małżonkę” [Ehrenberg 1879, 43]. Drozdowski vaguely renders *session* as *zebranie Izby*: “Bądźcie gotowi, panowie, zwołajcie / zebranie Izby, przed którą oskarżę / naszą ze wszech miar wiarołomną panią” [Drozdowski 1978, 57]. *Zebranie* (meeting) means a gathering of people to discuss particular issues rather than to hear the testimonies of the parties and witnesses, and on the basis of these, reach a final verdict [Dubisz 2008, 959]. The word *izba* (chamber) describes a branch of a certain institution, for example the tribunal or parliament, which has the competence to decide on specific matters, for instance, criminal, civil, constitutional, monetary, or commercial issues [Dubisz 2008, 1250].

Other translations make explicit references to the court and its proceedings, thereby communicating the original message to those who encounter the play as readers or theatre spectators in a straightforward and unambiguous manner. Słomczyński and Barańczak translate *session* as *sesja trybunału* (the session of the tribunal): “Panowie, zwołać sesję trybunału / Dla osądzenia naszej najzdradliwszej / Pani” [Słomczyński 1981, 64]; “zwołajcie sesję trybunału / Dla osądzenia podlej niewierności / Królowej” [Barańczak 1991, 186]. Lewik prefers a similar term, *sesja sądu* (the court session): “Moi panowie, zwołać sesję sądu, / Abyśmy mogli co rychlej przesłuchać / Naszą niewierną żonę” [Lewik 1961, 71]. In Kamiński’s translation, *session* is rendered as *Trybunał* (tribunal), a specialised court of justice which adjudicates in specific legal cases [Dubisz 2008, 135; Banaszak 2000, 1043]: “Zwołajcie, panowie, / Trybunał. Naszą wiarołomną żonę / Sądzić będziemy” [Kamiński 2014, 114].

Another issue worthy of remark here is the substitution of the plural form *we* in the phrase *we may arraign* by the singular *oskarżę* in Drozdowski’s translation quoted above. A scene-to-scene transition of the singular forms of address into the plural in Leontes’ language marks his royal and legal standing. Such linguistic convention, known in literature as “the royal we”, is conspicuous in other Shakespearean plays, for instance *King Lear* [Smith 1968]. Apart from being the embodiment of Leontes’ royal and judicial authority, the pronouns *we* and *us* when speaking to his lords, and likewise *she* and *her* when confronting Hermione at court, signal the King’s distance and emotional detachment from his wife, as well as his wish to disperse the responsibility for the fate of the Queen among his peers. Simply put, Leontes wants to say that the power to process Hermione’s case is vested in the Sicilian court, not in the King himself. A shift from the plural *we may arraign* into the singular *oskarżę* signifies something opposite, namely that the King nominates himself as the sole dispenser of justice in Sicily.

A crucial stage of the criminal proceedings in the English courts of the Shakespearean epoch was, and still is today, *arraignment*, which denotes the act of summoning a suspect before the bench, presenting him or her with the charges, and accepting the plea of guilty or not guilty [Bellamy 1979, 137-140; Collin 2004, 18; Curzon and Richards 2007, 36; Garner 2014, 104;

Justyńska and Justyński 1994, 209].⁸ As seen from the above, the majority of translators added the Polish meaning of *osądzić/sądzić* (to try) to this English legal term. Drozdowski's equivalent *oskarżyć* (to accuse, indict) refers specifically to the indictment, that is to the act of reading the charges, but not to the whole trial, as intimated by other translations. Lewik's noun *przesłuchać* (to interrogate) deviates from the original term, since the essence of arraignment, as already established, does not mean merely questioning a suspect on the circumstances of the case. The meaning of the English term is obliterated in Ulrich's translation. This version of *The Winter's Tale* reads that the case of Hermione is simply brought before the council for consideration.⁹ This rendering also fails to portray Leontes' morbid jealousy of his wife, which, in the original text, can be discerned by the adjective *disloyal*. Jealousy is slowly building within Leontes from the very first scenes of the play, towards a final outburst at the commencement of the trial. In the extracts preceding the court session, the King denounces his wife as *slippery* and a *hobby horse*, epithets which, using legal nomenclature, are considered slander [Spevack 2002, 351; Crystal and Crystal 2002]. It is thus necessary to preserve the emotional charge of the discussed scene in translation.

To the modern Polish audience versed in the technicalities of law, the verb *pozwać* (to sue), employed in Ehrenberg's translation, might describe the civil proceedings, in which a claimant pursues his or her claim against a defendant by summoning the latter before the court. Such a meaning in Polish is not congruent with the original. The trial of Hermione has a public and criminal character. It is not a private dispute between conflicting parties, in which one seeks compensation from the other to redress the harm wrought or pursues an order for specific performance. On the other hand, the translator might have used another meaning of the verb, which is a formal citation of a defendant to appear at court on a certain day and time. In old Polish law, where there was no clear distinction between criminal and civil procedures, *pozew* initiated all types of legal actions. The role of the aggrieved party, or his or her close relatives, was to submit a complaint to the appropriate court [Bardach et al. 2009, 192; Borkowska-Bagińska 2010, 189-195; Maciejewski 2016, 111-114]. Yet one may argue whether the verb *pozwać*, viewed from this perspective, corresponds to the meaning of the original English term. *Arraignment*, as previously explained, does not simply mean that a special officer summons a party before the court, as the Polish term does. In other words, both verbs, the English *to arraign* and the Polish *pozwać*, are inscribed in different legal procedures which are inherent in specific cultural, legal, and political realities.

⁸ For a comprehensive study on the procedure before English courts, see, among other monographs, Baran [1994], Szerer [1959], Slapper and Kelly [2001].

⁹ Compare the same line in the 1973 edition of Ulrich's *The Winter's Tale*: "Aby oskarżyć nielojalną żonę" [Helsztyński et al. 1973, 650].

The cited passages from the Polish versions of *The Winter's Tale* illuminate another problem that translators have wrestled with when adapting the Shakespearean play into the target linguistic and cultural environment, which is rendering the phrase *just and open trial*. The adjective *just* implies that the trial shall be conducted according to the law by an impartial court, and the final verdict shall be reached in consideration of the facts rather than individual prejudices or misconceptions [Collin 2004, 168; Garner 2014, 994]. *Open* signifies, on the one hand, the right of the party involved in the legal proceedings to deliver his or her statements, and on the other, the admittance of the public into the trial [Collin 2004, 208; Curzon and Richards 2007, 414; Garner 2014, 1263].

In the Polish legal language, *just and open trial* tallies with the notion of *jawny i sprawiedliwy proces* (compare an analogous Polish phrase *wyłaczenie jawności*), as seen in Kamiński's translation: "Była oskarżona / Publicznie, zatem sprawimy jej jawny / I sprawiedliwy proces" [Kamiński 2014, 114]. Ehrenberg translates this phrase as *sprawiedliwy i jawny sąd*: "bo skorośmy ją publicznie obwinili, chcemy żeby się odbył sprawiedliwy i jawny sąd" [Ehrenberg 1879, 43]. Ulrich's version does not reflect on the tenet of a just trial. In the translation by this author, an emphasis is only placed on the characteristic of open proceedings, as the following passage exhibits: "A jak publiczna była skarga nasza, / Tak i sąd cały publiczny niech będzie" [Ulrich 1877, 729]. The concept of a just and open trial is not highlighted in Rossowski's translation either: "jawnie-m ją oskarżył, / Niech też więc jawnie będzie wysłuchana / I przekonana" [Rossowski 1895, 101]. One may observe here a parallel with a legal maxim commonly known in Latin as *audiatur et altera pars* (pol. "niech będzie wysłuchana i druga strona"), which gives the party to the legal proceedings the right to present his or her arguments in court prior to returning a verdict [Zajadło 2013, 28]. By adding the adverb *przekonana* (convinced), absent in the source text, we may speculate that Rossowski probably aimed to underline that, during the trial, Leontes and his lords will strive to persuade Hermione that she is guilty of the alleged crimes.

Two translators, Drozdowski and Barańczak, use the very literal adjective *otwarty* as an equivalent of the English word *open*. To quote Drozdowski's version: "Tak jak publicznie była oskarżoną, / będzie mieć również otwarty sąd – wierzę, / że sprawiedliwy" [Drozdowski 1978, 57]. And Barańczak's: "była w końcu oskarżona / Publicznie – musi zatem mieć otwarty / I sprawiedliwy proces" [Barańczak 1991, 186]. As can be seen from the cited passages, Drozdowski adapts the original by adding the verb to believe/hope. In this version, Leontes expresses his hope that the trial of Hermione will be just. Yet no such impression is created when reading the original. In the English text of the play, the open, as well as just, proceedings are guaranteed by the King to avoid any accusation of tyranny. In Barańczak's translation, the obligation to undertake a just and open trial is strengthened by the modal

verb *must*. Słomczyński translates *just* as *uczciwy*: “gdyż będąc jawnie oskarżoną, / Musi mieć jawny i uczciwy proces” [Słomczyński 1981, 64]. If we consult Polish dictionaries, we can gather that *uczciwy* and *sprawiedliwy*, although frequently treated as synonyms, differ in meaning. *Uczciwy* (fair) denotes an act or behaviour done according to the established rules, principles, or truth, for example *uczciwa propozycja* (fair proposal), *uczciwy interes* (fair business). *Sprawiedliwy* (just) means impartial and objective, as illustrated by such collocations as *sprawiedliwy wyrok* (just verdict) and *sprawiedliwa kara* (just punishment) [Dubisz 2008, 199-200, 1349-1350]. Having explained this concept, in the context of the play, *sprawiedliwy* seems to be the proper term. Finally, in Lewik’s version, the stress is put on a just and open verdict, rather than the trial, as the original indicates: “Skoro była / Oskarżona publicznie, niech publiczny / I sprawiedliwy ma wyrok” [Lewik 1961, 71].

In Scene Two of Act Three, we are the direct witnesses of the trial of Queen Hermione. Leontes opens the hearing by uttering the following words: “This sessions, to our great grief we pronounce, / Even pushes ’gainst our heart. The party tried, / The daughter of a king, our wife, and one / Of us too much beloved” (3.2.1-4).

The legal term *sessions*, which has been discussed previously, is rendered as: *posiedzenie sądowe* [Ehrenberg 1879, 44], *posiedzenie* [Drozdowski 1978, 59; Barańczak 1991, 191], *sąd* [Ulrich 1877, 730; Słomczyński 1981, 68], *rozprawa* [Lewik 1961, 74], *proces* [Kamiński 2014, 116-117], and less accurately as *sprawa* [Rossowski 1895, 102]. It is the participle *the party tried*, paraphrased in English as “the defendant to be judged” [Blake 1983, 101], which requires a more detailed comment here. In Ehrenberg’s Polish version of the Shakespearean play, Hermione is introduced as *strona powołana*: “Strona powołana jest córką królewską, żoną naszą” [Ehrenberg 1879, 44]. The Polish equivalent *strona powołana* literally means the party summoned for the proceedings. Bańkowski’s dictionary explains that between the 15th and 18th centuries, the verb *powołać* meant being summoned before the court. In that sense, its meaning overlaps with *pozwać* [Bańkowski 2000, 737]. *Strona powołana* is thus analogous with *pozwany/strona pozwana*. In Rossowski’s translation, *the party tried* appears as *oskarżona* which describes an individual against whom criminal charges have been brought to court [Bojarski 2000b, 992; Grzegorzczak and Tylman 2014, 319]: “Oskarżona / Królów jest córą, a małżonką naszą” [Rossowski 1895, 102]. The same counterpart is used in Ulrich’s version: “Bo oskarżona królewską jest córką, / A żoną naszą” [Ulrich 1877, 730]. Lewik’s rendering does not depart from the above-quoted versions: “Oskarżona – / Córa królewska i nasza małżonka” [Lewik 1961, 74]. Drozdowski also translates the phrase under discussion as *oskarżona*: “oskarżona / jest córką króla, moją żoną” [Drozdowski 1978, 59]. In this translation, we can see another case of replacing the plural form with a singular one (*our wifelmoją żoną*). Similarly, Kamiński opts for the verb *oskarżyć* which, in legal parlance, defines an act

of bringing charges against a suspect based on the evidence collected during the preparatory stage of the proceedings: “Oskarżamy / Córę królewską, naszą żonę” [Kamiński 2014, 116]. In contrast, Słomczyński, in his version of *The Winter’s Tale*, uses the adjective *obwiniona*: “Córka królewską jest ta obwiniona, / Małżonką naszą” [Słomczyński 1981, 68]. In the strict legal sense, *obwiniona* depicts a person guilty of a minor/petty offence, described in Polish as *wykroczenie*. Strictly speaking, this means a person against whom the legal proceedings in such a case are pending [Bojarski 2000a, 553; Bojarski 2012, 218]. Barańczak uses the noun *pod sądna*: “Pod sądna jest królewską córka, naszą / Małżonka” [Barańczak 1991, 191]. It signifies a party against whom the proceedings are instituted in a criminal case [Dubisz 2008, 258]. Literally, this means a person remaining under the power of the court as a defendant [Bańkowski 2000, 666].

The next part of the King’s opening speech is characterised by more legal references. In the original, we read: “Let us be cleared / Of being tyrannous, since we so openly / Proceed in justice, which shall have due course / Even to the guilt or the purgation” (3.2.4-7). As this passage implies, to exonerate himself from the charges of tyranny, Leontes does not administer justice arbitrarily, but submits Hermione’s case to the tribunal.

As the entire scene takes place at court, the translator’s task is to recreate the atmosphere of the trial. The oldest Polish renditions adequately transfer the meaning of the original sentence. Ehrenberg’s translation is thus: “Chcemy być zwolnionemi od zarzutu tyranstwa, skoro tak jawne wywołujemy postępowanie sądowe, które będzie miało swój bieg należny, czy to doprowadzi do uznania winy, czy do oczyszczenia od zarzutów” [Ehrenberg 1879, 44-45]. The translator uses such legal phrases as *zwolnić od zarzutu*, *wywołać postępowanie sądowe*, *bieg postępowania*, *uznanie winy*, *oczyszczenie od zarzutów*. Similarly, Rossowski preserves a legal tenor in the scene: “Od zarzutu / Tyranii – prawna akcja nas salwuje. / Nie krępujemy toku prawa w niczem. / Niech ono stwierdza winę, lub niewinność” [Rossowski 1895, 102]. This translation also contains the lexicon of old Polish law, which is not used in the contemporary legal discourse, such as *prawna akcja*, referring to a legal action or a legal case, and *tok prawa*, meaning the course of law [Linde 1854, 9, 683].

Whereas in the versions mentioned above, guilt is rendered as *uznać / stwierdzić winę*, in Ulrich’s translation, it is changed into *potępić* (to condemn): “Niech o tyranję nikt nas nie posądza, / Kiedy na jawność sądu zezwalamy, / Który potępi ją, lub uniewinni” [Ulrich 1877, 730]. The verb *potępić* implies that Hermione’s conduct will be judged according to moral and religious standards rather than legal provisions. Another discrepancy regarding the correspondence between the original and its Polish equivalent can be noticed in Lewik’s version. Contrary to all the Polish authors who translate *tyranny* as *tyrania* and *tyranstwo*, Lewik favours the word *niehumanizm*. In his translation

of this extract, Leontes says: “Niech nikt / Nas nie posądza o nieludzkość, skoro / Tu wobec wszystkich szukamy otwarcie / Sprawiedliwości, która zgodnie z prawem / Wykaże winę albo też niewinność” [Lewik 1961, 74]. The English word *tyranny*, and its Polish equivalent *tyrania*, relate to a form of executing and enforcing power in a violent and arbitrary manner, and in transgression of the law [Dubisz 2008, 181; Garner 2014, 1753]. Thus, we can conclude that *nieludzkość* does not neatly fit into the context of Leontes’ speech.

While comparing the translations of the discussed passage, it can be observed that Słomczyński’s poetic language diverts from the rigidness and precision of the legal discourse of other translators. In this translation, the King declares: “Pragniemy zarzut tyranii zmyć z siebie, / Otwarcie wsparłszy tutaj sprawiedliwość, / Która właściwym popłynię łożyskiem / Ku winie albo ku uniewinnieniu” [Słomczyński 1981, 68]. In contrast to that, Drozdowski’s and Kamiński’s versions convey the intended message in a simple and precise manner. The same part in Drozdowski’s translation reads as follows: “Chcemy się oczyścić / z zarzucanego nam tyraństwa, wnosząc / całą tę sprawę przed otwarty sąd – / by ją uwolnił albo uznał winną” [Drozdowski 1978, 59]. Kamiński writes: “Mienić nas tyranem / Nie sposób, skoro sądzimy publicznie, / A sprawiedliwość biegnie swoim torem, / By dowieść winy lub z winy oczyścić” [Kamiński 2014, 117]. The style of Słomczyński’s translation also contrasts with that of Barańczak. In this version we read: “Niech nikt nam nie śmie zarzucać tyranii: / Postępowanie sądowe jest jawne, / Proces przebiegnie w pełnej zgodzie z prawem, / Aż do wyroku lub uniewinnienia” [Barańczak 1991, 191].

At Leontes’ order to produce the prisoner, Hermione is brought into the court by the royal guards. One of the court officers reads the indictment. Hermione is accused and arraigned of high treason, supposedly perpetrated by committing adultery with Polixenes, and conspiring with Camillo against the King. As the indictment further sets forth, when the traitors’ scheme to murder Leontes was partly revealed, Hermione, in contravention of the law, counselled and aided Camillo and Polixenes to surreptitiously abscond from Leontes’ court under cover of night. In Tudor England, treason was one of the gravest crimes and could be punished by the most severe sanctions, such as hanging, mutilating, and forfeiture of property. The felony of treason comprised, *inter alia*, plotting or attempting the assassination of the monarch or his closest relatives, designing the King’s death, allying and colluding with royal enemies or supporting them in their seditious activities aimed at overthrowing the government, disseminating slanderous utterances lampooning the King, and publishing pamphlets expressing criticism of his reign. Treason also included adultery, the law which sent many suspects of infidelity to the scaffold and, in the play, sparks Leontes’ legal action against Hermione [Bellamy 1979; Garner 2014, 1730; Baran 1982].

As for the Polish names of the crimes which are attributed to the Queen, high treason is translated as *zbrodnia stanu* [Rossowski 1895, 103; Ulrich 1877, 730], *zdrada państwa* [Ehrenberg 1879, 45], *zdrada główna* [Słomczyński 1981, 68; Lewik 1961, 74-75], and *zdrada stanu* [Barańczak 1991, 191; Drozdowski 1978, 59-60; Kamiński 2014, 117]. All these phrases are interchangeable, as confirmed by Polish dictionaries [Dubisz 2008] and research [Baran 1996, 81-87]. In the corpus of Polish translations of *The Winter's Tale*, *conspiracy* is rendered as *spisek* [Ehrenberg 1879, 45; Kamiński 2014, 117; Barańczak 1991, 191; Drozdowski 1978, 60] and *zmowa* [Lewik 1961, 75]. In the translations by Rossowski, Ulrich, and Słomczyński, it appears as *sprzysiężenie* [Rossowski 1895, 103; Słomczyński 1981, 68; Ulrich 1877, 730], a word having a meaning equivalent to *spisek* and *zmowa* [Dubisz 2008, 1358].

As just explained, in the original, Hermione is charged with offering counsel and aid to Camillo and Polixenes, which is indicated by the pronoun *them*: “didst counsel and aid them for their better safety to fly away by night” (3.2.19-20). Two translators, Lewik and Drozdowski, intrude upon this part of the indictment. From Lewik’s translation, it transpires that Hermione counselled and aided only one of the accomplices, probably Polixenes: “służyłaś mu radą i pomocą w podjętej dla własnego bezpieczeństwa nocnej ucieczce z naszych granic” [Lewik 1961, 75]. Drozdowski, by using the phrase “poradziłaś im, aby dla swego bezpieczeństwa pod osłoną nocy stąd zbiegli” [Drozdowski 1978, 60], suggests that Hermione is charged only with counselling Camillo and Polixenes to escape. In this text, no mention is made of aiding the men to flee from Sicily. No such reading appears in other translations. The supposed offence of counselling and aiding is clearly articulated in the texts by Rossowski [“byłaś pomocną sprzysiężenia uczestnikom zarówno radą jak czynem i tobie tylko mają zawdzięczać, że nietknięci, pod osłoną nocy uszli z miasta”, Rossowski 1895, 103], Ehrenberg [“radą i pomocą skłoniłaś ich, dla ich bezpieczeństwa, do nocnej ucieczki”, Ehrenberg 1879, 45], and Ulrich [“radziłaś im i pomogła, aby w ucieczce ratunku szukali”, Ulrich 1877, 730]. Other translators also remain faithful to the wording of the original play. Słomczyński, Barańczak, and Kamiński describe the offence of conspiracy thus: “wsparłaś ich obu radą i pomocą, aby mogli zbiec bezpiecznie wśród nocy” [Słomczyński 1981, 69]; “wsparłaś zbrodniarzy radą i pomocą, umożliwiając im salwowanie się ucieczką pod osłoną nocy” [Barańczak 1991, 191]; and “wskazując im ratunek w nocnej ucieczce i służąc pomocą” [Kamiński 2014, 117]. One more discrepancy between the English and Polish wording of the indictment warrants a brief remark here. The two escapees, Polixenes and Camillo, vanish from the court at night, which gives the scene a flavour of secrecy and suddenness. This piece of information is overlooked in Ulrich’s translation. According to the indictment in Ulrich’s text, Hermione incriminated herself when she helped the two men to flee from

Leontes' premises. No indication is made about the precise moment when the instantaneous disappearance happened.¹⁰

After the indictment is read, and the charges presented, Hermione responds to the accusation in her defence speech, interrupted on several occasions by Leontes' contradictory statements and paroxysms of jealousy. She pleads not guilty and boldly ignores all the invectives that her husband hurls before the lords and officers. She denies any sexual liaison with Polixenes, and cooperation with Camillo, to facilitate in the supposed fleeing of the accomplice from Sicily. When mentioning the name of Polixenes, Hermione uses the phrase "with whom I am accused" (3.2.60-61). This reflects the special legal provisions concerning the crime of high treason which were binding in England when Shakespeare composed his works. A person who was charged with aiding and abetting the principal, or instigating him to commit the crime, was classed as a principal rather than an accessory before or after the fact, as applicable to other offences. In other words, all people involved in the committal of high treason were considered principals [Baran 1996, 75-77]. Polish translations offer various equivalents of the English legal expression. Ehrenberg's version contains the previously analysed legal term *obwiniony*: "współ ze mną obwinionego" [Ehrenberg 1879, 47]. A similar equivalent is used in Słomczyński's text: "z którym mnie obwiniasz" [Słomczyński 1981, 70]. Rossowski's translation attempts to render this phrase poetically, which is not in sync with the original: "z którym mnie sprzęgacie / Łańcuchem skargi" [Rossowski 1895, 104]. The versions by Ulrich, Lewik, Barańczak, and Kamiński make clear references to criminal law and its proceedings. Ulrich's passage is as follows: "z którym mnie oskarżasz" [Ulrich 1877, 731]. Lewik's version reads: "Z którym... o zbrodnię jestem posądzona" [Lewik 1961, 76]. In the texts by Barańczak and Kamiński, the *accused* is rendered as *współoskarżony*, a term belonging to the domain of criminal law, meaning a person who answers criminal charges in the same proceedings as another individual: "współoskarżonego / W moim procesie" [Barańczak 1991, 193]; "Współoskarżonego" [Kamiński 2014, 119]. The quoted English line is purified compared to its legal connotations in Drozdowski's version of the play. The phrase "z którym mnie kojarzysz" [Drozdowski 1978, 61] does not concord with the court speech. Such a translation significantly dilutes the image of Hermione as portrayed by Shakespeare in the trial scene. As gathered from the original, Hermione epitomises not only eloquence and oratory skills, but is also cognisant as regards the law and legal reasoning when defending her case and arguing against the circumstantial evidence.¹¹

¹⁰ This inaccuracy is corrected in the 1973 edition of Ulrich's translation. In this version, updated and revamped by the editors, the same passage reads: "radziłaś im i pomogła, aby w ucieczce nocą ratunku szukali" [Helsztyński et al. 1973, 652].

¹¹ So is Paulina, a devoted advocate and spokeswoman of Hermione throughout the whole play, defending her good name and honour and rebuking a flow of vituperation that pours from

Hermione finishes her statement with words encapsulating the essence of justice, not just in the Shakespearean epoch but also in contemporary times. The Queen pronounces that if she is condemned solely on the basis of her husband's surmises rather than sound proof, the whole proceedings shall be dismissed as "rigour and not law" (3.2.112). Hermione alludes here to *the rigour of the law*, a strict, severe letter of the English law as the antithesis of justice and fairness [Spevack 2002, 452; Crystal and Crystal 2002, 376]. The strictness of English common law was mitigated in the Chancery Court, supervised by the very Lord Chancellor who issued decrees according to the rules of equity [Jones 2011, 22-23; Justyńska and Justyński 1994, 26-28]. Referring now to the Polish translations, the phrase that prevails is "przemoc, nie prawo" [Słomczyński 1981, 72; Barańczak 1991, 195; Kamiński 2014, 121] and "gwałt, nie prawo" [Lewik 1961, 79; Rossowski 1895, 105]. Ulrich translates this part literally as: "To srogość nie prawo" [Ulrich 1877, 731]. Hermione, in Ehrenberg's version, opposes justice and lawlessness: "Nie będzie to sprawiedliwością, a bezprawiem" [Ehrenberg 1879, 49]. Drozdowski confines his translation to a statement: "to nie jest proces, to jest nadużycie" [Drozdowski 1978, 63] and thus alters the sense of the original. His Hermione cites the argument of a misappropriation of the legal procedure rather than a travesty of justice to support her plea of not guilty.

Before concluding our discussion on English law in Polish versions of *The Winter's Tale*, let us briefly elaborate on the stage directions that accompany the main text of the play. While comparing Polish translations of *The Winter's Tale*, we can notice some discrepancies, which admittedly might have a bearing on the interpretation and staging. The first point to broach here is the venue of the trial scene. Słomczyński's rendering only reads that Leontes, the lords, and the officers enter the stage. No further clues are provided as to the exact place where they congregate to deliberate on Hermione's case. Rossowski's and Lewik's texts are also sparse in details concerning the location of the trial. They both inform the readers and the audience that Hermione's case takes place in a courtroom ["Sala sądowa", Rossowski 1895, 102]; ["Sala sądowa" Lewik 1961, 74]. Other translations provide more specific locations for the trial. Ehrenberg envisages the trial of Hermione in a courtroom at the King's palace ["Sala sądowa w pałacu królewskim", Ehrenberg 1879, 44]. The stage directions in the translations by Ulrich, Barańczak, and Kamiński say that Hermione is tried in the tribunal ["Trybunał", Ulrich 1877, 730], public tribunal ["Trybunał publiczny", Barańczak 1991, 191], and a courtroom of the tribunal ["Sala rozpraw trybunału", Kamiński 2014, 116]. Finally, Drozdowski

Leontes' mouth. Paulina's legal shrewdness is markedly evinced in the prison scene, in which she instructs the royal guard that Hermione's recently delivered baby daughter is innocent of the guilt imputed to her mother and is thus not a prisoner in the eyes of the law (2.2. 58-64). In the period after the trial, Paulina exercises the role of a personal adviser and confidant, akin to that of a legal guardian, of the emotionally incapacitated Leontes who unreservedly succumbs to her authority.

projects the trial scene in an open space, under the sky [“Sąd pod otwartym niebem”, Drozdowski 1978, 59].

When commenting on the possible venue of Hermione’s trial, we can have recourse to historical data, notably the extant trial records of high treason, distinctive among which is the trial of Henry VIII’s second wife, Anne Boleyn, as well as textual clues that Shakespeare himself included in his play. The tradition of conducting public trials was widely practised in the period of the Middle Ages and the Renaissance, not least in England but also in other European countries, Poland included [see Dąbkowski 1937, 8]. In state trials, which ignited the most heated uproar among the populace, as did the case of Anne Boleyn, and surely the case of Hermione, it was routine to proceed on special platforms or scaffolds specially erected for this purpose in the vicinity of the royal palace, frequently in the hall [Bellamy 1979, 133-137; Schauer and Schauer 1980, 62]. We also cannot ignore the hints evident in the text of *The Winter’s Tale*. In her court speech, Hermione complains that she was brought by force “to this place, i’ th’open air” (3.2.103), still in confinement. John Pitcher, in his edition of *The Winter’s Tale*, supposes that the English phrase used by Shakespeare might provide an inkling either that the court proceedings are conducted in the open air, or that Hermione is transported to her trial in an open cart, or on foot, as was habitually and ostentatiously enforced in Renaissance England to punish prostitutes [Pitcher 2010, 66-67, 227]. It is hard to disagree with another scholar, Patricia Tatspaugh, who remarks that the theme of changing spaces reverberates throughout the play. As she puts it, the action of *The Winter’s Tale* gradually progresses from interior, private spaces to open, public spaces [Tatspaugh 2002, 98-99]. In light of what has been said so far, we can thus assume that the location of Hermione’s trial might be a short distance from the royal palace, most likely in its precincts, in an outdoor hall or a courtroom, big enough to accommodate Leontes, lords, officers of law, and spectators.

The second issue, which surfaces when analysing the stage directions, is the composition of the court. Based on the original, we gather that the Sicilian court comprises Leontes, his lords, and legal officers serving an ancillary role during the trial. Throughout the whole scene, Leontes combines the roles of a presiding judge and a prosecutor. He issues orders to read the indictment, asks Hermione questions, and accuses her of the charges. The whole trial scene is, in essence, a confrontation between the husband who is deluded by jealousy and his accused, and innocent, as it is later revealed, wife. During the trial, Leontes is assisted by other officers of the court. One of them, simply called a court officer, is mostly preoccupied with such tasks as reading the indictment, presenting a sword on which Cleomenes and Dion place an oath that they delivered the oracle of Apollo intact, and, in the final part of the proceedings, announcing Apollo’s verdict as being favourable to the Queen.

In the majority of the Polish translations, as in those by Ehrenberg, Rossowski, Barańczak, and Słomczyński, the court is composed of Leontes, *panowie/dworzanie* (lords), and *urzędnicy trybunał/urzędnicy sądowi* (court officers). The duty of familiarising the participants of the proceedings with the indictment, taking oaths, and disclosing Apollo's judgement is entrusted in these versions to *urzędnik* (the court officer). In Drozdowski's *Ballada zimowa*, Leontes, *panowie*, *urzędnicy*, and *sędzia*, form the Sicilian court. The role of the judge in this translation is limited exclusively to the functions performed in the original play by the court officer. In Ulrich's text, Hermione's case is heard by Leontes, *panowie*, *urzędnicy*, and *sędziowie*. The court in Ulrich's rendition is filled with two additional officers: *woźny*, who reads the indictment and *pisarz* (scribe) who takes the oath from Cleomenes and Dion and announces the Delphian oracle. *Woźny* also appears in Kamiński's text.

Woźny, or *woźny sądowy*, derived from the Polish word *wozić* (to carry, deliver, submit), has occupied a significant position in the Polish judicial system since the Middle Ages. The first written records which mention this institution date back to the 13th century; however, it is probably a legal term of earlier provenance. The duties of this long-standing officer of the law encompassed, among other things, serving pleadings and other court correspondence on the parties, notifying litigants of the venue and date of the court proceedings, pronouncing and executing court decrees, investigating crime scenes, and keeping order during the court session by reprimanding wranglers and rioters [Rymaszewski 2008; Kutrzeba 1927, 78-82; Góralski 1988, 226-230].¹² *Pisarz*, in English, a scribe or a court reporter, took charge of the secretarial office of the court, and drafted judgements, decrees, and briefs [Góralski 1988, 115-116, 193].

In Kamiński's versions of *The Winter's Tale*, the list of the dramatic personae of the trial scene is also supplemented by the judges of the tribunal. As the stage directions in Kamiński's translation inform us, Leontes, *wielmoże* (lords), and judges enter the stage at the commencement of Scene Two, Act Three. When Hermione finishes her speech with her submission to the verdict of the oracle, several judges leave the stage, probably to make deliberations. They appear again after Hermione's short monologue to hear the oracle read

¹² There are ample references to *woźny* in the literature. The most prominent and vibrant literary example of this legal dignitary is *Woźny Protazy* in Adam Mickiewicz's *Pan Tadeusz*. In Book Six of this Polish classic, Mickiewicz portrays a vivid scene of Protazy's arduous expedition to the castle of Hrabia to serve Sędzia's complaint, bringing to the foreground the hardships of handing down court documents to enraged defendants, who used many devices to avoid a summons before the courts, including recourse to assault and battery. Also, another progenitor of Polish romantic literature, Juliusz Słowacki, in Act Five of *Balladyna*, a play of 1834 in which secular, moral, and divine law saliently amalgamate, fashions a trial with *woźny* and *kanclerz* as two court functionaries at the service of Balladyna. *Woźny* opens the court sessions and summons three prosecuting parties, Lekarz, Filon, and Wdowa, who bemoan the injuries and wrongs committed by the titular protagonist.

by *woźny*. Lewik, contrary to other translators, introduces *Herold* (Herald) as a court clerk. The duties incumbent on Herald included conveying messages from the monarch, announcing royal proclamations, overseeing royal coronations and funerals, keeping genealogies, and conducting knightly tournaments [Crystal and Crystal 2002, 218; Garner 2014, 841-842]. It is present in Shakespeare's tragedy, *King Lear*, in the scene of combat between Edmund and Edgar.¹³ Lewik's rendering also points to the presence of the audience during the trial. As we read in this text, Leontes positions himself on his throne at the back of the stage. Next to him stand *panowie* (lords) and *dworzanie* (servants). On the left and right side, there is a crowd of Sicilians assembled to watch the spectacle. The participation of this audience of Sicilians at the Queen's trial conforms with the original text. After the session has been pronounced by Leontes, the court officer orders the prisoner to be brought to answer the accusation in person. Hermione enters the court in the company of her loyal servant, Paulina, and other ladies. Upon her appearance, the officer shouts "Silence!", which is an overt indication that the arrival of the alleged adulterer and traitor has provoked some disturbance in the room.

The differences in stage directions sketched above result in the projection of divergent images of the trial scene. As indicated, the Polish authors avail themselves of various approaches when depicting the trial of Hermione, such as limiting the court space in the royal palace, with Leontes and his entourage exercising the role of the judging panel, a pattern which prevails in Ehrenberg's version, localising the trial in an outdoor space, under the open sky, as is the case in Drozdowski's translation, or designating a tribunal with a cadre of professional legal personnel such as judges, an usher, and a scribe, as part of the court proceedings, which can be found in the texts by Ulrich and Kamiński.¹⁴ Other translators, namely Rossowski, Lewik, and Słomczyński, avoid explicit references to the trial venue, thus leaving more room for interpretation.

¹³ Among many literary examples of Herold is the White Rabbit, one of the protagonists of Lewis Carroll's *Alice's Adventures in Wonderland*, who serves the King and Queen of Hearts during the trial of the Knave of Hearts for stealing tarts. The White Rabbit reads the indictment and orders the animals to remain silent during the proceedings.

¹⁴ It may be added, in parenthesis, that the trial scene has generated a multiplicity of theatrical interpretations and ideas that were planted in individual directors' and performers' minds after looking into the Shakespearean play. Some of them construct the aura of a typical court scene with the parties and legal officers involved. In others, the scene of the court proceedings is presented as a cluster of heated altercations between Hermione and Leontes, resembling a domestic row rather than a trial [see more in Bartholomeusz 1982]. John Philip Kemble, for example, embellished his nineteenth-century trial performances with clerks, judges, a scribe, pages, and even priests [Bartholomeusz 1982, 43-44]. In the memorable Stratford production, directed by John Barton and Trevor Nunn in 1976, and criticised by Richard David in his 1978 monograph, the trial scene was reduced to Hermione, standing in the middle of the stage, and a group of attendants, sitting on the ground in a circle around the Queen. Such a presentation, as David remarks, paralleled the execution of justice spread among "nomadic tribes" rather than at the Royal Court [David 1978, 11, 223-224].

To conclude, the selected passages analysed in this paper obviously do not exhaust the entirety and complexity of the topic of English law in Shakespeare's original plays and their Polish renditions. A detailed comparison of all the plays authored by the Bard from Stratford and their Polish counterparts in terms of legal references still awaits further research. The abundance of material to investigate promises interesting findings. This concise study, however, casts some light on the difficulties of translating Shakespearean legal language, and the policies of the translators in rendering the law-embedded scenes into the Polish language. As has been elucidated above, a major intricacy of translating the plays which are centred on legal issues, a group in which *The Winter's Tale* surely belongs, along with such titles as *The Merchant of Venice* (1596/1597) and *Measure for Measure* (1603/1604), is the incompatibility of English common law and Polish civil law, the consequence of which is the untranslatability of many legal terms, especially at the institutional and procedural level. As far as the English law is concerned, the era in which Shakespeare composed his works, known in literature as the litigious era, was particularly prolific in legal amendments and innovations.

Another conclusion which ensues from the research outlined above is that, the existent cultural, legal, and linguistic barriers notwithstanding, Polish translators have adopted a rich repertoire of strategies when rendering the trial scene in *The Winter's Tale*. Confronted with the task of reconciling two divergent legal cultures, some of these translators offered Polish legal substitutions with closely related meanings (e.g. *to arraign*- *oskarżyć*, *osądzić*), whilst others replaced source items with legal terms belonging to the lexicon of Polish law, yet not overlapping or departing to any great extent from the original (*to arraign*- *przesłuchać*, *pozwać*). In many instances, they modified the English version by omitting certain elements, thereby distorting the message conveyed by the source text, as is the case with the phrase, "didst counsel and aid them" (3.2.19-20). Some translators neutralised and softened the legal language of the original, and used terms with a nonlegal meaning, whereas others retained the simplicity and formality of the legal communication, the most conspicuous examples being Polish translations of the phrase "with whom I am accused" (3.2.60-61). Most of the discrepancies between the Polish versions have been reported in the stage directions. The Polish translators suggest various guidelines as to the locality of the tribunal and its composition. Thus, depending on the version, different images of Hermione's trial scene are sustained, either in her husband's royal palace, in an open space, or a tribunal. Her case comes before various dignitaries, such as judges, noblemen, and assisting clerks. Some texts feature the names of Polish court officers, for instance *woźny* and *pisarz*, thus domesticating the original play into the target legal reality.

The comparison between the Polish versions produced over a long time span, the earliest versions being published in the 19th century, and the most

recent in 2014, also shows the evolution of the Polish legal language. As the language of law has evolved, certain Polish legal terms evident in the Polish translations, may sound obscure and archaic to the modern audience. Obsolete as the nineteenth-century Polish renderings might seem, they have the merit of being reflections of the legal terminology which constitutes Polish cultural heritage. To put it another way, the study has thus revealed that the corpus of Polish Shakespearean translations may act as a barometer of legal reforms induced by cultural, political, and social changes. Clichéd as it may seem, the abundance of legal terminology in Shakespearean plays necessitates their reading not solely against the legal, cultural, and literary Elizabethan and Jacobean background, but also, as the present study has aspired to prove, against the English and Polish legal context.

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