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The embarrassment during interpreting in the courtroom and at the police station

ABSTRACT

The embarrassment during interpreting in the courtroom and at the police station

This article presents the results of a survey on feeling of embarrassment in response to phrases of varying degrees of vulgarity and obscenity, as well as the perceived problem when interpreting these phrases during interrogation in court and at the police station. The feeling of embarrassment can, in the author's opinion, act as a blocker and affect the way in which testimonies are interpreted. A total of 99 interpreters of different ages, education and experience participated in the study. Their task was to determine the degree to which they felt embarrassment in response to potentially problematic phrases, as well as to determine whether it would be difficult for them to interpret vulgar and obscene phrases during a trial and during police interrogation. The respondents' answers were compared according to their age, gender, experience and education. The only variable in which a statistically significant difference was found was the gender of the respondents. The article also discusses the comments of the respondents, who briefly described their experiences in interpreting problematic content and their strategies for dealing with such situations. They also shared their comments on the education process and professional interpreter training.

Keywords: court interpreting, community interpreting, public service interpreting, emotions in interpreting, embarrassment

1. Introduction

A sworn interpreter in Poland plays a vital role in criminal proceedings involving foreigners. According to the principle of equal access to justice, which stems directly from national and EU laws governing criminal cases, every

participant in the proceedings, especially the suspect and the accused, is to have access to information and the opportunity to present their point of view. If the proceedings involve a person who is not sufficiently fluent in the official language in which the proceedings are conducted, they have the right to use an interpreter. The quality of the interpreter's performance will undeniably impact the substantive and procedural fairness of the proceedings, which is why it is so important that the interpreter be as free as possible from distractions. However, some factors cannot be completely eliminated, which should be of interest to researchers in interpreting studies, so it is possible to minimise their impact and prepare sworn interpreters for what can negatively affect their attitude, work comfort, and interpreting quality. According to the author of this article, such a factor may be the feeling of embarrassment caused by the inappropriateness of the content to be interpreted.

This article discusses the results of a survey conducted to determine whether interpreters feel embarrassed when interpreting inappropriate content and, if so, whether they perceive such text as difficult to interpret in court and at police stations. The discussed study was conducted in relation to the psychological basis of embarrassment as a secondary emotion, as well as the role of the sworn interpreter in the Polish justice system.

2. Embarrassment in psychological terms

In functional terms, each emotion has a specific set of relationships that are supposed to support problem-solving and benefit us (Keltner/Anderson 2000) – even if the emotion is perceived as negative (e.g., anger). Emotion, as an effect of the cognitive processing of a stimulus (Jankowska/Imbir 2022), is supposed to tell us whether a situation is appropriate and desirable for us and then is supposed to guide our actions. In the cognitive-attribution approach, emotions are triggered by cognitively processed stimuli. At the same time, emotions can trigger cognitive elements, all of which are planted by the norms and rules of a given society (Jaros 2018: 35–36). We internalise these norms in the course of growing up and being raised in a certain community – they are necessary for proper social functioning, acceptance, and thus building a correct self-image (*Self*). Psychology distinguishes between primary emotions, such as joy, anger, shame, disgust, sadness, fear, and complex emotions (also called secondary emotions), which are assumed to be fully dependent on cognition (e.g., embarrassment, jealousy, gratitude, guilt, pride) and take on a mature form only at later stages of individual development (Danieluk 2013: 303). According to Michael Lewis, secondary emotions relate to the *Self*, which is why he calls them *self-conscious emotions* (Zahavi 2010: 1). Since these emotions arise precisely in relation to moral values, that is, they are evoked in

situations of right or wrong behaviour, they are also called *moral emotions* (*moral affect*) (Tangney 1991: 599).

It is assumed that shame, including embarrassment, is a natural regulator of social life, as it signals that moral norms have been violated (Weir 2012). It is believed that showing embarrassment is a form of apology for violating existing norms and is intended to repair relationships with people. At the same time, as Hu and Tsai (2024) point out, embarrassment also has its dark side and can affect numerous facets of human social behaviour, as it can be an inhibitor of appropriate behaviour because of fear of criticism, ridicule or loss of face. An example of such an inhibiting effect of embarrassment might be purchasing condoms, the use of which is reasonable and desirable for the sake of, for example, preventing the transmission of STDs, but the shame felt during the purchase can effectively discourage their acquisition, and thus their use:

[F]ear of embarrassment causes people to behave in really irrational ways [...]. Understanding more about the emotion itself can help people decide when they should think twice about embarrassment preventing them from engaging in behaviours (Weir 2012).

3. Specifics of Polish sworn interpreters' work

It is understood that interrogation is the most frequently performed activity in criminal and civil proceedings and that personal evidence, i.e. testimony given during the proceedings, is of significant importance for the resolution of the case. If a participant in a proceeding conducted by Polish judicial authorities does not have a sufficient command of the Polish language, he or she has the right to the free assistance of a translator and interpreter, which is guaranteed not only by Polish regulations, but also by international acts, such as the Convention for the Protection of Human Rights and Fundamental Freedoms (Article 6(3)(e)) or Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (and others). The participation of an interpreter is intended to ensure that a foreigner has equal access to justice and that Polish trial authorities are able to conduct a fair and honest investigation and resolve the case. The absence of an interpreter during procedural actions involving a foreigner may result in their defect of invalidity (Jachimowicz 2019: 62–64). According to the law regulating the profession of a sworn translator and interpreter, a translator/interpreter is obliged to perform translations and interpreting with special care and impartiality (Article 14 of the Act of 25 November 2004 on the Profession of Sworn Translator). This provision is made more specific in the Professional Code of Sworn Translators and Interpreters, which additionally obliges the translator/interpreter to be faithful, to produce

translations and interpretations in accordance with the art, and to exercise due care in the relevant circumstances prescribed by criminal law (TEPIS 2018). Still, the implementation of these guidelines may pose difficulties when it comes to interpreting, during which the interpreter has to make *ad hoc* decisions, often under stressful conditions, and idiomatic expressions or vulgarisms are subject to interpretation.

Vulgarisms, as expressions that violate linguistic taboos, express the sender's emotions (Grochowski as cited in: Hądzlik-Dudka 2014: 158), which should be rendered in interpreting. At the same time, they can evoke emotions in the interpreters, such as embarrassment caused by being forced to interpret content that harms their individual linguistic sensitivity or is inappropriate to the situational context (e.g., the courtroom). Vulgarisms, therefore, are not something that can be overlooked in interpreting (Vincenc 2017). Magdalena Hądzlik-Białek (2018: 92) rightly points out that breaking a linguistic taboo has an impact on the perception of the sender of the message. Verbal behaviour that deviates from the social norm can indicate, for example, a high level of aggression, disorder, or uncontrolled emotions of the sender, while the vulgarisms cited by the person interviewed may reflect the nature of the situation being described by them, which is why it is so important that they are rendered during interpretation, regardless of the interpreter's possible discomfort.

4. Description of the study

The study was conducted in the form of an anonymous questionnaire distributed online. The survey was conducted in Polish and was attended by Polish sworn interpreters. It consisted of three parts. In the first part, respondents were asked to indicate on a five-point scale the extent to which they felt embarrassment in response to phrases of varying degrees of vulgarity and obscenity, where "1" meant no embarrassment and "5" meant very strong embarrassment. The phrases were formulated in Polish and were meant to be a stimulus to cause potential embarrassment in the survey participants. Since the survey was a pilot study, interpreters of all languages were invited to participate, and they were asked to imagine that they had to interpret these specific phrases in the courtroom and at the police station, regardless of whether it was in Polish or in a foreign language. While the author is aware that the process of interpreting into a mother and a foreign language is different, she was primarily interested in finding out whether the phrases given in the study caused embarrassment to the sworn interpreters at all, and whether this embarrassment would have any impact on their work at the police and in court. This limitation is discussed in the study's summary.

The material used in the survey was created by the author and subjected to consultation with Polish language users, who assessed the extent to which, in their opinion, particular phrases could be problematic in their reception and cause embarrassment. A total of four people participated in the consultation. In the study, phrases referring to sexual activities were chosen due to the fact that the sexual sphere is highly tabooed, thus evoking strong embarrassment (Bungener et al. 2022; Cetina 2024; Gorajska et al. 2018). As mentioned earlier, embarrassment is an emotion aroused in response to socially condemned behaviour, which is why linguistic taboos were also included in the phrases (Finkelstein 2018; Pluszczyk 2015; Trendowicz 2023), i.e. obscene and vulgar expressions that, in combination with the topic of sex, could – in the author's opinion – evoke the strongest emotional reactions in the respondents.

The phrases were divided into four categories, and each category included three statements. The author intended each category to be a stimulus of varying degrees of severity. The weakest stimulus was to consist of phrases in which the senders spoke generally about sexual intercourse. In the next category, the phrases were also about having sex, but they were more specific descriptions of sexual intercourse. The third and fourth categories were to be the strongest stimulus, in which potential embarrassment would be caused by obscene expressions and vulgarities.

1. First category – General phrases

Phrases in this category generally referred to sexual activities and did not contain vulgarities or obscene expressions:

- *He touched her breasts and buttocks.¹*
- *All I know is that they fondled each other. Nothing else.*
- *First, we had sex gently, and then it got rough.*

2. Second category – Specific phrases²

This one included statements describing the details of sexual intercourse that did not contain vulgarities or obscene expressions:

- *I saw that he was tied up, his legs were spread apart, and one by one, they had sex with him.*
- *He put his penis in my mouth so deep that I literally felt it in my throat.*
- *He took off my panties and inserted a finger into my vagina, unzipped his pants and began to masturbate.*

1| Original version of the phrases in Polish:

- *Dotykał jej piersi i pośladków.*
- *Wiem tylko, że się pieścili. Nic więcej.*
- *Najpierw uprawialiśmy seks delikatnie, a później zrobiło się ostro.*

2| Original version of the phrases in Polish:

- *Widziałam, że był związany, nogi miał rozszerzone, a oni po kolei go brutalnie gwałcili.*
- *Wsadził penisa do ust tak głęboko, że poczułam go dosłownie w gardle.*
- *Zdjął mi majtki i wsadził mi palec do pochwy, sam rozpiął spodnie i zaczął się onanizować.*

3. Third category – Obscene phrases³

This category included descriptions of sexual relations containing obscene expressions. Obscene expressions are defined as expressions that violate commonly accepted moral norms by referring to sex (WSJP):

- *He claimed that he shot his wad all over her face.*
- *He wanted to fuck her so hard that she wouldn't be able to walk.*
- *I'm convinced she gave him a blow job.*

4. Fourth category – Vulgar and obscene phrases⁴

The last category included phrases containing obscene expressions and vulgarities, which are understood to be words or expressions considered to be indecent, unseemly and rude (WSJP). In this category, the two types of expression were combined to increase the potential stimulus for embarrassment:

- *You can ram that whore on your hard cock.*
- *My buddy will never say no to a good fuck and a nice pussy.*
- *This cunt licked my balls and sucked me off so hard I couldn't take a piss for 3 days.*

In the second part, the respondents were asked to rate on a five-point scale how much they thought it would be a problem for them to interpret all 12 phrases when interpreting to the police. In the final part of the survey, respondents were asked to rate the difficulty of interpreting the same phrases during a court hearing.

A pilot study preceded the survey to identify possible problems in the survey design, primarily phrases that constitute a potential embarrassment stimulus. A total of 12 interpreters participated in the pilot, and the survey design was the same as in the actual survey. Indeed, during the pilot study, isolating a phrase evoking emotions other than embarrassment was possible. Namely, in one of the original phrases, there was information about sexual violence, which evoked disgust and a sense of horror in the respondents ("I saw that he was tied up, his legs were spread apart, and one by one they brutally raped him"). This phrase was replaced by another ("I saw that he was lying on the floor, his legs were spread apart, and one by one they had sex with him").

3| Original version of the phrases in Polish:

- *Twierdził, że spuścił jej się na twarz.*
- *Chcę ją zerżnąć tak, żeby nie umiała chodzić.*
- *Jestem przekonana, że mu wtedy obciągnęła.*

4| Original version of the phrases in Polish:

- *Możesz taką kurwę nabić na boleć*
- *Kolega dobrym ruchaniem fajnej cipki nigdy nie pogardzi.*
- *Ta pizda lizala mi wora, a potem zrobila mi taką gałę, że przez 3 dni nie mogłem sikać.*

The study adopted the following objectives:

1. To test whether the presented phrases cause embarrassment to interpreters and whether the level of embarrassment depends on the degree of vulgarity and obscenity;
2. To check whether the respondents' answers vary according to gender, education level, work experience and age;
3. To check whether the respondents' expected level of difficulty in interpreting the phrases is related to the level of embarrassment they feel;
4. To see if there is a difference in the expected difficulty of interpreting particular phrases in pre-trial and trial settings.

A total of 99 people took part in the survey. The questionnaire was addressed to those who practice the profession of interpreting and participate in procedural activities at the pre-trial and trial stages. The vast majority of the respondents were women (76%), and the remaining group was made up of men (no one selected the "other/do not want to specify" option), which, to the author's knowledge, reflects the population structure of translators in Poland. Respondents defined their age in terms of 4 age groups: the least numerous group was the youngest, 21–30 years old (6%), two age groups were almost equal, 31–45 years old (41%) and 46–60 years old (37%), while the group of people over 60 years old was represented by 16% of respondents. The vast majority of respondents had a master's degree (78%), 17% declared a doctorate or higher, and 5% had a bachelor's degree. In terms of experience working for the judiciary (police, prosecution, courts), the group with experience in the range of 11–20 years was the most represented – 44% (16%: less than 5 years; 16%: 5–10 years; 24%: more than 20 years).

5. Study results

From the respondents' answers, it appears that, indeed, the four categories of phrases used in the survey represent a stimulus of varying degrees of intensity. General phrases evoked the lowest level of embarrassment, while vulgar and obscene phrases evoked the highest. Chart 1 (p. 168) shows the total points awarded by all of the respondents in each phrase category.

According to the author's assumptions, the level of the respondents' anticipated difficulty in interpreting phrases was directly proportional to the level of perceived embarrassment, meaning that the least challenging would be interpreting general phrases, and the most challenging would be interpreting vulgar and obscene phrases. Indeed, the respondents declared that it would be more of a problem for them to interpret these phrases in court (chart 3, p. 168) than at the police station (chart 2, p. 168), but the difference is insignificant.

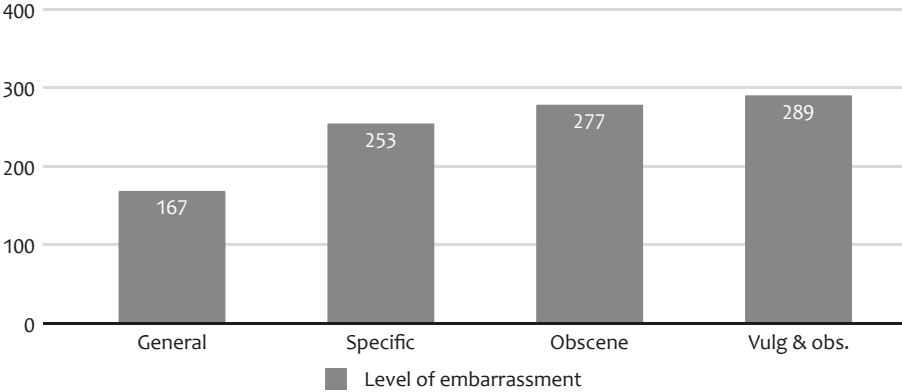


Chart 1: Total scores for each category of phrases in relation to perceived embarrassment

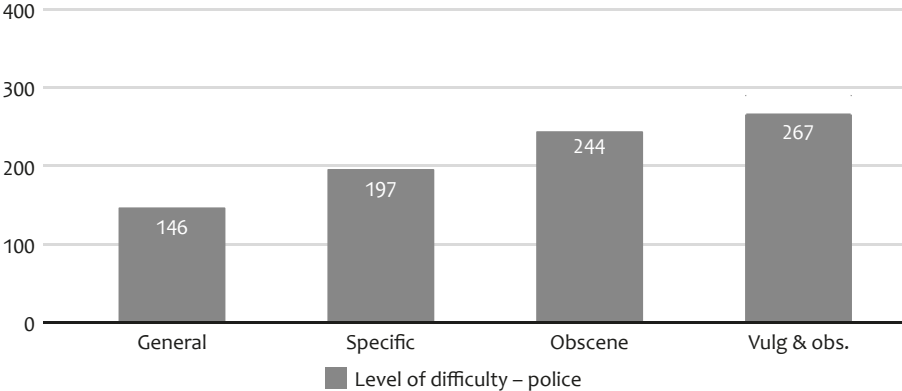


Chart 2: Total scores for each category of phrases in relation to the difficulty of interpreting at the police station

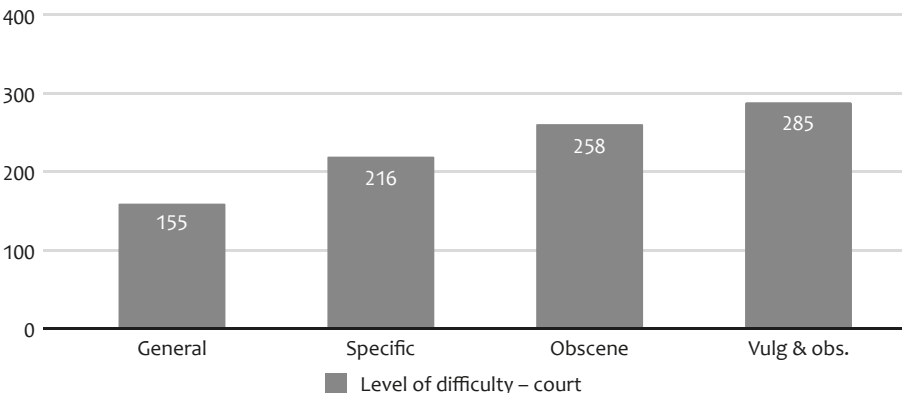


Chart 3: Total scores for each phrase category in relation to the difficulty of interpreting in court

Chart 4 shows the total of all factors studied: the level of perceived embarrassment and the level of expected difficulty of interpreting phrases at the police station and in court, broken down by phrase category.

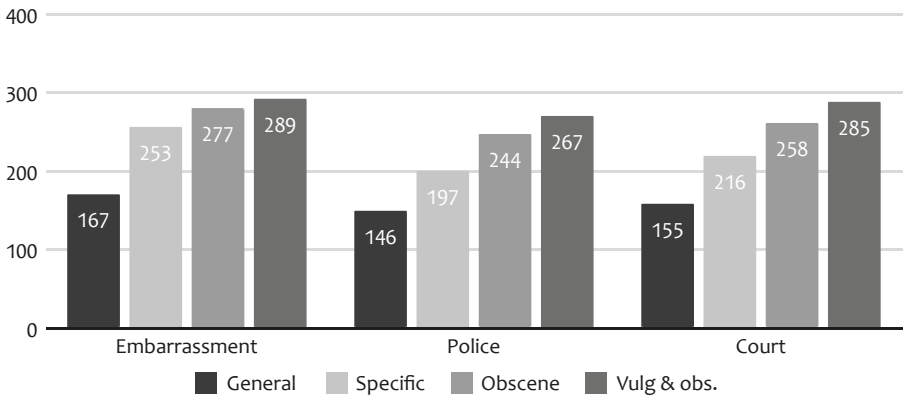


Chart 4: Summary of answers given to the question about level of embarrassment and the level of difficulty in interpreting at the police station and in court

In the next step, the respondents' answers were compared in terms of four variables: gender, age, education and work experience in 3 response categories: level of perceived embarrassment, expected difficulty in interpreting at the police station and interpreting in court. For this purpose, a non-parametric Mann-Whitney U test was conducted. The Mann-Whitney U test is used to compare ordinal data, so it is applicable to this study. In addition, it allows for the comparison of groups of unequal size, so it was possible to compare the aforementioned groups despite their different sizes.

The results of the Mann-Whitney U test showed no statistically significant differences between the respondents with regard to age, education and experience as an interpreter. This means that none of these factors increases tolerance for expressions with sexual, vulgar or obscene content, both in terms of expected embarrassment and perceived difficulty in interpreting such content. The only variable in which a statistically significant difference was found was the gender of the respondents. The difference in responses between men and women was established for the level of embarrassment and difficulty of interpreting at the police station (no difference was found for interpreting in court). A box-and-whisker plot was drawn up to check the distribution of responses between men and women, as shown in Figures 1 (p. 170), 2 (p. 171), and 3 (p. 172).

As seen from the chart below (p. 170), men declare a lower level of embarrassment than women. The difference in responses to the question about the perceived difficulty of interpreting at the police station is statistically significant.

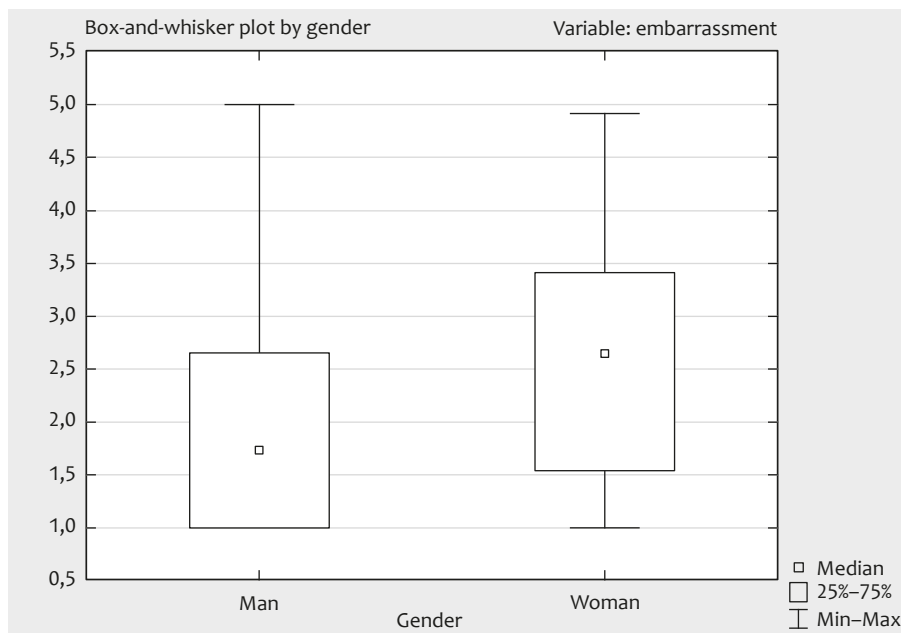


Figure 1: Box-and-whisker plot by gender in relation to perceived embarrassment

Still, as can be seen from Figure 2 (p. 171), the distribution of responses differs from the first and the difference between the groups, although still statistically significant, is smaller as the respondents' responses are less dispersed.

There was no significant difference between the two genders in the case of expected difficulty interpreting in court. Although the medians still differ, men's results are more scattered, the implication being that some respondents who previously declared low levels of embarrassment nevertheless feel difficulty interpreting in court. This raises the interesting question of whether men actually feel lower embarrassment or whether they instead declare lower embarrassment due to gender stereotypes. It may also be that even though embarrassment for difficult content is lower overall, they nevertheless perceive difficulty in interpreting.

In the final, open-ended question of the survey, respondents were given the opportunity to share their general observations about feelings of embarrassment and their possible impact on interpreting. Twenty-two people entered additional comments. The comments highlighted several key points. According to the respondents, the interpreter's comfort and behaviour when problematic content arises during the interrogation is affected not only by their individual sensitivity but also by the attitude and experience of the person conducting the interrogation (judge, police officer), as well as the conditions

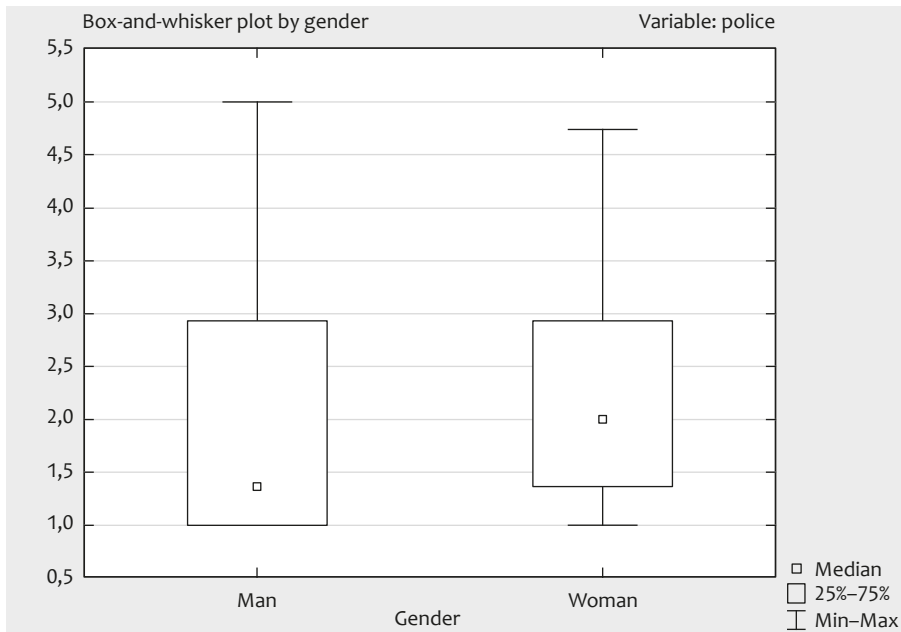


Figure 2: Box-and-whisker chart by gender in relation to expected difficulty when interpreting at the police station

under which the proceedings take place. It was also pointed out that the degree of difficulty in interpreting will depend on the context of the specific case, for example, if the case involves rape or child abuse, the interpreter's discomfort may be greater, as there will also be other strong emotions (sympathy, anger, fear) that may affect the interpreting process and the way the content is broadcast (e.g., voice trembling). Many of the respondents (11 respondents) declared that it was more difficult for them to interpret such content in court due to the formal nature of the hearing, the larger audience and, most importantly, the possible presence of those referred to as victims.

In the interpreters' comments, nine respondents raised that the interpreter should be able to overcome their inhibitions and faithfully render this type of content since any softening of the content or modification of its meaning can affect the course of the proceedings: the qualification of the act, the assessment of the credibility of the interviewed person or the resolution of the proceedings. Seven of the participants stressed that the professionalism of an interpreter includes the ability to distance oneself from difficult content, although, as the respondents admitted, this is sometimes not easy. Eight respondents also pointed out that they had not encountered such situations in the course of their education and preparation for the sworn interpreter profession (e.g., at



Figure 3: Box-and-whisker chart by gender in relation to expected difficulty when interpreting in court

university) and that this should be part of professional training. Six participants indicated that they had to learn to deal with such situations and that, however, dealing with such content came with experience. They learned distance by drawing on the experience of representatives of other professions (e.g. psychologists and police officers), who also have to face uncomfortable situations in their work, causing extreme emotions.

In their responses, six respondents also cited techniques that make it easier for them to deal with an awkward situation and distance themselves from problematic content, such as by warning that vulgar or offensive content is about to be interpreted. Respondents also indicated that they try to keep in their minds at all times that what they are doing is of great importance and influences the course of the proceedings, so they try to focus on the technical aspects of their work and the proper interpreting to keep emotions out of their minds that could interfere with their professional approach to the activities in which they are involved.

Many also pointed out that interpreting vulgarities and obscene expressions themselves can be problematic, which will certainly be a source of stress for the interpreter. A faithful rendering of the meaning, taking into account the context of the spoken words, will be of considerable importance. As some respondents

pointed out – they do not use such expressions in their native language, let alone in a foreign language. Such phraseologisms are particularly difficult to interpret, where the interpreter has to deal *ad hoc* with the difficulty encountered.

6. Summary and discussion

The study discussed in this article should be seen as a starting point for further studies on embarrassment and methods of dealing with this during interpreting. Responses to the survey indicate that for some of the respondents, phrases containing vulgarities and obscene expressions can be a source of embarrassment and cause difficulties in interpreting. At the same time, respondents indicated that this task would be easier for them at the police station than in court due to the less formal nature of police hearings – interpreters also emphasised this in their comments on the survey. The answers given by respondents in the open-ended question show that they recognise the need to include psychological aspects, above all, the impact of emotions on the interpreter's decisions, in the professional interpreter's training. In their opinions, through specific techniques, getting used to such content and a thorough understanding of the interpreter's role, minimising the impact of emotions aroused by the content to be interpreted is possible. Although the survey did not show differences in respondents' answers in terms of experience, in their comments, interpreters indicated that with professional practice and familiarity with such content, they find it easier to handle troublesome situations.

What would need to be examined in further research are the strategies that people who feel embarrassed use. In one comment, the respondent mentioned that they minimised the discomfort caused by the inappropriateness of the content by verbally distancing themselves from the problematic message. It can be assumed that there are more strategies, so it's worth learning about them, as this can be of great importance in the process of training interpreters. It is also worth checking whether interpreters who declare resistance to embarrassing content have developed it with professional experience or through other methods – although the above study did not show differences in the level of perceived embarrassment in terms of experience and age, it can be assumed that there is some factor other than individual sensitivity (embarrassment) that increases tolerance to this type of content.

It is the author's assumption that the study should be followed up with semi-structured interviews with interpreters, during which they would have the opportunity to comment more extensively on the phrases used in the questionnaire survey and discuss ways of dealing with such interpreting situations. In addition, as written in the study's description, it will also be necessary to distinguish the direction of interpreting, as feelings of embarrassment and

difficulty in interpreting particular phrases can be different when interpreting into the native language and into a foreign language.

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