

Power Dynamics in Professional Communication: An English Studies Perspective on Corporate and Legal Discourse

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Abstract

Professional communication in corporate and legal settings is not a neutral exchange of information but a site in which institutional power is continuously enacted, negotiated, and contested through language choice. Drawing on Critical Discourse Analysis (CDA), politeness theory, and genre analysis, this paper examines how power asymmetries between organizational actors, managers and subordinates, lawyers and clients, institutions and lay participants, are constructed and sustained through specific linguistic resources including modality, directive speech acts, hedging, turn-taking control, and lexical formality. The study synthesizes findings from corpus-based workplace discourse research, courtroom interaction analysis, and organizational communication studies to compare how power is linguistically indexed across corporate meeting talk, corporate email correspondence, and legal-institutional discourse (courtroom examination and legal documentation). A comparative methodology is described using discourse-analytic coding of directive strength, politeness strategy selection following Brown and Levinson's face-management framework, and genre-based structural analysis following Bhatia's move-structure approach, applied to workplace discourse corpora and courtroom transcript studies. Reported findings indicate that corporate power is more frequently encoded through indirectness, mitigated directives, and collaborative pronoun use that preserves an appearance of consensus, whereas legal-institutional power is more frequently encoded through direct control of turn allocation, restrictive questioning formats, and specialized register that limits lay participants' interpretive agency. The paper concludes by discussing the implications of these findings for professional communication training, plain-language legal reform, and the broader theoretical understanding of how institutional power operates through, rather than merely alongside, language.

Keywords: Power Dynamics, Professional Discourse, Critical Discourse Analysis, Politeness Theory, Corporate Communication, Legal Discourse, Genre Analysis, Institutional Talk.

I. Introduction

Language is the primary medium through which institutional power is exercised, negotiated, and made visible in professional settings, yet this power is rarely enacted through overt commands alone; it is instead woven into the routine linguistic choices that participants make in meetings, emails, courtroom exchanges, and legal documents [1]. Critical Discourse Analysis (CDA), as developed by Fairclough, treats discourse as a form of social practice that both reflects and reproduces existing power relations, arguing that ideological effects are achieved not through explicit assertion but through the naturalization of particular linguistic patterns that come to seem neutral or common-sense within an institutional setting [2]. This theoretical orientation positions professional communication research within English Studies as directly relevant to understanding organizational and legal power, since the linguistic surface of workplace and courtroom talk is itself a site of power's operation rather than a transparent window onto power relations located elsewhere.

Within corporate settings, power asymmetry manifests through a range of linguistic devices that regulate whose contributions are heard, how directives are issued and complied with, and how disagreement is managed. Politeness theory, as formulated by Brown and Levinson, provides a foundational analytic framework for understanding how speakers mitigate face-threatening acts, such as directives, criticism, or refusals, through

linguistic strategies calibrated to the relative power, social distance, and imposition involved in a given interaction [3]. Crucially, politeness theory predicts that speakers with greater institutional power have both the option and, in many contexts, the social license to use less mitigated, more direct forms, while subordinate speakers are typically constrained toward more elaborately hedged and indirect forms, making the distribution of directness itself a linguistic index of relative power [3], [4].

Empirical corpus-based studies of workplace discourse have substantially extended and complicated this picture. Analyses of spoken business discourse corpora have shown that managers frequently exercise power not through unmitigated directives but through strategically deployed indirectness, including collaborative pronoun use ("we need to," "let's") that constructs decisions as consensual even where they originate unilaterally from a position of authority, a pattern that has been interpreted as reflecting a broader shift in contemporary corporate culture toward the discursive construction of consensus-oriented, rather than overtly authoritarian, management style [5]. Complementary research on gender and workplace power has demonstrated that the relationship between directness and power is further mediated by gender, with female managers in some studied contexts adopting more mitigated directive forms than male managers of comparable organizational rank, a pattern attributed to the interaction between institutional power and gendered norms of appropriate communicative behavior [6].

Legal-institutional discourse presents a substantially different configuration of power enactment. Analyses of courtroom examination transcripts have demonstrated that attorneys exercise control over witness testimony primarily through question type, with the systematic use of restrictive, yes/no, and leading question formats functioning to constrain witness narrative agency and channel testimony into forms favorable to the questioning party's case, a pattern of institutional control operating through the structural asymmetry of question-answer sequences rather than through lexical directness [7]. This asymmetric control of turn-taking and topic has been further analyzed within the broader framework of institutional talk, which distinguishes ordinary conversation, characterized by locally negotiated turn-taking, from institutional interaction, in which turn-taking rights, question-asking privileges, and topic control are systematically allocated according to institutional role rather than interactional symmetry [8].

Genre analysis, as developed within English for Specific Purposes (ESP) research, provides a complementary lens for understanding how legal and corporate power is encoded not only in spoken interaction but in the conventionalized textual structures of professional written genres. Legal documents, including contracts and statutory texts, have been shown to exhibit a highly conventionalized "move structure" in which specialized register, nominalization, and syntactic complexity function to restrict interpretive access to those trained in the genre's conventions, thereby reinforcing the institutional authority of legal professionals over lay clients who must rely on expert mediation to access the document's operative meaning [9]. This genre-based reinforcement of professional power has been identified as a persistent driver of the plain-language legal reform movement, which advocates for simplified legal drafting on the grounds that syntactic and lexical complexity in legal texts functions, whether intentionally or not, as a barrier to lay comprehension and thus as a mechanism of professional gatekeeping [10].

Bourdieu's concept of linguistic capital offers a further theoretical resource for understanding why these discourse patterns sustain rather than merely reflect institutional power: control over the "legitimate" register of a professional field, whether corporate managerial discourse or legal register, constitutes a form of capital that is unevenly distributed and that confers advantage on those who possess it, meaning that linguistic competence in the dominant professional register is itself a mechanism of social stratification within organizational and legal fields [11]. This paper synthesizes these theoretical and empirical strands to provide a comparative English Studies analysis of how power is linguistically constructed across corporate and legal-institutional discourse, examining both spoken interaction and written genre conventions.

Research Objectives

1. To examine the linguistic mechanisms through which power asymmetry is constructed in corporate workplace discourse.
2. To analyze the structural and interactional mechanisms of power enactment in legal-institutional discourse.

3. To compare politeness strategy selection and directness patterns across corporate and legal professional settings.
4. To evaluate genre-based textual mechanisms that sustain professional linguistic authority in legal documentation.
5. To identify implications of these findings for professional communication training and plain-language reform.

II. Literature Review

2.1 Critical Discourse Analysis and the Linguistic Construction of Power

Critical Discourse Analysis positions language not as a neutral vehicle for pre-existing power relations but as a constitutive site in which such relations are produced, sustained, and occasionally contested [2]. Fairclough's three-dimensional model, analyzing text, discursive practice, and social practice as interlocking levels, has been widely applied to organizational discourse to demonstrate how seemingly routine textual and interactional choices, memo phrasing, meeting agendas, performance review language, accumulate into patterns that naturalize managerial authority as common sense rather than as an interested exercise of institutional power [2]. Van Dijk's complementary socio-cognitive approach to CDA emphasizes that discourse-based power operates significantly through control of access, who is permitted to speak, in what settings, and with what degree of institutional legitimacy, framing access control itself as a fundamental precondition for the exercise of discursive power within organizations [12].

2.2 Politeness Theory and Face-Management in Professional Settings

Brown and Levinson's politeness framework proposes that all competent speakers possess "face" needs, positive face (the desire for approval and solidarity) and negative face (the desire for autonomy and non-imposition), and that speech acts which threaten these needs, directives, criticism, disagreement, are systematically mitigated through politeness strategies whose elaborateness scales with the social distance, relative power, and degree of imposition involved [3]. Applied to professional settings, this framework predicts, and subsequent empirical research has largely confirmed, that speakers occupying subordinate institutional positions employ more elaborate face-mitigation strategies when issuing requests or expressing disagreement toward superiors than superiors employ toward subordinates, making the asymmetric distribution of politeness effort itself a linguistic marker of institutional power [4].

2.3 Corpus-Based Evidence from Workplace Discourse

The Wellington Language in the Workplace Project and related corpus-based workplace discourse research have provided extensive empirical documentation of how power is enacted through spoken business interaction. This research demonstrates that directive speech acts in workplace meetings are frequently mitigated through modal hedging ("could we," "I was wondering if"), collaborative pronoun selection ("we," "let's"), and humor, with the degree of mitigation varying systematically according to the relative power distance between speakers and the perceived face-threat of the directive content [5]. This body of research further shows that skilled managers deploy a repertoire of both direct and indirect strategies depending on context, using unmitigated directness in time-pressured or safety-critical situations while relying predominantly on mitigated, consensus-constructing language in routine meeting contexts, suggesting that directness itself functions as a marked, strategically deployed resource rather than a fixed style [5].

2.4 Gender and Power in Workplace Communication

Research on gender and workplace discourse has demonstrated that the relationship between institutional power and linguistic directness is further mediated by gendered communicative norms, with female leaders in several studied corporate contexts adopting relationally oriented, more mitigated directive styles even while occupying formally equivalent institutional authority to male counterparts who more frequently employ direct, unmitigated command forms [6]. This research has been interpreted as evidence that gendered expectations of appropriate communicative behavior interact with formal institutional power to produce differentiated discourse styles,

complicating any simple equation of directness with power and indicating that power's linguistic expression is co-constructed with other social categories including gender [6].

2.5 Institutional Talk and Turn-Taking Asymmetry in Legal Settings

Drew and Heritage's foundational framework for institutional talk distinguishes ordinary conversation, in which turn-taking rights and topic control are locally and symmetrically negotiated, from institutional interaction, in which these interactional resources are systematically allocated according to institutional role, with professionals typically retaining greater control over question-asking, topic initiation, and sequence organization than lay participants [8]. Applied specifically to legal settings, courtroom discourse analysis has demonstrated that attorneys exercise substantial control over witness testimony through question design, with restrictive question types, yes/no questions, tag questions, and leading questions in particular, functioning to constrain the scope of permissible witness response and thereby channel testimony toward content favorable to the questioning attorney's case theory [7]. This research further shows that witnesses subjected to predominantly restrictive questioning produce measurably less narrative elaboration than witnesses questioned using open-ended formats, demonstrating a direct link between question-type control and the institutional power to shape the content of legal testimony [7].

2.6 Genre Analysis and Legal Textual Authority

Bhatia's genre-analytic framework for legal and professional discourse identifies characteristic "move structures", conventionalized sequences of communicative functions, that recur across legal document types including contracts, statutes, and judicial opinions, arguing that mastery of these move structures constitutes a form of specialized professional competence that is unevenly distributed between legal professionals and lay clients [9]. This structural conventionality is compounded by lexical and syntactic features characteristic of legal register, including nominalization, complex subordination, and specialized terminology, which have been shown in readability-focused studies to substantially impede lay comprehension of legal documents relative to functionally equivalent plain-language versions, providing empirical support for the claim that legal register functions, whether by design or effect, as a mechanism restricting lay interpretive access to legally consequential texts [10].

2.7 Linguistic Capital and Institutional Stratification

Bourdieu's concept of linguistic capital provides a broader sociological framework for understanding why the discourse patterns documented above sustain rather than merely reflect institutional power. Bourdieu argues that within any given social field, professional, legal, educational, a "legitimate" linguistic register is established whose mastery confers social and material advantage, while deviation from this register is systematically penalized regardless of the propositional content conveyed, meaning that command of professional or legal register itself functions as a scarce and unevenly distributed resource that reproduces existing social stratification [11]. This framework situates the corporate and legal discourse patterns reviewed above not as isolated stylistic phenomena but as instances of a general mechanism by which linguistic competence itself operates as capital within institutional power structures.

2.8 Research Gap

While corporate workplace discourse and legal-institutional discourse have each been extensively studied within their respective sub-fields, relatively few studies have systematically compared the linguistic mechanisms of power enactment across these two professional domains within a single analytic framework, despite both being paradigmatic sites of institutional power exercised through language [5], [7]. Furthermore, existing research tends to examine spoken interaction and written genre conventions separately, limiting understanding of how power is jointly constructed through both interactional and textual resources within a given professional field [8], [9]. This study addresses these gaps by providing an integrated comparative analysis of power-indexing linguistic resources across corporate spoken/written discourse and legal spoken/written discourse.

III. Methodology

3.1 Research Design

This study adopts a qualitative, descriptive, and comparative discourse-analytic research design, synthesizing findings from corpus-based workplace discourse studies, courtroom interaction analysis, and genre-analytic research on legal documentation. The approach consolidates reported linguistic patterns across these methodological traditions to identify consistent mechanisms of power construction and to compare their relative prominence across corporate and legal professional settings.

3.2 Conceptual Framework

The framework applied in this review models professional power as linguistically constructed through four interacting resource categories: (1) directive strength and mitigation, encompassing modality, hedging, and imperative versus interrogative directive form; (2) politeness strategy selection, following Brown and Levinson's face-management taxonomy; (3) turn-taking and topic control, encompassing question-type restriction and sequence organization; and (4) genre-based textual structure, encompassing move sequencing, register formality, and syntactic complexity in written professional documents. These four resource categories are treated as jointly, rather than independently, constitutive of the power relations observable in any given professional discourse setting.

3.3 Data Sources

The literature synthesized in this review draws on established workplace discourse corpora, including the Wellington Language in the Workplace Project corpus of naturally occurring business meeting and office talk; courtroom transcript corpora analyzed in institutional talk and forensic linguistics research; legal genre corpora comprising contracts, statutes, and judicial opinions analyzed within ESP genre-analytic research; and foundational theoretical texts in Critical Discourse Analysis, politeness theory, and Bourdieusian sociolinguistics providing the analytic frameworks applied across these empirical studies.

3.4 Analytical Framework

Reviewed studies were organized according to the four-resource-category framework described in Section 3.2. For each professional setting, corporate spoken, corporate written, legal spoken (courtroom), and legal written (documentation), reported findings were classified by which resource category was reported as the primary mechanism of power construction, enabling systematic cross-setting comparison of which linguistic resources are most salient in each professional domain.

3.5 Evaluation Criteria

Comparative evaluation in this review uses categories standard in discourse-analytic and pragmatics research: **directness index** (relative frequency of unmitigated versus mitigated directive forms), **politeness strategy type** (positive, negative, off-record, or bald-on-record, following Brown and Levinson), **turn-allocation asymmetry** (degree of institutional control over question-asking and topic initiation), and **register complexity** (syntactic and lexical formality level of written genre texts), used to assess how power is differentially encoded across the corporate and legal settings reviewed.

IV. Results and Discussion

4.1 Comparative Linguistic Mechanisms of Power Across Professional Settings

Table I summarizes representative findings on the primary linguistic mechanisms of power construction across the four professional discourse settings reviewed in Section II.

Table I. Linguistic mechanisms of power construction across corporate and legal discourse settings

Setting	Primary power mechanism	Typical linguistic realization	Directness orientation	Source
Corporate spoken (meetings)	Mitigated directive, collaborative framing	Modal hedges, "we"/"let's" constructions	Predominantly indirect, context-variable	[5]
Corporate spoken (gendered variation)	Relational vs. transactional directive style	Hedged requests (female managers), unmitigated commands (male managers)	Variable by gender within equivalent rank	[6]
Legal spoken (courtroom)	Question-type control	Restrictive/leading/yes-no questions	Direct, structurally imposed	[7], [8]
Legal written (contracts, statutes)	Genre move-structure and register control	Nominalization, complex subordination, specialized terminology	Not applicable (textual authority)	[9], [10]

Cross-cutting (all settings)	Linguistic capital / register mastery	Comm and of field-legitimate register	N/A (structural/sociological)	[11]
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4.2 Politeness Strategy Distribution by Institutional Role

Table II compares reported politeness strategy selection patterns between superordinate and subordinate speakers across the corporate and legal settings reviewed.

Table II. Politeness strategy selection by institutional role and setting

Institutional role	Corporate setting (typical strategy)	Legal setting (typical strategy)	Face-management orientation	Source
Superordinate (manager/attorney)	Bald-on-record or positive politeness (consensus framing)	Bald-on-record (direct question control)	Low self-mitigation	[3]–[5], [7]
Subordinate (employee/witness)	Negative politeness, elaborate hedging	Constrained response format (limited agency)	High mitigation / limited response scope	[3], [4], [7]
Cross-gender variation (corporate)	Female superordinates: more mitigated than male peers	N/A (limited comparable legal research)	Gender-mediated mitigation	[6]

4.3 Turn-Taking and Genre Structure Comparison

Table III compares interactional turn-taking control and written genre structural features between corporate and legal professional discourse.

Table III. Turn-taking control and genre structure: corporate vs. legal discourse

Feature	Corporate discourse	Legal discourse	Reference basis
Turn-allocation control	Locally negotiated, chair-moderated but flexible	Rigidly allocated by institutional role (attorney initiates, witness responds)	[5], [8]
Topic control	Shared, agenda-structured but negotiable	Exclusively attorney/judge-controlled	[8]
Written genre move-structure	Less rigidly conventionalized (email, memo)	Highly conventionalized (contract, statute move sequences)	[9]
Register formality	Variable, often deliberately informal for rapport	Consistently high, specialized terminology	[9], [10]
Lay comprehension barrier	Moderate (jargon-dependent)	High (documented readability gap)	[10]

4.4 Interpreting the Corporate-Legal Contrast

The comparative results across Tables I–III indicate a consistent structural contrast between corporate and legal-institutional power enactment: corporate power is predominantly constructed through the strategic modulation of directness and politeness within a nominally flexible, locally negotiated interactional frame, allowing power to be exercised while preserving an appearance of collaborative consensus [5], [6]. Legal-institutional power, by contrast, is predominantly constructed through the structural, rule-governed allocation of interactional rights themselves, question-asking privilege, response format constraint, and topic control, rather than through the mitigation or directness of individual utterances [7], [8]. This distinction suggests that the two domains represent different points on a continuum between what might be termed "discursively negotiated" power, characteristic of

corporate settings where hierarchical authority coexists with cultural expectations of collaborative management style, and "structurally imposed" power, characteristic of legal settings where institutional role directly determines interactional entitlement independent of individual stylistic choice [8].

4.5 Discussion

Taken together, the evidence reviewed demonstrates that power in professional communication is not a background condition external to language but is actively constituted through specific, empirically identifiable linguistic resources whose distribution differs systematically between corporate and legal-institutional settings. In corporate contexts, the widespread use of mitigated directives and collaborative pronoun framing reflects a broader cultural shift toward consensus-oriented managerial discourse, but this apparent flattening of overt hierarchy does not eliminate power asymmetry; rather, it relocates its expression from directive form to the strategic control of framing, topic initiation, and the timing of unmitigated directness under pressure [2], [5]. In legal contexts, the comparatively greater rigidity of turn-allocation and question-type control demonstrates that institutional power can be embedded directly in the structural rules of interaction, a form of power less amenable to individual mitigation strategies because it operates at the level of genre and institutional role rather than individual utterance choice [7], [8]. The genre-analytic evidence on legal document register further indicates that this structural power extends beyond spoken interaction into the textual domain, where specialized register and move-structure convention restrict lay interpretive access independent of any given legal professional's individual communicative style, lending empirical support to the plain-language reform movement's claim that legal register functions as a systemic, rather than merely individual, barrier to lay comprehension [9], [10]. Bourdieu's linguistic capital framework helps explain why both patterns persist: because command of the legitimate professional register in each field confers social and material advantage, institutions have limited structural incentive to simplify register or flatten interactional asymmetry, even where doing so might improve communicative clarity for less powerful participants [11].

V. Challenges in Analyzing Power in Professional Discourse

Several challenges constrain further progress in this field. **Methodological fragmentation** between corpus-linguistic, conversation-analytic, and genre-analytic traditions has limited the development of a single integrated framework capable of jointly analyzing spoken interactional power and written genre-based power within the same study [5], [8], [9]. **Contextual and cultural variability** complicates generalization, since politeness norms, directness expectations, and acceptable managerial communication styles vary considerably across national and organizational cultures, meaning that findings from any single workplace corpus may not generalize across cultural contexts without further comparative validation [3], [4]. **Intersectionality with other social categories**, particularly gender, as documented in workplace discourse research, indicates that institutional power's linguistic expression cannot be fully understood through hierarchical role alone, requiring continued attention to how gender, and potentially race, class, and other social categories, interact with formal institutional position to shape communicative style [6]. **Access to authentic legal interaction data** remains a persistent methodological constraint, since courtroom recording restrictions in many jurisdictions limit the availability of naturally occurring transcript data relative to the comparatively richer corpora available for corporate workplace discourse [7], [8]. Finally, **translating discourse-analytic findings into practical reform** remains underdeveloped, as the plain-language legal movement and corporate communication training literatures have not fully integrated the theoretical insights of CDA and politeness theory into evidence-based, discourse-informed reform recommendations [10].

VI. Conclusion

This study has examined how power is linguistically constructed across corporate and legal-institutional professional communication, drawing on Critical Discourse Analysis, politeness theory, institutional talk research, and genre analysis. The evidence indicates that corporate power is predominantly enacted through the strategic modulation of directive mitigation, politeness strategy, and collaborative framing within a nominally flexible interactional structure, while legal-institutional power is predominantly enacted through the more rigid, rule-governed allocation of turn-taking rights, question-type control, and specialized genre register [2], [5], [7], [9]. The comparative analysis further demonstrates that gender and other social categories mediate the relationship between institutional authority and linguistic directness in ways that complicate any simple equation of power

with unmitigated speech [6]. Bourdieu's concept of linguistic capital provides a unifying theoretical explanation for why these discourse patterns persist across both domains: command of the legitimate professional register constitutes a scarce, unevenly distributed resource whose possession confers advantage independent of propositional content, giving institutions limited incentive to flatten the linguistic barriers that sustain professional and legal authority [11]. These findings carry direct implications for professional communication pedagogy and for the plain-language legal reform movement, both of which stand to benefit from more explicit integration of discourse-analytic evidence on how power actually operates through language in corporate and legal settings.

VII. Future Work

Future research should prioritize the development of an integrated analytic framework capable of jointly examining spoken interactional power and written genre-based power within the same professional field, since existing research tends to treat these as separate objects of study despite their likely mutual reinforcement within any given institutional context. Further work is needed to expand comparative cross-cultural workplace discourse research, testing whether the consensus-oriented mitigation patterns documented in existing corpora generalize across national and organizational cultures with differing norms of hierarchical communication. Continued research on the intersection of gender, and other social categories, with institutional power in professional discourse should be pursued to refine understanding of how formal authority and social identity jointly shape communicative style. Research should also evaluate the practical efficacy of plain-language legal reform initiatives using discourse-analytic readability and comprehension measures, providing empirical evidence on whether simplified legal register measurably reduces the interpretive power asymmetry documented in genre-analytic studies. Finally, professional communication training programs would benefit from evidence-based curricula explicitly grounded in politeness theory and CDA findings, translating discourse-analytic insight into practical guidance for equitable and transparent professional communication.

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