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**MAORI LAWYERS  
and  
STRESS**

A thesis presented in partial fulfilment of the requirements  
for the degree of  
Master of Business Studies  
in Human Resource Management  
at Massey University

Moana John Eruera  
1999

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## ABSTRACT

The stress process is one that has been well researched and documented. Stress studies have identified both individual and occupation specific stressors as well as a vast array of coping mechanisms. Much of this research has concentrated on majority groups, with very little done to investigate the issues faced by minorities.

This study investigates the causes and consequences of stress for Maori Lawyers. These findings are complementary to data previously collected in 1995 by the Department of Human Resource Management at Massey University, when investigating the occupation specific stressors of [all] lawyers in New Zealand (Hodgson & Dewe, 1995).

The aim of this study is to explore factors related to cultural identity that in addition to occupation specific stressors, tax or impede the functioning of Maori lawyers. The study also explores culturally based mechanisms of coping employed by Maori lawyers when dealing with their stress.

To achieve these aims, a sample of Maori lawyers was drawn from the total membership of the Te Hunga Roia (the Maori Law Society). Of those that participated in the study 62.2% were women. Almost fifty two percent (51.2%) of the respondents were between the ages of 21 and 30.

The methodology used in this study largely replicates and extends that utilised in earlier research. Survey questions were modified and semi-structured interviews were included in the research design to answer Maori cultural imperatives in research including the use of appropriate tools to capture "rich" data.

A number of major themes emerged from the survey data. The survey material was subject to content analyses to identify major issues. These issues were then further explored in face-to-face interviews.

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For Maori lawyers issues surrounding self-expectations, the expectations of others, notably whanau (extended family), hapu (tribe) and iwi (confederation of tribes) and differences in Maori tikanga (custom) and Pakeha law were found to be major factors in causing stress.

When dealing with their stress Maori lawyers rely heavily on the social support of whanau and peers. They are also likely to draw on personal resources such as their belief of connectedness to the environment, physical and spiritual to help them cope.

The results of this study show that in addition to the usual stressors faced by lawyers, Maori lawyers confront a set of personalised social strains that grow out of their ethnicity (Ford, 1985). In addition Maori lawyers also employ a number of coping interventions that grow out of their ethnicity.

This research is significant by its contribution to the sparse literature on occupational stress in New Zealand and in particular its contribution to research about stress among indigenous people.

It is of potential benefit to current and future Maori lawyers as they consider their cultural identity and how this may impact on their professional lives. These findings are of potential use to employers, educators and legal groups in New Zealand.

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## CHAPTER ONE

### SCOPE OF THE RESEARCH

#### **Introduction**

Many tout chronic job stress as the workplace issue of the future. Stress has become an accepted, almost expected part of modern-day work life. Mainstream media frequently report the negative consequence of excessive burnout and obsessive work behaviour in the workplace.

Stress has been linked to a number of negative outcomes including poor occupational functioning and withdrawal from the workplace. Increasingly evidence has shown that work-induced stress is a major cause of chronic disease (Sullivan, 1995; Hart, 1987). It is now accepted that stress is responsible for disorders such as coronary heart disease, stomach ulcers, migraine and mental illness.

More than just a health issue, work-related stress has proven to be of economic concern as well. The cost of stress in the United States is estimated in the billions of dollars, while in the United Kingdom official figures show that up to 70 million working days are lost each year (Sullivan, 1995). An economic rationale requires therefore that business take the stress phenomenon seriously in light of the business case against stress.

Work stress researchers agree that job stress is a problem. Concern over the mounting research evidence (Cooper & Cartwright, 1994) that links work stress to negative individual and organisational outcomes, has led work stress researchers to explore a range of intervention issues designed to manage the work stress problem.

While stress researchers endeavour to identify, understand and provide solutions to the work stress problem, their efforts are limited by their mainly concentrating on the stress experience of the majority population.

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One area that has received relatively little attention therefore is the effect of work stress on the minority professional. It has been long realised that little has been done to examine minority stress (Beehr & Newman, 1978; Ford, 1980) with many studies focusing on the majority culture, ignoring the possibility of unique differences between cultures.

Despite it being well established that race-related stress is an unavoidable reality for minority professionals (Brown, 1977; Ford 1985), a review of the literature reveals very few studies exploring this area. This is the primary focus of this research, which seeks to explore the stress experienced by Maori professionals using a sample of Maori lawyers in New Zealand.

### **1.1 The Research Question**

The purpose of this study is to explore the stress experienced by Maori lawyers and to examine the coping mechanisms employed by them when dealing with their stress.

The objectives of the research are to:

1. Identify stressors experienced by Maori lawyers that grow out of their ethnicity.
2. Identify the coping strategies employed by Maori lawyers that grow out of their ethnicity.

### **1.2 Research project plan**

This study was conducted in stages. First the research questionnaire from an earlier study was re-developed and sent to the sample. Those questionnaires returned were then subject to content analysis to identify common themes. These then became the basis of face-to-face interviews.

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Data from interviews were again subject to content analysis to further develop those themes identified from the questionnaire tool. This process is presented here figuratively in a research project plan.

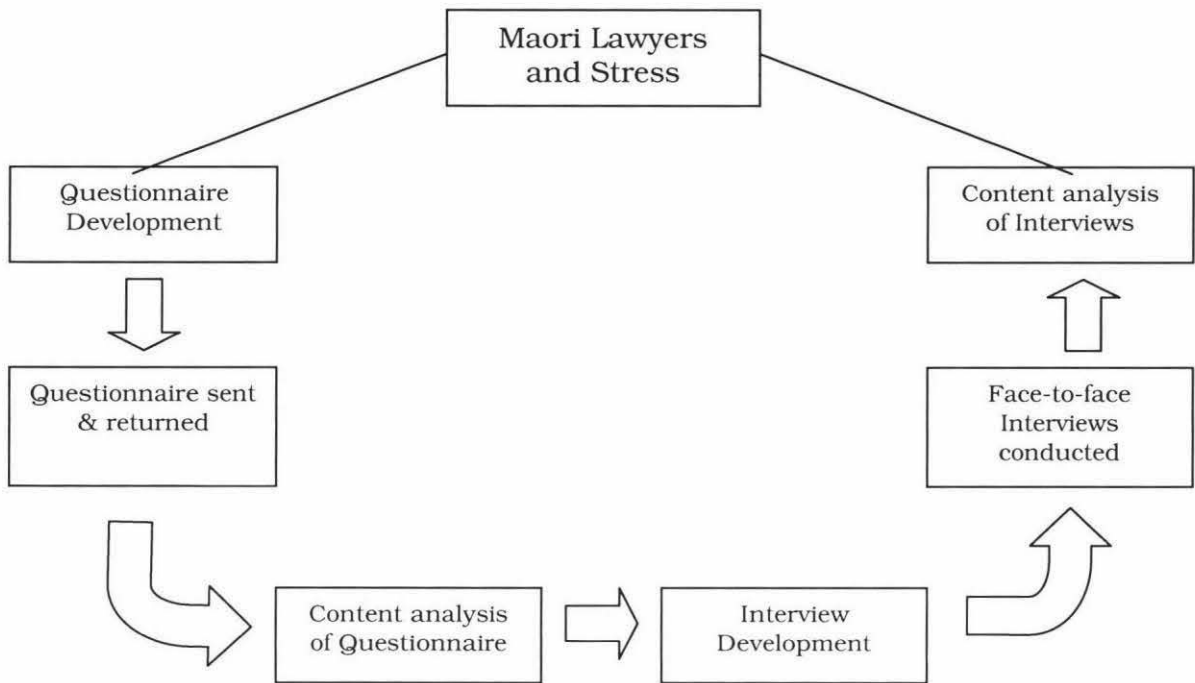


FIGURE 1: Research Project Plan

### 1.3 Significance of the Study

Little research has been conducted investigating Maori and occupational stress. Currently this project is one of four known investigations into the causes and effects of work-related stress for Maori professionals. In the legal profession this study is the first to examine stress for Maori and is therefore exploratory.

The significance of this research is in its potential to provide information to Maori lawyers about how stress may affect their practise. Findings from this research may be of benefit to employers and educators of Maori lawyers, assisting them to identify and minimise workplace stress for this professional group.

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This study also adds to the scarce knowledge on the stress experience of indigenous professionals in New Zealand and internationally.

#### **1.4 Structure of the Thesis**

This thesis is written as eight chapters. Chapter One provides a general overview of the study, outlines the research question (objectives) and states the significance of this research. Chapter Two provides an historical and contextual background on the state of Maori in New Zealand and in particular the present state of Maori in the legal profession.

Chapter Three critiques and discusses the literature on stress. First the works on early stress models are presented which is followed by a more in-depth analysis of the transactional model of stress and coping strategies. Chapter Three continues by reviewing the literature on lawyers and stress, and the literature on minority stress.

Chapter Four presents methodology and research design. Here, appropriate methods of stress research and methods of minority research are discussed. In particular this chapter looks at the appropriateness of research on Maori. The methodological techniques employed in this study and the rationale for their use is explained in this chapter.

Chapter Five presents the results collected from survey questions while the data collected during face-to-face interviews is presented in chapter six. Chapter Seven then discusses these results in conjunction with the literature presented in earlier chapters. Chapter Eight concludes this thesis by outlining its limitations and presenting suggestions for possible future directions of Maori stress research.

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## CHAPTER TWO HISTORICAL BACKGROUND

### **Introduction**

For Maori, the political, economic and legal imposition of colonising British settlers has left a legacy of dispossession. This legacy continues to present some of the knottiest most intractable moral, legal, economic and political challenges (Havemann, 1999) faced by New Zealand society.

The current Maori situation is deeply rooted in these issues. In order to better understand the Maori experience it is necessary to present in context the historical events that have shaped Maori and moulded their participation in modern New Zealand society.

The question that needs to be asked is "what roles the legal and political institutions and processes imposed upon [Maori] play in a continuing process of colonial domination, as well as to ask what contribution, if any, they make to the progressive emancipation" of Maori in New Zealand (Havemann, 1999, p.2).

These issues govern Maori participation in almost every aspect of modern-day life. This chapter briefly outlines the historical events that Maori have faced and describes how these events have impacted on the functioning of Maori today. Particular attention is drawn to how Maori have coped as active members of the New Zealand legal profession.

### **2.1 Maori Historical Context**

Traditionally Maori belong to a world of tribalism. There was emphasis placed on kinship, respect for ancestors, spirituality, and connectedness to the world (Walker, 1999, cited in Havemann, 1999). Maori are an oral people with much of the mythology and religion of the race embodied in poetry, folk-song, chants and narratives (Cowan, 1930).

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Maori society was organised by social units, the whanau, hapu, and iwi. Internally these units were headed by kaumatua (male elders), kuia (female elders), rangatira (chiefs) and ariki (paramount chiefs) (Walker, 1999, cited in Havemann, 1999).

The hapu was the political landholding group. Each hapu aspired to incorporate in its territory a coastline, arable land for horticulture, and interior forest for hunting, timber and other resources (Walker, 1999, cited in Havemann, 1999). In pre-European times hapu fought each other for territory, resources and women, which in some cases led to the formation of a confederation of tribes (iwi) to protect valuable resources.

Maori lived this way until the mid-nineteenth century when British imperialism and colonisation interrupted their normal course of life. This transition from traditional Maori society was marked by economic, spiritual, and political transformations (Walker, 1999, cited in Havemann, 1999).

The salient features of European contact included tribal expansion of food production to accommodate trade, population collapse following the introduction of European diseases, debilitation of tribal politics, displacement of Maori cosmology by Christianity, abandonment of tapu, expropriation of land by State and legal artifice, disempowerment of chiefs, and State domination (Walker, 1999, cited in Havemann, 1999).

After the signing of the Treaty of Waitangi in 1840, colonisation of the country was rapid, until in 1874 Maori had become only fourteen per cent of the population, a minority in their own country (Durie, 1998). "Although colonisation was culturally destructive and socially debilitating, Maori were not supine victims. Colonial domination engendered resistance, armed struggle and the birth of Maori nationalism" (Walker, 1999, cited in Havemann, 1999, p.113).

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Since then Maori have endured much. Land confiscations, the outlawing of traditional practices through the Tohunga Suppression Act, assimilation attempts into the mainstream, suppression of language, debasement of resources, wars, disease and so on.

The impact of these events has not gone unnoticed. Maori rate the highest on almost every casualty index in New Zealand including; health, unemployment and social welfare. The current status of Maori is blamed on injustices of the past and dispossession of cultural identity through colonisation. For many Maori day-to-day life is viewed through tainted glasses.

However despite all this Maori language, tribal identity, and Maori values have survived overwhelming odds and state opposition (Durie, 1998). Maori continue to develop a positive identity and a strong cultural base to drive Maori self-determination. In doing so however, Maori are keenly aware that what has happened in the past affects development in the future (Janke, 1996). Past events have not been lost on Maori; their impact is etched into the Maori psyche, which now dictates the way they interact in today's society.

## **2.2 New Zealand Legal Context**

To appreciate the unique context in which this study takes place, it is critical to examine the New Zealand legal system in relation to Maori. The following sections provide a brief insight into Maori and the legal system, Maori and legal education, and ethnic diversity in the legal profession. These are not an exhaustive review of the situation for Maori, but merely point to some of the more salient current issues.

### **2.2.1 Maori and the Legal System**

New Zealand's legal system has largely been transposed from Britain based on British values, social and economic structures (Milroy, 1996). This system has worked reasonably well for Pakeha but is ill adapted to recognise and accommodate the cultural differences with Maori.

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In her thesis on "bicultural legal education" Milroy (1996) highlights the monocultural nature of the legal system in New Zealand. In the report *Te Whaingā i te Tika: In Search of Justice*, the writer suggests that the current legal system embodies institutionalised racism (Jackson, 1986).

Much of the evidence that substantiates the claim of a monoculturalist and discriminatory legal system is based on the writings of women and their experiences. Writers in this area, notably Gatfield (1993; 1996) show there to be a gendered bias. Therefore the "rational legal being is a white middle class male. In turn, the perspectives, the values, the culture of those who do not fit this description, the "others", are silenced, made invisible by the law" (Milroy, 1996, p.71).

Any suggestion by Maori and other indigenous people "to introduce new concepts around questions of race and culture have found the law resistant to fundamental (or even superficial) revision of legal doctrine" (Milroy, 1996, p.78). Participating in what may be construed a hostile legal system is, therefore, an everyday dilemma faced by Maori.

### **2.2.2 Maori & Legal Education**

Legal education in the past was dominated by the legal profession and was imported to New Zealand with the first white settlers. From medieval times judges who also controlled entry into the profession carried out legal education (Milroy, 1996).

From the late nineteenth century university colleges began to teach law. In New Zealand legal studies were generally part-time, however as the number of fulltime students increased universities and the legal profession began to take control (Milroy, 1996).

Maori are keen learners of the law. Sir Apirana Ngata became the first practising Maori lawyer and in 1971 Georgina Te Heu Heu became the first Maori woman to practise in New Zealand.

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The number of Maori law students has steadily increased until in 1998, there were 640 Maori law students enrolled at the five law schools. While these figures are encouraging Milroy (1996) highlights the pressures faced by Maori students.

For Maori students, being taught the fundamentals of the legal system brings them into contact with values that may differ from traditional Maori values (Milroy, 1996). At the same time Maori students face the added dimension that the legal system in New Zealand has played a part in destroying Maori culture, in imprisoning Maori, and in confiscating Maori land and resources.

For Maori students the study of law "represents an emotional, intellectual and spiritual assault made all the worse in that legal education may try to persuade Maori that the law has an innate fairness and justice" (Milroy, 1996, p.72). Questions Maori students may ask themselves include, how could a system designed and imposed by the British ever work for Maori? Or by becoming lawyers wouldn't I simply prop up the system and make it more palatable to Maori?

Some Maori students see studying law as a way to help Maori, a way to serve the cause. This idealism rarely sticks according to Sarah Reo (cited in Maniapoto, 1998). Students begin to adopt western values and individualism, losing much of their Maori heritage along the way.

According to Ani Mikaere from the School of Law at Waikato University, "there is a new crop of Maori lawyers ... trying to find their feet in an increasingly busy and complex legal world" (cited in Maniapoto, 1998). They have, she suggests, either been recruited by legal firms, are caught up in the stresses of litigating, negotiating and defending; or have explored the territory and then moved on (Maniapoto, 1998).

The journey towards becoming legally qualified is for some Maori students fraught with issues of personal and racial integrity, discrimination, racism, cultural constraints and ideological clashes. These are weighty issues for those who still have yet to enter the world of practise.

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#### **2.2.4 Ethnic Diversity in the Legal Profession**

Numerous indices tell us how future generations in New Zealand will be more ethnically diverse. An increase in the Maori and Pacific Island populations and increase in immigrant workers, particularly Asian, steer us towards a multi-racial, multi-talented labour force. According to Gatfield (1996) "these trends are not promising in light of the evidence of race and ethnicity discrimination in the legal profession" (p.366).

Of lawyers surveyed in 1992, 35% indicated that discrimination takes place on the grounds of race and ethnicity in the profession. It was found that women lawyers were more perceptive than men of this type of discrimination (Gatfield, 1996). Findings from the 1992 survey showed that Asian, Pacific Island and Maori lawyers were more likely than Pakeha lawyers to experience discrimination on all grounds.

Evidence shows that some law firms and employers advertise for ethnic minority lawyers, while others will not employ non-European lawyers. Some law firms appear keen to employ Maori law graduates for work involving Treaty of Waitangi issues, however when it comes to advancement in the profession, survey findings showed that Treaty work had the lowest prospects for advancement (Gatfield, 1996). Gatfield (1996) indicates that while there is a willingness in the profession to employ Maori this does not translate into partnership or promotion prospects.

According to Maori, Pacific Island and other ethnic minority lawyers surveyed in Auckland in 1995, discrimination remains a pressing problem. Race and ethnicity affected opportunities to obtain work and promotions. Mainstream law firms were said to be providing little or no cultural support (Gatfield, 1996).

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## CHAPTER THREE LITERATURE REVIEW

### **Introduction**

This literature review is divided into three areas. First the literature on stress models and strategies of coping are presented. Second the works on stress experienced by lawyers are examined, and last the literature on minority stress is reviewed.

When looking at the literature that exists on stress, only a brief explanation is presented on the stimulus and response models. It is accepted that while these traditional approaches have been fundamental to the development of work on stress (Dewe, 1997), it is doubtful now that these constructs can substantially contribute to our current understanding of stress (Sutherland & Cooper, 1988).

Instead this review concentrates largely on the transactional model of stress which can best be looked at as a particular relationship between an individual and a specific environment, and as a process taking place in context (Lazarus, 1991).

The few works presented on both the stress experience of lawyers and of minority professionals serve as providing context for the current sample and as providing a means of comparative analysis.

### **3.1 Definition of Stress**

A review of the literature on stress shows that there is no singular definition of stress. Stress has been defined in many ways some which partially overlap but which do not converge in a common definition (Swai, 1990). As a result there is some confusion as to what is meant by the term stress which has multiple meanings and which is used interchangeably with other terms such as strain, distress and burnout.

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According to Dewe (1989) there is a need to clarify what we mean by stress, because how we define it influences how we research it and thus how the results are explained. There are four groups of definitions that are commonly used to describe stress. These are the stimulus, response, interaction (between stimulus and response), and transactional definitions.

### 3.1.1. Stimulus model

The stimulus model regards stress as a physiological phenomenon. Stress was a term initially used most widely in Engineering. In that discipline it refers to a load or burden imposed on a structural element such as a steel girder (Swai, 1990). Physiological authors built on the engineer's definitions and defined stress as that which is capable of inducing a breaking strain in the homeostatic mechanism (Willis, 1984).

Stress in this context is seen as hardship or affliction, pressure, or strong effort within the context of a person's organs mental power (Hinkle, 1973). It is said that a threat would cause the individual to prepare to fight or take flight - throwing him/her out of equilibrium and therefore subjecting him/her to a state of stress (Swai, 1990).

Stress is therefore seen as the result of some unpleasant external force causing disequilibrium in the system producing strain (Swai, 1990). Weitz (1970) has identified eight different types of environmental stimuli that can be classed as stressful. Implicit in this model is that up to a point stress can be tolerated, but thereafter-permanent damage, either physiological or psychological can occur. This model is presented figuratively here.

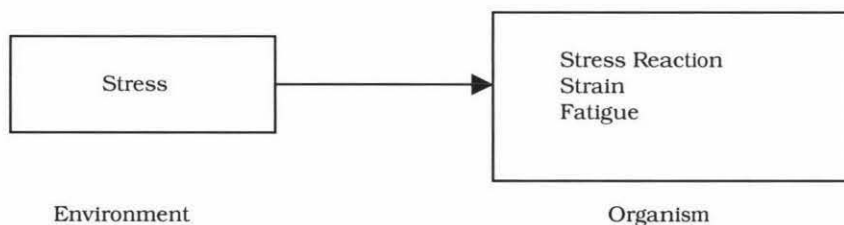


FIGURE 2: Stimulus Model

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### 3.1.2 Response Model

The psychological approach views stress as the state of an organism where he perceives that his well-being is endangered and that he must divert all his energy to his protection (Willis, 1984). It is defined as an internal experience or position creating a physiological or psychological imbalance within the individual.

According to McGrath (1978) the basic element of stress definition involves the specification of a class or classes of response that show evidence that the organism is or has recently been under stress. Stress is seen therefore as a physiological or psychological reaction or response to any number of stressors that can be present in the surrounding environment.

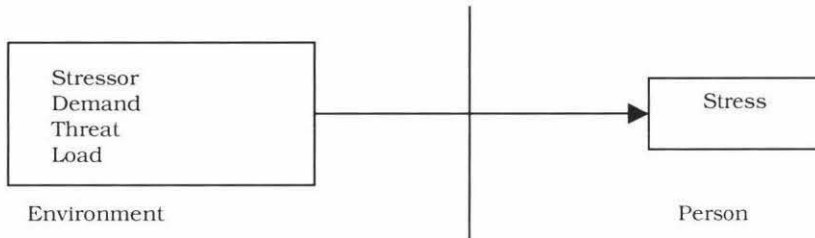


FIGURE 3: Response Model

Both the stimulus and response models have been generally criticised as representing simple linear models differing only in what they label as stress. Both approaches treat the person as a passive recipient of stress and ignores an individual's ability to perceive and judge that which is stressful and tolerable or intolerable. It is now recognised that there is an intervening process between the stimulus and response (Cox & McKay, 1981).

These definitions have provided substantial empirical information on the different components to the stress transaction without focusing on the nature of the stressful interaction itself. Work stress researchers have now reached a point where in order to understand the nature of stress at work, it becomes important to understand those elements that reflect the transactional nature of the process.

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### **3.1.3. Transactional Model**

A transactional definition of stress provides a focus on those aspects of the transaction that link the individual and the environment. This linking architecture is commonly defined as the appraisal process and those cognitive and behavioural thoughts and actions that define the very nature of the stress process.

In primary appraisal an event or circumstance in the environment is evaluated by the individual to determine whether or not it presents a threat. This involves asking the question: "Am I in trouble?" Lazarus & Folkman (1984) delineate three major categories of primary appraisals. The event may be appraised as (a) irrelevant, (b) benign/positive, or (c) stressful (Slavin, Rainer, McCreary & Gowda, 1991, p. 158).

In secondary appraisal, an individual evaluates his or her resources, both internal (e.g. intelligence) and external (e.g. social support), and his or her options for handling the event. This involves asking the question: "What can be done about it?" Depending on the availability of coping resources, those events seen as stressful can be further appraised as (a) events involving harm or loss, (b) events presenting a threat (of future harm), or (c) events presenting a challenge (Slavin et al, 1991, p.158).

On this view, the phenomenon of stress is understood as inherently transactional. Events are stressful only when the person perceives them to present demands that strain or exceed his or her current resources. One advantage of using a model that considers both the potentially stress-inducing event and the meaning of the event is that it allows for consideration of the influence of variables reflecting individual differences (Slavin et al, 1991, p.158).

Not every person or group of people judges the same events to be stressful to the same degree; cultural groups and the individuals within them vary their appraisal processes, their interpretations of events, and their access to relevant resources (Slavin et al, 1991, p.158).

---

The transactional model forces researchers to begin to research aspects of the appraisal process in order to develop a better understanding of the stress process itself. This then places an obligation on researchers to more thoroughly explore the perceptions and meanings given to stressful events and how these events are coped with. It also places an obligation on researchers to explore the content within which such transactions take place. In this respect such transactions may be better understood by placing them in a cultural context.

### **3.2 Coping**

In the area of coping responses Lazarus and Folkman (1984) identified two major categories of effort a person may make to cope with a stressful event: problem-focused coping and emotion-focused coping.

#### **3.2.1. Problem-focused coping**

Problem-focused strategies are active efforts to change the stressful circumstances in some way. These may involve strategies such as obtaining, guidance, taking direct action or developing alternative rewards.

In obtaining guidance, use is made of the social support system, at work and outside work to get advice on how to best deal with a stressful situation. Taking direct action involves attempting to modify or eliminate the source of work stress. Developing alternative rewards involves substitution rewards that had been difficult and stressful to obtain with rewards that are more easily obtainable with little stress involved.

#### **3.2.2. Emotion-focused coping**

Emotion-focused strategies include effort to control one's emotional responses to the event (e.g. using relaxation techniques to decrease anxiety) and efforts to modify the meaning of the event (Slavin, 1991). Some of the strategies involved are affective regulation, resigned acceptance and emotional discharge.

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Affective regulation involves trying to avoid paying attention to one's feelings. Resigned acceptance involves passive acceptance of a stressful situation and negative outcomes. Emotional discharge is a way of confronting a stressful situation by letting off steam. This form of coping can also involve spreading rumours, stealing, violence and damaging property.

### **3.3 Lawyers and Stress**

Stress studies on lawyers are far and few between. There is much anecdotal evidence to suggest that this professional group warrant close investigation though this appears not to have happened. A suggestion as to why this is so, "may be the difficulty in accessing this population, much of which is dispersed in small offices" (Cohen, 1999, p.61). The majority of literature on lawyer stress stems from the United States.

While there are many general writings on the stress related problems of lawyers, a scan of the literature reveals very few scientific studies. Those identified (Cohen, 1999; Wallace, 1995; Hodgson & Dewe, 1995, Kozich, 1988; Gunz & Gunz, 1994; Wallace, 1995; Jackson, Turner, & Brief, 1987; Fott & Stagner, 1989; & Laband & Lentz, 1993) concentrate largely on issues such as professional and organisational commitment, burnout and sex discrimination rather than the causes of stress for lawyers.

General writings (Abrams, 1990; Panyard, 1989; Schreiner, 1990; Yekell, 1996) however provide much anecdotal evidence as to the causes of lawyer stress. One of the causes of stress is the nature of the legal environment itself (Abrams, 1990). It is generally well-known that the legal profession has been subject to pressures and societal changes (Schreiner, 1990) particularly in the last 20 years which has brought about additional strain for lawyers.

One source of stress that is unique to the legal profession though not scientifically proven is poor public image (Panyard, 1989).

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Lawyers are frequently viewed as ambulance chasers making a profit from someone's misery, as corrupt legislators, as turning criminals loose on the community, and as making spouses suffer in divorce proceedings. This is thought to be extremely taxing for lawyers.

Another anecdotal example of how lawyers become stressed is as a result of economics (Abrams, 1989). Some lawyers would like to spend more time doing things for which they can't bill a client, however a lawyer's value is not based on the quality of work but instead on the number of hours billed for that work. This has become known as the "tyranny of the time sheet".

Of those scientific studies examined, one (Hodgson & Dewe, 1995) suggests that the main causes of stress for lawyers fall into three categories. These are demands from clients, expectations of self, including not being able to do the quality of work practitioners would like and workload issues which include conflicting demands, constant interruptions, deadlines and balancing time available with priorities and quality of work.

Expectations of self (Panyard, 1989; Hodgson & Dewe, 1995) reveal that lawyers often expect more than they can produce given limited resources (e.g. time). This failure to produce the ideal is at times a painful experience. When professional lawyers are expected to be competent, expert and infallible, failure to perform places a great deal of strain on ones occupational functioning.

The work situation for lawyers is shown to be stressful. The need to remain in control with emotionally distraught clients, to be available at all hours and to compete with other lawyers is part of daily practise (Yekell, 1996). Day in and day out, pressures follow lawyers from home to office, to court, and then home again. If not scientific evidence, there is enough anecdotal evidence to show that the stress experienced by lawyers is real.

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### **3.4 Minority Stress**

Early research in the job stress area has primarily focused on white Anglo-Saxon samples, (Ford, 1980) and thus little was known about minorities and their experiences of job-related stress.

However studies since (Brown, 1975:1977; Davis & Watson, 1982; Smith, 1985; Ford, 1980:1985; Pettigrew & Martin, 1987; Vaux & Holder, 1998) have provided insights into the unique sources of stress for minority workers.

Research on minority stress has concentrated largely on the experience of the Black American professional. Previous to these studies, anecdotal literature discussed the unique work stressors that African American professionals experienced in predominantly white work environments (Davis & Watson, 1982).

Brown (1975) described the strain and role ambiguity experienced by black professionals as the "Black Tax". The rationale being that for those that worked in the white upper echelons of large and complex organisations, the heavier (in personal terms) the burden.

Brown (1977) noted some of the manifestations of the "Black Tax" as being the double bind of being labelled an "Uncle Tom" and a sell-out by blacks, and a racial militant by whites. Brown also found that the strain of participating in and rationalising organisational policies while knowing they do not serve the interest of blacks, would be a source of stress to the black professional.

Pettigrew and Martin (1987) believe that African American professionals can experience "triple jeopardy" (i.e., stress due to minority status, solo behaviour, and tokenism) while working in predominantly white work environments. Often black professionals will find themselves as the sole minority in an organisation. Feelings therefore of isolation and consequently working alone are taxing to the black professional.

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Another unique source of stress for the minority professional is that racial minorities are visible as representatives of their category; therefore, whatever they do takes on an added symbolic meaning (Smith, 1985). "Whatever they do among members of the dominant group becomes in a sense a public performance" (Smith, 1985, pg. 543).

"Fernandez (1981) argued that many African American professionals experience an added stress in their work environments, that of threatened, perceived and actual racism" (p. 27, cited in Vaux & Holder, 1998). Racism is a stressor that many minority groups may experience on a daily basis.

Extensive literature on the consequences and implications of work stressors for the black professional, point to the characteristics of the job, aspects of a person's role in the work environment and interpersonal relationships as major potential stressors (Vaux & Holder, 1998). Much of the research therefore has focused on the professional's "role" as a cause for stress.

In contrast, research conducted in New Zealand on Maori teaching professionals point to institutions and work environments as the major cause of stress (Sisley & Waiti, 1997). Issues of cultural and institutional racism, discrimination and unsafe places of work are prominent features of stress for Maori teachers.

Sisley & Waiti (1997) show that work areas inadequately cater for the different value systems that are part of the Maori psyche. They state that Maori are unable to work properly because of conflicting values and because these values are undermined.

In addition dual obligations and accountability to iwi and employer, providing advice on tikanga to non-Maori staff and feelings of isolation impact on the occupational functioning of Maori teachers.

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Investigations that look at the way in which minorities cope with their stress are limited. Two important personal resources that have received sparse attention in research on work stress and coping are the worker's sense of spirituality and sense of internal locus of control (Holder & Vaux, 1998). These aspects of personal resources provide the key to future research, unlocking the unique coping interventions employed by minority professionals in dealing with stress.

Many of the issues identified for Black American professionals in stress research, give rise to the question of universal application to other racial minorities. Little has been done to explore the cultural aspects of job-related stress for indigenous peoples and the unique context in which they are a part.

In New Zealand this is evident by the lack of research on the Maori professional and the stress he/she encounters. Studies to investigate the management style and practice of Maori professionals (Love, 1991) deal effectively with how Maori conduct themselves but reveal little on how they fair in the workplace.

A substantial body of research has been conducted on occupational workload and stress within the New Zealand teaching profession (Sisley & Waiti, 1997). These studies have adopted a particular research paradigm and have done little to address the "dilemmas Maori face in the workplace" (Sisley & Waiti, 1997, p.41).

Works that deal specifically with the Maori stress issue are limited. Of the vast amount of research conducted on the teaching profession only two studies (Mitchell & Mitchell, 1993; & Sisley & Waiti, 1997) focus on Maori occupational workload and stress.

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## CHAPTER FOUR METHODOLOGY

### **Introduction**

Stress has long been researched employing a number of methodologies. Traditionally these techniques have been positivist in nature. Many experts have questioned the appropriateness of the structured reality imposed by such methods (Dewe, 1992; Lazarus, 1989; Van Maanen, 1979; Jick, 1979; Morgan & Smircich, 1980); and argue that hypothetical-deductive techniques have made it difficult to fully investigate the stress dynamic.

Stress researchers agree that traditional methods of investigation have underestimated the potency of the subject as a social actor (Shiple & Orlans, 1988). Quantitative approaches have seen stress defined by the expert rather than self defined by the client and control retained by the expert, seeking normative outcomes and universal laws at some distance from the problems and individuals being researched (Shiple & Orlans, 1988).

Where traditional approaches of investigation have been applied to studies on minorities, similar methodological concerns arise. The use of a "western paradigm of research" when studying other ethnic groups raises several issues. One issue is the epistemological dangers that arise when the researcher's inferences, hunches, stereotypes and subjective estimates of what is important or necessary (Stano, 1983) are applied to the data gathered. This is of particular concern when the researcher is from outside that ethnic group being investigated.

Research on minorities conducted with a western view of 'reality' produce a distinctly western portrait of minority groups. These studies are tailored for consumption by general publics and have largely ignored cultural nuances. A scan of research on minorities shows little effort to employ alternative methodologies.

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The scientific [western] community has stifled efforts to accommodate other cultural research practices because of concerns surrounding validity and questions of appropriateness (Smith, 1992; Cunningham, 1998).

When combining both stress and minority research the issues which face investigators are twofold. Firstly researchers should consider the use of appropriate techniques that allow for an intimate investigation of the stress experience. Secondly alternative theoretical and methodological approaches must be considered which are appropriate to the ethnic group under investigation and which help to capture the rich data gathered on that group.

This sits well with many in the stress area who consider that in general stress research "should reflect new approaches and offer alternative frameworks if the different dynamics to the stress process are to be more adequately explored" (Dewe, 1992, p.143).

In this chapter two methodologies commonly engaged in stress research are compared and discussed. Next, the issue of research for minorities is examined, particularly in relation to research on Maori. Finally, the methods and rationale used in this study are outlined. Issues that arise include questionnaire design, participants, face-to-face interviews, grounded theory analysis, ethical considerations and limitations.

#### **4.1 Methods of Stress Research**

Traditional approaches to stress research have been quantitative in nature. Scales used to measure factors of stress and ways of coping have long provided researchers with a normative view of the stress phenomenon. Harre & Secord (1973) suggest however that behavioural scientists must move from traditional mechanistic and rational methods of analysis to more human-oriented methods.

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Heavy use of quantitative techniques has led researchers to ponder the direction in which quantitative methodologies have taken stress research. In a similar vein, an increase in the use of qualitative methods in stress research has prompted researchers to ask what qualitative methodologies can provide (Dewe, 1992). A closer examination of these two approaches reveals how each can contribute to the study of stress.

#### **4.1.1. Quantitative v. Qualitative Methods**

Quantitative studies are typically analytical and particularistic in approach, and have been the mainstay of stress research. Quantitative methods are results oriented and problem focused with the intent to prove cause and effect (Cresswell, 1994). Early models of stress have focused on the correlational and predictive nature of stimuli resulting in a stress response. Repetitious use of quantitative methods to test this relationship have produced consistent results of which are shown to be accurate, reliable and valid.

In the traditional approach, the expert defines stress rather than self defined by participants. Prescribed lists and scales are administered to subjects with little or no room for self-expression. This according to Shipley & Orlans (1988) is a significant consequence of using quantitative approaches. There is the risk, they say, of underestimating the subject as possessing the capacity for self-awareness and self-management.

As our understanding of stress has increased, models of stress have evolved to recognise stress as an interactional and transactional process. This realisation has meant a shift from proving cause and effect, to understanding the inter-relationship of many contributing factors. In this regard techniques to accommodate, investigate and better understand the stress phenomenon have had to be adopted.

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Harre & Secord (1973) argue that theory building regarding human interaction should begin with the subjects' perceptions of what is important and what causes the problems they experience in their day-to-day lives. Traditional methods have failed to do this, substituting instead the expert's judgements of what is important for those of the subject. The subject or client is treated as the object by the supposedly detached observer and thus the expert retains control (Shiple & Orlans, 1988).

When investigating the stress experienced by individuals a qualitative approach is superior. Research problems focusing on uncovering a person's experience or behaviour, or where one wishes to uncover and understand a phenomenon about which little is known, are most suited to qualitative methods where they can provide intricate details and understanding (Ghauri, Gronhaug, & Kristianlund, 1995).

Stano (1983) noted that the critical incident method and other qualitative methods have an advantage over some other [quantitative] methods because they rely on the self-reports of the individuals under examination. Reality is viewed as a social phenomenon, embedded in the contexts in which it is observed, and understandable only in terms of the perceptions of the actors involved (Stano, 1983).

There are many advantages to adopting a qualitative approach in stress research. According to Priest (1996) qualitative research contributes to the goal of building a body of accumulated knowledge not by formal hypothesis testing but by more free-ranging exploration. Also that qualitative research seeks insights into a worldview that is assumed to be shared by the members of a culture or subculture (Priest, 1996).

Qualitative research is primarily inductive rather than deductive. Where social phenomena are extremely difficult if not impossible to reduce to measurable variables an inductive analysis process is of benefit (Priest, 1996).

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While it is true that quantitative methodologies have been the workhorse of stress research, many agree that in work settings stress researchers must attempt to move away from a single method model of stress measurement (Ivancevich & Matteson, 1988). When the goal is to understand the "insiders" perspective, a quantitative design is just not the way to go (Priest, 1996).

Lazarus (1994) supports this in stating that traditional approaches towards stress, while correctly identifying and confirming contributing factors, are not serviceable when wishing to deal with individual working people.

## **4.2 Minority Research**

A scan of the literature reveals little on alternative methodologies appropriate for use in minority research. Of those minority stress studies examined (Padilla, Wagatsuma, & Lindholm (1984); Hamid, & Chan (1998); Smyth, & Williams (1991); Evans, Palsnae, & Carrere (1987); Liang, & Bogat (1994); Berry, & Annis (1974); Ford, & Bagot (1978); Smith (1985); Moritsugu, & Sue (1983); Holder, & Vaux (1998)) none indicate the use of alternative theoretical or methodological practices appropriate to the ethnic group under investigation.

In general, western research has been universally applied to minority studies. Little can be found which argues against this practice or that offers other alternatives. However, there is a sizeable amount of literature on Maori research and the inappropriate use of scientific [western] techniques to explain the Maori situation.

### **4.2.1. Maori and Research**

Research on Maori dates from the time of contact and colonisation (Stokes, 1985) when early Europeans sought to construct knowledge about and establish the social/behavioural patterns of New Zealand's indigenous people. In general this research has been conducted with a western view of reality.

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Much has been written on Maori research in recent years. Writers including Smith (1992); Stokes (1985); Cunningham (1998); Teariki; Spoonley; & Ngahiwi (1992) and Bishop (1995): express strong views about the outcomes of western research and the methods used in conducting these studies.

The epistemological stance of traditional [western] research methods is deemed too rigid to accommodate other cultural perspectives. And thus Maori researchers have sought to bring about in the last 25 years, a research environment conducive to the application of culturally appropriate methods; and where a Maori 'worldview' is used.

Central to this initiative is the perceived epistemological and methodological constraints of western-framed research. The means by which data is collected and the nature of reality on analyses is seen by some researchers to marginalise Maori values and knowledge.

General criticism of research conducted on Maori includes inappropriate methods of data collection and the misinterpretation of information. Cunningham (1998) states that in general research and science has sought to rationalise Maori knowledge in western terms. This criticism is shared by Teariki et al (1992) who write, "researchers derive their worldview and methodologies from a specifically northern hemisphere tradition of research and scholarship in order to examine the world of Maori." (p. 2).

Bishop (1995) criticises research on Maori as having, "in the past, misrepresented Maori understanding and ways of knowing by simplifying, conglomerating, and commodifying Maori knowledge for consumption by the colonisers" (cited in Weber, 1995, p. 145). This Bishop (1995) says, has perpetuated many everyday myths about Maori. Teariki et al (1992) and Stokes (1985) highlight another common complaint about research on Maori, and that is that it serves to accentuate negative issues and circumstances.

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Criticism of research on Maori is based on the notion that scientific research has misrepresented Maori information, marginalised Maori knowledge and painted a negative portrait of Maori. Fundamentally these criticisms stem from the inability of traditional methodologies to accommodate Maori cultural values and knowledge. Smith (1992) states that “cultural considerations have been overlooked, despite stringent precautions demanded by scientific methodology, because they are not always readily identifiable or acknowledged by researchers.”

The way in which Maori view the world is pivotal to this argument. Cunningham (1998) describes the Maori world as being based on the notion of interconnectedness between personal and collective, and on the relationship between man, and the environment, physical and spiritual. There is a spiritual dimension to Maori attitudes to knowledge which is alien to non-Maori (Stokes, 1985).

In general too many researchers fail to understand that there are other dimensions to the value of Maori knowledge (Stokes, 1985). Smith (1992) contrasts Maori knowledge to non-Maori knowledge. Knowledge in a monocultural context, she says; is thought to be an acultural concept. It is assumed that what determines legitimate knowledge is plain common sense, without class, gender or cultural influences.

“Science has largely tried to identify aspects of Maori knowledge and codify this in terms of the branches and disciplines that exist in mainstream science.” (Cunningham, 1998, p. 3). Broad Maori research perspectives sit uncomfortably within a purely sectoral view (Cunningham, 1998).

Recent Maori research has employed many Maori methods, such as hui (gatherings), waiata (songs) and karakia (prayer). Cunningham (1998) explains that much research is now undertaken in Te Reo Maori [Maori language]. This gives rise to the debate as to how Maori-specific methodologies may be validated.

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For example Maori prefer oral communication to other forms of communication for the transmission of knowledge (Royal, 1992). Yet this method may be judged as being less reliable than other methods of data collection and therefore less valid. When used however, it is likely that a mainstream analysis will be applied to such knowledge (Cunningham, 1998).

The data will be treated in a systematic way and subject to whichever method has been employed. The analysis of which will not have produced Maori knowledge, but mainstream knowledge about Maori. Cunningham (1998) points out that neither form of analysis is necessarily superior to the other, but they can produce very different results as they are based on different value sets and philosophies.

What Smith (1992) asks is the significant question of whether pakeha [scientific] notions of research and associated methodologies of research are capable of taking full account of Maori cultural perspectives. Teariki et al (1992), suggest that the solution is not necessarily to insist upon Maori researchers as such, but to develop Maori research potential which will see research undertaken using Maori values and techniques.

Bishop (1995) sees Maori research as collectivistic. His belief is that; it is oriented toward benefiting all research participants and their agendas, defining and acknowledging Maori aspirations for research whilst developing and implementing Maori theoretical and methodological preferences and practices for research. In this study, these and other methodological considerations have been taken into account and are discussed under the heading of research design.

### **4.3 Research Design**

As research had been conducted previously on a sample of New Zealand lawyers it seemed logical to follow the same lines of methodology with a new sample of Maori lawyers. The original aim then was to replicate the earlier study and revise the questionnaire instrument for the new target audience.

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The difference between the old and new target audiences however, led to the consideration of alternative techniques not previously used. While the practices employed in earlier research elicited valuable findings, it was questioned as to whether or not they could again elicit the information required to answer the research question.

The capturing of rich cultural data and use of appropriate methodological and analytical tools for research on Maori were issues debated by the researcher. Factors that required careful consideration were re-development of the research questionnaire including consent, contacting the sample, the use of face-to-face interviews, content analysis and ethical considerations. A discussion of each of these areas follows.

#### **4.3.1. Questionnaire Development**

In 1995 researchers from the Department of Human Resource Management at Massey University, constructed a questionnaire from information gathered through a series of 15 interviews with practising lawyers around New Zealand. Wishing to use this tool again, it was necessary to re-examine the aims and content of the original questionnaire to ensure that it was appropriate for use with Maori.

Working with Maori academic staff from the School of Law at the University of Waikato, the previous questionnaire was modified providing Maori lawyers with the opportunity to describe their own experiences in their own words. As the purpose of this research was to investigate the cultural factors surrounding stress for Maori lawyers, appropriate questions were added to capture this.

An open-ended question section was added to the former questionnaire. This new section primarily focused on 4 open-ended questions designed to explore the role that cultural identity plays in the stress process.

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These questions addressed the areas of perceived barriers by Maori lawyers, their immediate work environment and climate, any unique sources of stress as a result of their ethnicity and any unique coping strategies also as a consequence of their cultural identity. Ample space was provided for participants to respond in full.

There was some difficulty in framing the questions in a way that would capture the data required. As with most open-ended questions responses can vary widely depending on the respondent's interpretation of the question. This can cause some difficulty in analysis.

Other major modifications to the questionnaire included the addition of general health questions and also the demographic section that allowed for the inclusion of iwi affiliation and the opportunity to indicate which area of practise or non-practise participants are currently working.

The questionnaire was left unmodified in some sections for the purpose of comparative study. For example, sections one and two were replicated with little modification to examine occupation specific stressors (e.g. workload and meeting deadlines) and generic coping strategies (e.g. avoiding the situation or throwing oneself into their work) between the two samples. These comparisons are examined in chapter seven.

Consideration was given to allowing participants to undertake the research in te reo Maori. However the limited language skills of the researcher and lack of resources to translate the questionnaire, meant that this initiative was abandoned.

An information sheet was incorporated into the front design of the questionnaire to provide contact details and other research information. As part of this information participants were informed "Completion and return of this questionnaire implies consent." This was seen as an appropriate way to gain consent without having to approach individuals.

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### **4.3.2. Participants**

From the outset it was anticipated that attracting participants for this study might be difficult because of high volumes of work and stress. Although prior acknowledgement was given to the need for such a study, there was some doubt in the researcher's mind that a high participation rate would be achieved. Some of this concern was warranted in first locating a suitable sample.

In earlier research lawyers were selected from the national law register. However in this study because a number of Maori lawyers have European names it was difficult to draw a sample in this way. This meant an alternative approach was needed for obtaining a sample of Maori lawyer participants.

Capturing the full complement of Maori lawyers working in different areas also posed a barrier. It is generally known that many qualified lawyers are not in practise but instead enter into other professions where their legal qualifications are used in non-practising vocations.

To circumvent these difficulties and to finally obtain a suitable sample, participants were drawn primarily from the membership of Te Hunga Roia (the Maori Law Society). As this group is made up of voluntary members it was expected that a number of Maori lawyers would not be included in the sample.

Notices were placed in regional law society circulars as well as broadcast on "Marae" (a national Maori television programme) asking for non-members of Te Hunga Roia to participate. Notices to law society magazines and to television identified the study; the participants sought (i.e. Maori lawyers) and provided the contact details of the researcher.

One advantage of using Te Hunga Roia members as part of the sample was the lack of need to obtain confidential contact details. Mail-out of the research questionnaire was conducted through the Executive Committee of Te Hunga Roia and therefore the privacy of its members remained intact.

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Executive members of Te Hunga Roia were asked to recommend interview participants. The eventual list of names given to the researcher represented a balance of gender, age and area of practise. Those members suggested were contacted and asked to consent to an interview.

### **4.3.3. Interviewing**

Face-to-face interviews were thought to be an appropriate form of data collection for this study. Several reasons underlie this decision. First and foremost is the fact that Maori are an oral people and prefer oral communication as a means of passing on knowledge (Royal, 1992; Cowan, 1930). Recounting narratives of experience has been the major way throughout recorded history that humans have made sense of their experiences (Seidman, 1991).

The second reason for using face-to-face interviews in this study is that when used in conjunction with the research questionnaire, the researcher has the flexibility to explore interesting things that come up (Priest, 1996). The third reason is that at the heart of interviewing research is the interest in other individual's stories because they are of worth (Seidman, 1991).

The purpose of interviewing is not to get answers to questions, nor to test hypotheses, and not to evaluate as the term is normally used. At the root of interviewing is an interest in understanding the experience of other people and the meaning they make of that experience (Seidman, 1991).

Many would argue against the use of interviewing research however as it takes a great deal of time and sometimes money. The researcher has to conceptualise the project, establish access and make contact with participants, interview them, transcribe the data, and then work with the material and share what he or she has learned (Seidman, 1991).

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Other limitations include ethical issues of privacy and anonymity and also the fact that responses may be limited as a result of being one-on-one with the researcher (Frey, Botan, Friedman & Kreps, 1991). In similar vain face-to-face interviews have been criticised on the basis that researcher rapport may influence the objectivity of participants and therefore introduce bias (Minichiello, Aroni, Timewell & Alexander, 1996).

In this study, limitation issues came second to the potential of interviews to capture the rich experiences of participants, and in a manner that was culturally appropriate.

#### **4.3.4. Grounded Theory Analysis**

Identifying themes and patterns from qualitative data sets is partly a matter of judgment (Priest, 1996) and haphazard if not systematically handled. Grounded theory analysis (sometimes called the constant comparative method) brings about the systematic analysis of data while having the advantage of being able to examine the data from the meaning-perspective of those who produced it (Emmert, 1989, cited in Emmert & Barker, 1989).

Open coding in grounded theory is the analytical process by which concepts are identified and developed in terms of their properties and dimensions through close examination of the data (Strauss & Corbin, 1990).

The basic analytic procedures by which this is accomplished are: the asking of questions about data; and the making of comparisons for similarities and differences between an incident, event, and other instances of phenomena. Similar events and incidents are labelled and grouped to form categories (Strauss & Corbin, 1990).

In open coding we break down and conceptualise an observation, a sentence, a paragraph, and give each discrete incident, idea or event, a name. By asking questions such as what is this? What does this represent?

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We compare incident with incident as we go along so that similar phenomena can be given the same name or category (Strauss & Corbin, 1990).

At each stage of looking at new data the researcher must ask if the categories being used "fit" or if the new information is really different enough to call for the creation of a new category. Then when a new category is created, a review of the material already classified is called for to see if earlier instances have been overlooked (Priest, 1996).

The goal is to use consistent categories but to allow them to emerge from the data rather than imposing your own preconceived ideas that may represent what is really going on (Priest, 1996). Through this process one's own and others' assumptions about phenomena are questioned or explored, leading to new discoveries.

The data in this study has undergone basic content analysis using the above inductive technique. Thus responses to open-ended questions and interview questions were first analysed to gauge the intent of what was being said. Responses that said the same things or which had similar intent were then grouped to form the themes or categories presented in the findings.

#### **4.3.5. Ethical Considerations**

This study encountered very few ethical difficulties. Ethical advice was sought and provided by the Massey University Chairman of the Ethics Committee throughout the design stage of this study, and therefore all ethical considerations had deemed to be fulfilled.

#### **4.3.6. Limitations**

This research is limited only by its failure to reach a census sample of Maori lawyers.

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## CHAPTER FIVE SURVEY RESULTS

### Introduction

This chapter presents the results collected from the research questionnaire. Responses to open-ended questions and which require content analysis are presented last.

### 5.1 Demographics

Questionnaires were sent to 200 Maori lawyers drawn from the total membership of Te Hunga Roia as well as to 12 non-members. Of those 45 questionnaires returned, 28 (62.2%) of respondents were female and 17 (37.8%) male. The majority (51.2%) of participants were between the ages of 21 and 30, while the remaining 33.4% were between 31 and 40, and 15.4% between 40 and 52 years of age. Over three-quarter (75.6%) of respondents indicated that they were either living together with their partners or were married.

TABLE 1  
Sex of Participants

FEMALE PARTICIPANTS	MALE PARTICIPANTS
62.2%	37.8%

TABLE 2  
Age of Participants

AGE	FREQUENCY (N)	PERCENT (%)
21-25	7	15.6%
26-30	16	35.6%
31-35	8	17.8%
36-40	7	15.6%
41-45	3	6.7%
46-50	3	6.7%
51-55	1	2.2%

Questions about graduate status show that just below fifty percent (48.1%) of respondents graduated with their law degree in the last five years. Auckland and Waikato University had an equal number of graduates at 33.3% each. The remaining 13.3% graduated from Victoria, 11.1% from Canterbury, and 8.9% from Otago.

Most participants (83%) have practised law either in a law firm or as a sole barrister/solicitor. Currently 64.4% still work in this capacity. Of that number 4 (8.8%) are sole practitioners, 10 (22.2%) work in small firms, 8 (17.8%) in medium size firms and the remaining 7 (15.6%) in large firms. Respondents who do not currently practise (35.6%) work in a variety of roles including as law lecturers, legal analysts and legal researchers. Of these (58%) left traditional areas of law practise to work in non-practising vocations.

TABLE 3  
Current Employment of Participants

AREA of EMPLOYMENT	FREQUENCY (N)	PERCENT (%)
Sole practitioner	4	8.8%
Small Legal Firm	10	22.2%
Medium Legal Firm	8	17.8%
Large Legal Firm	7	15.6%
Other (non-practise areas)	16	35.6%

The reasons stated by respondents for leaving law practise to work in other areas include; wanting to spend more time with family, hating the stress of billing and meeting budget requirements, disliking the emphasis on money, inability to attain work in a law firm and wanting to return acquired skills to iwi, hapu and whanau.

When indicating the number of years respondents had been in practise 22% said they had practised for 10 years or more. Over two thirds of respondents (66.9%) indicated that they had practised for 5 years or less.

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From the demographic data collected participants who responded to the survey are likely to be female, aged between 21 and 30, working in a small to medium size firm with a maximum of 5 years practise. These demographics present a number of issues for the study overall and are discussed in the seven chapter.

## **5.2 Occupational Stressors**

Section 1 of the questionnaire presented participants with a list of occupational stressors. Using a Likert type scale of 1 to 5, participants were asked to indicate to what extent each item contributed to their overall work stress. The numbers used in the scale represent the following responses:

- 1 = "not at all"
- 2 = "a little"
- 3 = "a fair bit"
- 4 = "a lot"
- 5 = "a great deal"

Individual item scores for the 30 stressors presented in section 1 were added together to calculate the overall mean. This mean was 2.8611. The results discussed in this section consist of those stressors which are notably higher or lower ( $><0.5$ ) than the average mean. The item scores of individual stressors and the average mean variance are presented in Table 4.

The item participants indicated as being most stressful was "expectations of self" with a positive mean variance of 1.21. Closely associated with this and high also in variance (0.57) was the item "not being able to do the quality of work I would like."

"Conflicting priorities" and "conflicting demands" also had high variances (0.74 and 0.66 respectively) as too did "budgeting requirements" (0.60) which includes billing and collection. "Work overload" was the other item to have a high mean variance (0.52).

These results show firstly that a major source of stress comes from the self, and what can be inferred through conflicting priorities and demands. The results also show that the next major sources of stress for participants are workload and budgeting issues.

TABLE 4  
Stressor Items

STRESSOR	Mean	Mean Variance	Standard Deviation
Expectations of self	4.0769	<b>1.2158</b>	1.0609
Conflicting priorities	3.6053	<b>0.7442</b>	1.2201
Conflicting demands	3.5263	<b>0.6652</b>	1.2463
Budgeting requirements	3.4615	<b>0.6004</b>	1.5017
The balance between quantity or work and time available	3.4359	<b>0.5748</b>	1.0953
Work overload	3.3846	<b>0.5235</b>	1.1382
Demands of the system	3.2632	0.4201	.8909
Not being able to do the quality of work I would like	3.2632	0.4021	1.2452
Interruptions	3.2308	0.3697	1.3071
Time recording	3.1579	0.2968	1.3054
Demands of clients	3.1538	0.2927	.9608
Meeting deadlines	3.0513	0.1902	1.0748
Home pressures	2.9487	0.0876	1.1909
Potential liability	2.8947	0.0336	3.1690
Inadequate support systems	2.8462	-0.0149	1.3868
Demands of co-workers	2.8108	-0.0503	1.0230
Pressures of career advancement	2.7368	-0.1243	1.1551
Demands of unexpected events at work	2.7179	-0.1432	.9986
Lack of management directives	2.6053	-0.2558	1.2848
Unclear instructions	2.6053	-0.2558	1.2420
Discrimination within the profession	2.5385	-0.3226	1.2322
Keeping up with legislative changes	2.5000	-0.3611	1.1566
Being accountable to principals	2.4595	-0.4016	1.3037
Lack of clarity about how performance is appraised	2.3947	-0.4664	1.1750
Competing with peers	2.3684	-0.4927	.9979

TABLE 4 cont'd  
Stressor Items

Lack of recognition for good performance	2.3333	<b>-0.5278</b>	1.2425
Gender issues within the profession	2.3158	<b>-0.5453</b>	1.2967
Dealing with disturbed people	2.2500	<b>-0.6111</b>	1.1557
Work under-load	2.1351	<b>-0.7260</b>	1.1823
Initiatives of the Law Society	1.9459	<b>-0.9152</b>	1.2235
<b>OVERALL AVERAGE</b>	<b>2.8611</b>		

Those items which were notably lower (>-0.5) than the average mean and therefore seen as causing the least stress to participants were "initiatives of the Law Society", "lack of recognition for good performance", "gender issues", "work under-load" and "dealing with disturbed people".

In light of what we have learned about the demographics of participants some interesting results are presented in this section, notably the fact that gender issues was seen not to be significant as a stressor. This is noteworthy given the percentage of women respondents. These and other stressor issues are discussed in the chapter seven.

### 5.3 Coping Strategies.

As with section 1, participants were presented in section 3 of the research questionnaire with a list of 35 coping strategies. Using a Likert scale of 0 to 5 participants were asked to indicate to what extent they behave in the way listed when dealing with their work stress. The numbers used in the scale represent the following responses:

- 0 = "don't do this at all"
- 1 = "infrequently"
- 5 = "very frequently"

Each individual item score for the 35 coping strategies were again added together to calculate the overall mean. This mean was 2.264. The results discussed in this section as before, consist of those coping strategies which are notably higher or lower ( $><0.5$ ) than the average mean. The item scores of individual coping strategies and the average mean variance are presented in Table 5.

Of those items listed, respondents indicated that "seeking the company of family" was most important with a positive variance of 1.45. Other strategies which were high in positive variance were "remind myself that work isn't everything", "give extra attention to planning and organising", "talking with people (other than supervisor) involved" and "discussing problems with supervisor".

Other strategies that were high in positive variance are "do physical exercise", "throw myself into work longer and harder", "seek the company of friends" and "pursue hobbies or leisure activities".

Items that were negative in variance included "take tranquillisers, sedatives or other drugs", "seek professional help or counselling", "smoke cigarettes, cigars or pipe", "take time off from work", "drink more than a moderate amount of alcoholic beverage" and "request help from people outside the situation". These are the items which respondents indicated they used the least to cope with their stress.

As with the results presented for stressor items there are a number of findings that are noteworthy. These and other issues are discussed in chapter seven.

TABLE 5  
Coping Strategies

COPING STRATEGY	Mean	Mean Variance	Standard Deviation
Seek the company of family	3.711	<b>1.45</b>	1.307
Remind myself that work isn't everything	3.600	<b>1.34</b>	1.420
Give extra attention to planning and organising	3.488	<b>1.22</b>	1.036
Talk with people (other than supervisor) involved	3.422	<b>1.16</b>	1.373
Try to see the situation as an opportunity to learn and develop new skills	3.177	<b>0.91</b>	1.266
Discuss problems with supervisor	3.177	<b>0.91</b>	1.613

TABLE 5 cont'd  
Coping Strategies

Do physical exercise	3.066	<b>0.80</b>	1.542
Try not to get concerned about it	3.066	<b>0.80</b>	1.268
Throw myself into my work longer and harder	2.955	<b>0.69</b>	1.566
Seek company of friends	2.911	<b>0.65</b>	1.489
Pursue hobbies or leisure activities	2.844	<b>0.58</b>	1.364
Eat or snack	2.777	<b>0.51</b>	1.535
Set my own priorities based on what I like to do	2.755	0.49	1.400
Daydream	2.688	0.42	1.963
Do my best to get out of the situation gracefully	2.555	0.29	1.603
Watch TV	2.511	0.25	1.391
Seek advice from people who have power over the situation	2.511	0.25	1.486
Work on changing policies that cause the situation	2.444	0.18	1.530
Accept the situation because there is nothing that can be done about it	2.444	0.18	1.631
Hope the situation will resolve itself in time	2.400	0.14	1.601
Complain to others	2.400	0.14	1.483
Take it out on family and friends	2.311	0.05	1.716
Avoid the situation	1.911	-0.35	1.411
Spend money, buy something	1.866	-0.40	1.713
Get extra sleep or nap	1.822	-0.44	1.386
Take a trip/leave the city	1.778	-0.49	1.434
Practice prayer or spiritual beliefs	1.777	-0.49	2.043
Use relaxation techniques (i.e. meditation/yoga)	1.666	<b>-0.60</b>	1.930
Get someone else to solve the problem	1.444	<b>-0.82</b>	1.119
Request help from people outside of the situation	1.111	<b>-1.15</b>	1.433
Drink more than a moderate amount of alcoholic beverage	0.844	<b>-1.42</b>	1.106
Take time off from work	0.711	<b>-1.55</b>	0.968
Seek professional help or counselling	0.444	<b>-1.82</b>	1.119
Smoke, cigarettes, cigars or pipe	0.444	<b>-1.82</b>	1.374
Take, tranquilisers, sedatives or other drugs	0.222	<b>-2.04</b>	0.876
<b>OVERALL AVERAGE</b>	<b>2.264</b>		

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## 5.4 General Health

Section 4 of the questionnaire asked respondents 2 questions regarding their general health in comparison to others their own age and compared to a person in excellent health. The response showed that 71.1% of respondents considered their health to be "good", "very good" or "excellent" in comparison to others their age. When compared to a person in excellent health 55.5% of respondents considered their health to be "good", "very good" or "excellent".

TABLE 6  
Health compared to others own age

RESPONSE	PERCENTAGE
Poor	6.7%
Fair	28.9%
Good	26.7
Very Good	31.1
Excellent	13.3

TABLE 7  
Health compared to a person in excellent health

RESPONSE	PERCENTAGE
Very Poor	2.2
Poor	13.3
Fair	28.9
Good	24.4
Very Good	26.7
Excellent	4.4

In addition to these 2 questions participants were given a list of general symptoms which they were then asked to indicate to what extent they felt these effects more than usual. When asked to indicate whether or not they felt perfectly well 68.9% responded positively saying that they either felt the "same as usual" or "better than usual. In all other respects participants' responses matched the findings above.

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## 5.5 Open-ended Questions

Open-ended questions were added to the survey to allow participants to describe their experiences in their own words. The inclusion of these questions was thought to be an appropriate tool to capture the rich data unable to be gained using Likert scales and quantitative methodologies.

Each question has undergone content analysis identifying a number of common themes that are presented here.

### 5.5.1. Barriers

Participants were asked whether they had encountered any barriers as Maori lawyers. From the 21 responses to this question 2 common themes surfaced though these were not indicative of all responses.

The first theme to emerge was that of a lack of understanding of Maori concepts and perspectives by non-Maori. This had the effect of respondents having to explain issues of tikanga (custom, conditions/provisions (legal)) to non-Maori colleagues and judiciary, as well as having to justify the position of Maori. Some typical responses included:

*"Explaining tikanga to peers."*

*"Lack of understanding of tikanga Maori issues."*

The failure to accommodate a Maori worldview has led to the idea that there is only one law and that Maori concepts of law are given little credence. This lack of understanding of Maori values has meant that respondents have been belittled because of their different beliefs, feel unable to facilitate justice for treaty claimants, and are questioned about the validity of Maori law by the bench, colleagues, other practitioners and the media. One response that highlights the attitude of the bench is that:

*"Judges are myopically committed to western norms in the law."*

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The second theme to emerge is that of racial discrimination. Respondents expressed that discrimination takes place in the courts as well as in their immediate work environments. Non-Maori colleagues would talk to respondents about Maori clients forgetting that they (the respondents) are Maori themselves. Colleagues use expressions like "nigger" and "radical" in conversations when talking about Maori clients. Responses included:

*"Heard other colleagues use expressions like 'nigger' and 'radical' in a derogatory manner towards their Maori clients"*

*"Having to put up with discrimination...in the form of Maori bashing in criminal court where Maori are the majority"*

A number of other barriers emerged but not in terms of the frequency of the 2 major themes mentioned above. These included the inability to gain access to legal networks and a preference for Pakeha men by judiciary and colleagues.

Issues of discrimination against Maori women lawyers were also identified. Women respondents indicated that they are at times ignored by the judiciary and colleagues, mistaken for clients or legal secretaries, looked over for promotion and in general *"left at the bottom of the heap"*.

In the second part of this question respondents were asked how they coped with barriers. Four main coping mechanisms came out as a result. In dealing with barriers respondents expressed their perseverance to remain true to their values, stick up for themselves, be more vocal (and therefore run the risk of being off-side with the judiciary and colleagues), or find alternative ways to present their point of view.

### **5.5.2. Environment**

The question was put to participants whether they found their immediate work environment to be more stressful than for non-Maori colleagues. From 23 responses several participants indicated their ability to have some influence over their environment. These respondents were either sole practitioners or worked in a legal practise where other Maori lawyers supported them.

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In general though the responses to this question were varied. A number of responses were given which included:

*"feeling like a fish out of water"*

*"a lack of support within firms"*

*"being a part of something but never actually belonging to it."*

These would indicate that some Maori lawyers while working in the legal profession or within certain organisations see themselves as outsiders who never actually feel a part of the system.

### **5.5.3. Stressors**

Respondents were asked what things they found most stressful about working as Maori lawyers. From 31 responses there was a wealth of descriptive data that highlighted very unique sources of stress. These responses can be categorised into 3 common themes.

The first theme to emerge highlights the differences felt between the legal system and profession and Maori tikanga and worldview. The gap between law and lore has been highlighted in many different indigenous settings. Respondents experience stress from working in a mono-cultural legal system based on foreign values and beliefs that do not accommodate their own cultural paradigm.

Similarly in terms of the differences between law and lore, respondents replied that they experience stress from working within a judicial system that fails to support Maori values and beliefs. Again it was expressed by some, that continually having to educate non-Maori colleagues and the judiciary about Maori views is an added strain. Some of the responses that highlight this theme include:

*"Working in a system that subjugates my world view into an invisible realm most of the time or a realm that is not acknowledged or recognised by the processes of the New Zealand legal system."*

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*"Working within and thus implicitly acquiescing to a legal system which was designed and implemented to oppress and destroy Maori."*

*"Trying to convince mono-cultural judges who have no hope or desire to understand tikanga Maori or a different cultural viewpoint."*

*"Having to try and argue with fellow non-Maori practitioners about a Maori view of history when they can't be bothered to read any of the Waitangi Tribunal reports, don't know who Belich is, can't spell Ngapuhi and haven't got the faintest idea where different tribes are from. General ignorance."*

The second theme to emerge is that of expectations. These were expressed in a number of ways. Firstly there is an expectation by employers that Maori lawyers should be "Maori experts" when dealing with Maori clients and cases. It is expressed that the assumption is that as a Maori lawyer you have an in-depth knowledge on all Maori current and past (political, legal and social) issues.

It is of note that while in the first theme employers are unwilling to recognise the values and beliefs of Maori tikanga, in the second theme they (employers) expect their Maori lawyers to recognise and be experts in Maori issues when dealing with clients. This raises an interesting dichotomy.

Another expectation by employers is that as a Maori lawyer you will bring in all the Maori work. Assumptions are then made that as a Maori lawyer you are only interested in Maori areas of law practice. Respondents also indicated that Maori lawyers are made to give the "Maori opinion" on behalf of colleagues and the firm.

Expectations are not simply demanded by employers. Respondents indicated their responsibilities to whanau, hapu and iwi as a major cause of stress also. Many felt that relatives expected them to know everything about the law and would impose on their free time, without consideration of payment. It is likely that whanau would place great demands on spare time, feeling that they could impose irrespective of time, day or night, week day or weekend.

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Typical of the responses to this theme were:

*"Being totally accessible to whanau and friends who 'really need a lawyer now cuz."*

*"Having the feeling...the hopes and dreams of my family members, whanau and friends are pinned on how successful I become."*

*"Immediately there is responsibility to your iwi/hapu and whanau. This can be very stressful at times when you are very committed to work yet you are expected to assist your whanau 'on call'."*

*"Maori lawyers have family and tribal demands and expectations. You have to do them."*

*"Expectations of other Maori that work is going to lead to results."*

*"Having all your relatives expect you to work for free."*

*"Expectations from the Maori community that we do things for nothing or cheaply."*

Respondents also felt their own self-expectations to use their legal expertise to help whanau, hapu and iwi. There is an admittance here that this places greater demands on time and is an additional strain to personal resources.

The third theme to emerge from this question is the stress felt from billing Maori clients large legal fees. Respondents expressed that they had to be Pakeha minded in respect to billing clients, but at the same time were concerned with the amount billed to Maori clients who were not in a position to pay such high fees. Responses included:

*"Most Maori clients cannot afford the full-on fees and yet they have issues that really need litigation or at least representation."*

*"Trying to keep costs down for clients who can't afford legal fees."*

*"Stressing out about how much Maori clients will be billed for the mahi I am doing, which I perceive is taking too long."*

*"Having to charge Maori huge fees."*

*"Trying to find the right balance between what is charged out."*

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#### 5.5.4. Coping

Participants were asked to identify those coping interventions they felt were particular to Maori and which they employed to alleviate their stress. The responses to this question were again descriptive and captured the essence of cultural influence in the stress and coping process. From 31 responses 3 common themes emerged.

Social support is the first theme to emerge. Many respondents indicated whanau support as a major coping intervention. The concept of whanaungatanga (family association) is one that is strong among Maori. Regular hui (gatherings) with extended family allow individuals to share their experiences with others and lessen their burdens. Responses that indicate this include:

*"Whanau hui where you discuss cases and relationships. This involves quite often players who may not be legal practitioners and are not bound by strict legal rules of privilege and confidentiality. They are bound by honour and a deep sense of caring and commitment to you however."*

*"My immediate whanau provide support which helps in dealing with stress."*

*"Spending time and talking with whanau."*

One other important response was that of networking with other Maori, both lawyers and non-lawyers in a professional and social setting. This highlights the need for Maori lawyers to interact with their own kind to discuss issues of concern.

The second theme to emerge and another unique coping strategy is that of being connected to the world. For Maori feeling connected to Papatuanuku (Earth) and Rangi (Sky) is critical. Maori feel an affiliation with nature and therefore utilise this in an wholistic approach when dealing with stress. Responses that typified this theme include:

*"Hoki ki to maunga kia purea i nga hau o Tawhirimatea."*

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*"Sitting on your maunga and reflecting on the world, mai rangi ki paptuanuku."*

*"Being in touch with the land, sea and sky."*

Many respondents expressed the need to return to their home, or the place from which they or their families and tupuna (ancestors) originate. The need to return to ones turangawaewae (home) is fundamental to the well-being of Maori also. One response that highlights this is *"Hoki ki te kainga tuturu."* Or translated means to "return to your true home." This very personal event helps to replenish ones Mauri (life force). Responses included:

*"Having a base (turangawaewae) upon which to stand."*

*"Hoki ki te kainga tuturu."*

*"Returning to my turangawaewae for replenishment of mauri."*

*"Going back home out of Auckland, to where my mother is from. Being around whanau, whenua and marae that I am part of."*

The third theme to emerge is that of healing one's wairua (spirit). As part of an holistic approach, Maori believe that in order to heal any physical manifestation it is necessary to heal the spirit. Respondents indicated that this is achieved through the use of karakia (prayer) and also in some part through singing waiata (songs). Through waiata one can express hurt, sadness and anger, as talked about in the songs. Responses included:

*"Acknowledging that well-being encompasses the wairua as well as the physical and mental aspects of yourself."*

*"Trusting that my tupuna and guides know what they're doing and that I'll be better and stronger for it in the end."*

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*“Singing a waiata to relieve tension after a difficult exchange.”*

*“Doing a haka or pokeka to exemplify mood, feelings and historical links.”*

### **Conclusion**

The results presented in this chapter produce a stark contrast. Those from closed questions produce a static picture of the stress experienced by Maori lawyers. While it is easy to tell which variables cause the most stress and which mechanisms are used most when coping, there is little to tell us the depth of feeling of respondents.

The results from open-ended questions however, produce a far richer and varied tapestry from which to interpret the stress experience of Maori lawyers. Responses given in their own “voice”, allow participants the opportunity to express their views with depth of meaning.

Although the techniques used provide different depths of response, the results of both sections to a large extent sing the same tune. These are further discussed in chapter seven.

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## CHAPTER SIX INTERVIEW RESULTS

### **Introduction**

This chapter presents the major findings that emerged from interviews with 15 Maori lawyers held around New Zealand. Each interview has undergone content analysis to establish similar patterns of meaning present throughout all interviews. This type of analysis is preferred where the particular aspects of content being studied are difficult to capture in quantitative analysis schemes (Seidman, 1991).

Because of the limited number of interviews, "thematic" content analysis where frequency validates the value of importance (Allan, 1998) and hence where meaning is derived through quantity; is replaced with a more inductive approach which aims to capture *participant's experiences* and the *meaning they make of it* (Priest, 1996).

Analysis in this way looks to derive meaning from what is being said and the potency of the inferences present in the communication of participants. The inductive approach allows the researcher to immerse themselves in the message in order to identify the themes that are considered important (Abrahamson, 1983).

After analysing interview transcripts, a number of common themes have been identified. These follow those themes presented in the previous chapter. Findings fall into the two major categories of stressors and strategies of coping.

### **6.1 Stressors**

Participants were asked to identify the critical issues that face Maori lawyers and to state whether or not these issues contribute to the work stress they experience. The responses given were wide and varied, however several issues emerged as consistent in causing stress. These issues are presented as follows.

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### 6.1.1. Legal System

Issues of working within an imposed and monocultural legal system, and how this impacts on the work of Maori lawyers were prominent in many responses. The following responses represent this theme:

*"As lawyers we obviously work with the law but the law of the country is really only reflective of one culture. It is effectively a monocultural system."*

*"It's really difficult to cope with a system that doesn't allow an appropriate cultural expression. It doesn't recognise the worth of what it is to be Maori.."*

*"I think Maori lawyers are people who have to work really hard to maintain their cultural integrity within the system and I actually think it's very taxing to do that."*

*"The system remains monocultural and is not reflective of Maori norms or ideas or culture."*

*"I mean, isn't the law supposed to be a reflection of society that lives in it? My view is it isn't. There's bits and pieces here, like you can use te reo and have a few brown faces down at the court but if you look at the system that they operate in, they operate within a foreign system if you like supplanted from London."*

*"So I guess the system itself remains monocultural, but put a few carvings on the courthouse or allow you to speak te reo, you know, that is seen by the government as being bicultural"*

*"There have been some accommodations but if you look at the legal system and the jurisprudence, really the system is only prepared to go so far."*

*"I never thought even in my moments of high idealism that the legal system was where I was going to find my greatest outlet for being a Maori."*

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*"There isn't recognition given to a difference in culture and I think that's reflected really by the way our system operates."*

*"Nothing is available that actually fits in a Maori model so what we're always trying to do is to fit Maori into a Pakeha model."*

*"And so expressing your cultural identity it kind of doesn't have a place in their system."*

### **6.1.2. Expectations**

Self-expectations and the expectations of others, particularly whanau, hapu and iwi feature prominently in participants responses. These are represented by the following comments made:

#### ***(Self Expectations)***

*"I had these ideas that I was going to save the world, save the land and make sure it was well used and all that stuff."*

*"My view is that most Maori lawyers go into law with the idea of effecting change. I did and I know that a lot of others did as well. So, when you can't effect change in a kind of global sense, it's a really frustrating and stressful thing and I think when you get to that point you make a decision either I'm going to get out or you say okay I'm just going to make my individual practice as good as I can make it."*

*"I think that the biggest stress that all Maori lawyers face is when our clients [Maori] come to us .. there's a self added incentive to win."*

*"One of the things that used to stress me out was the fact that once I got my degree, I somehow owed that to my iwi and my hapu."*

#### ***(Expectations of whanau, hapu, iwi)***

*"Some of the stress for Maori lawyers is one where their own iwi, whanau, hapu or other Maori group who are affiliated with them, come and tono tono them"*

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*"You tend to get asked to wear so many hats that your dilemma is to whether to accept all of the hats that you're offered"*

*"So you may find yourself five to ten years legal experience, in your 30's trying to build families and all things, pay mortgages with having to spend every weekend or every second weekend, attending hui after hui after hui to provide that support and assistance and guidance that your people tell you they need."*

*"My whanau are doing their own thing up north. They've got their own kaupapa and they tried to pull me on board for aroha and I wouldn't do it and I told them I needed to pursue my own kaupapa to be of any use to them in the future."*

*"But they [whanau] all expect you to be able to have the time to solve it for free and you can't."*

*"Another problem is, lots of Maori people don't understand how the law works so they think 'Oh Girl's a lawyer, she can do this, this and this for me.' Even though I don't deal with that area of law and I can't."*

*"When you get a Maori client ringing up and saying "Oh thank you dear. How much do I owe you? Is it koha?""*

*"I had made a decision that I would not go and work up North until probably when I was close to 50. Because I know what would happen. They're all critical. Your own people are the worst ones to judge you."*

*"There is the argument from some Maori people that we aren't really representing Maori interests because of the fact that we work within the law anyway."*

*"I've been faced with a person going off at me...about us and our values and the fact that we are lawyers means we don't represent Maori."*

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### **6.1.3. Billing**

A number of respondents indicated that billing clients large fees is a major cause of stress. Some of the responses indicative of this were:

*"I found it difficult asking for money because I see access to justice as a fundamental human right."*

*"I just think that stresses are caused by compromises, the pressures to earn a dollar to fill the partners pockets."*

*"Billing Maori clients is tough because you realise that they haven't got all the money but you also realise that your business has to make money and I find that really stressful."*

*"Another critical issue is the whole idea of billing."*

*"It's really hard to justify the fees to a Maori person who hasn't got much money and stuff and that's a huge issue for me. I find it really hard to deal with."*

### **6.1.4. Other Stressors**

During interviews a number of other issues were raised which cause obvious strain to participants at work. Primarily these responses fall into two categories; racism and other. Responses that represent this include:

#### **(Racism)**

*"When I first began practising law as a law clerk at a national law firm in 1987, which is 12 years ago, there was a great deal of racism, very blatantly in that firm."*

*"There have been so many incidents in my career about the racism of the profession, I don't know where to start to be honest."*

*"You were not encouraged to act for Maori, not encouraged to assist your whanau, other Maori who came and wanted help because the firms were very adverse to acting for Maori because they had no ability to pay legal fees."*

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*"For me it's racism. Definitely a huge one. It's racism in the workplace. It's racism in the wider workplace with your Pakeha contemporaries. It's in the judicial system itself."*

*"As in any profession you get the pig ignorant and law is no exception."*

**(Other)**

*"Well I feel as a Maori lawyer you have to carry the burden of having to be an especially good lawyer because you are judged by your colour and by your race."*

*"We need to really polish up on being professionals - more professional than the Pakeha. We've got to be a wee bit more better than better."*

*"I think one of the issues that you face as a Maori practitioner, you are in a huge minority in the legal profession and you are inhibited by the fact that you are generally so isolated."*

## **6.2 Coping**

Interviewees were asked to identify any coping strategies that they thought were particular to Maori. The responses again mirror those presented in chapter five. Responses to this question included:

### **6.2.1. (Social Support)**

*"But it was just lovely with the whanau ... we had waka ama in the morning and church in the afternoon and whanau at night."*

*"I would say that hopefully we talk more, to communicate better to korero more which I think is a good way of handling stress...sharing your problems, sharing your burdens."*

*"I just think our culture, the way we are...we are a communal people. We are used to talking and being around others and sharing things. We're not just alone in this world."*

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*"I find that a really good way of being calm, of resting is being with your family and very good friends."*

*"I think being Maori is actually learning to sit down alone, be by yourself and have quiet time and to think and talk to people about Maori issues."*

### **6.2.2. (Connectedness)**

*"I think when I'm really stressed out, I think the thing that is most comforting is being somewhere completely natural so either by the lake or in the forest or by the sea."*

*"Apart from going home which I think is something that only we do. It's just going home to my grandmother. That's the main thing I do. You get uplifted."*

*"I think that if you do have that sense of your own identity and you do see yourself being tied to the land then I think that's something that actually anchors you."*

### **6.2.3. (Wairua)**

*"Another thing I use is karakia. I don't know who it is to sometimes but it's to karakia to those who have gone on before me."*

*"the huge pool of wairua that we source ourselves from"*

*"If we deny ourselves our ability to be ourselves and to express that in whatever way we see that, then really how can we cope?"*

When asked if Maori cope with stress differently to Pakeha, most respondents said they did not know, however a few comments indicated that Maori do cope differently. Responses that reflect this include:

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*"I think there are fundamental differences between the way that we deal with our stuff and the way our Pakeha contemporaries deal with their stuff. "*

*"This is a terribly racist thing to say but I just don't think Maori, generally speaking are...that neurotic. Perhaps Pakeha perceive they have a great deal more to lose."*

### **6.3 Other significant comments**

Other remarks that do not fit within the previously identified sections but that are nonetheless important to the overall context of this study are presented as follows:

The following comments were made about the position of Maori women lawyers:

*"I think as a Maori woman especially, you sometimes are doubly prejudiced."*

*"I think men get it a bit easier."*

*"I think Maori women cope even better still. What's that whakatauki? Me aro ki te ha I Hineahuone. Pay heed to the dignity of women."*

Comments were also made concerning the use of alcohol as a coping strategy:

*"I think we drink too much. That's another way in which we relieve stress. We get together and we just get trashed and you know I'm too old for that. Alcohol is a big problem."*

*"Drinking is a real problem in the profession, there's no doubt about that because it's just so available and so expected. There's a fully stocked bar upstairs and two rooms that we could go up now and just sit down and have a drinking session if we wanted to."*

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*"I think drinking is a problem in the profession. I've been worrying about it lately actually because I'm just so tired and it takes me forever to get over these hangovers."*

Education was mentioned:

*"I enrolled In Victoria in 1981 studying law and arts. I had some time off, I worked at the freezing works, went overseas and then returned and finished at Canterbury University with a BA/LLB in 1991. I found it very monocultural."*

*"In one way when you enter law school, that feeling that you get of isolation, loneliness, mokemoke, totally, totally out of your depth."*

These final comments sum up the initial fervour felt by most participants when first entering practise and what happens over time. The expectations placed on participants and the type of stressors encountered by Maori lawyers are also commented on. Finally, one of the harsh consequences of stress is stated.

*"When I started here six years ago I was young, bright-eyed and now I've become a lot more critical, challenge everything."*

*"I think that we're still very young in the profession and that we get to do a lot of things that other practitioners wouldn't be asked to do without a lot more experience."*

*"I think Maori are exposed to different sorts of stress, yes. Just because of the cultural background. I think all lawyers probably suffer from stress. A lot of people do even outside law."*

*"...but certainly the lawyers here have been stressed to the wairua."*

---

## **Conclusion**

The richness of responses given to interview questions highlight the poignancy felt by Maori lawyers when discussing issues of stress. These responses while difficult to group fall into common themes consistent with the findings of the research questionnaire.

There are a number of other issues that participants touched on and although they do not figure as prominently, they are nonetheless important in the final analysis. These issues are considered and discussed with the major themes in the next chapter.

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## CHAPTER SEVEN DISCUSSION

### Introduction

This section will discuss the results presented in chapters five and six in conjunction with the literature from previous chapters. Some comparisons are also made with the findings from earlier research.

### 7.1 Demographics

When comparing the demographics of this study to that conducted in 1995 there are some differences. In 1995 72.8% of participants were male and 27.2% female. In this study 62.2% were female and only 37.8% male. The average age of participants in 1995 was 40 years, with an average time in practise of 15 years. In 1999 the average age was 33, with an average time in practise of only 5 years.

TABLE 8  
Comparative Demographic Data

	MALE	FEMALE	AVERAGE AGE	TIME IN PRACTISE
1995 Study	72.8%	27.2%	40	15 years
1999 Study	37.8%	62.2%	33	5 years

Data to show if this sample is representative of the membership of Te Hunga Roia is unavailable, and therefore the reasons for a high response rate of women and young lawyers can be only speculative at best.

It has been shown (Gadzella, Ginther, Tomcala & Bryant, 1990) that generally individuals in younger age groups report a higher incidence of stress than in older age groups. Could this mean that individuals in the older age group of this sample have learned to cope with their stress and therefore did not feel a need to participate?

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It is certainly obvious from the high rate of participation by females, that Maori women lawyers were at least more willing to share their stress experiences than were their male counterparts. The reasons for this are unknown.

## **7.2 Stressors**

The results from earlier research [1995] tend to suggest that the main causes of stress for lawyers fall into three categories. They are demands from clients, expectations of self (including not being able to do the quality of work practitioners would like), and workload issues which include conflicting demands, constant interruptions, deadlines and balancing time available with priorities and quality of work (Hodgson & Dewe, 1995).

These stressor items are not too dissimilar to those identified by Maori lawyers. The results in this study tend to show that there are two major categories of stress. These are; expectations of self and workload issues which include conflicting priorities and demands, budgeting requirements and balancing the quantity of work with time available.

One item that is different between the two studies is the inclusion of budgeting requirements as a source of stress for Maori lawyers. This is consistent with the "tyranny of the time sheet" dilemma faced by American lawyers (Abrams, 1990) in having to keep up billable hours. In general Maori lawyers felt uncomfortable having to charge their clients large fees. There were many responses from the questionnaire and interviews that indicated this. For example:

*"It's really hard to justify the fees to a Maori person who hasn't got much money...I find it really hard to deal with."*

The item identified by Maori lawyers as causing the most stress was that of self-expectations. Other than this meaning producing the quality of work wanted by individuals; there is another meaning by which Maori lawyers expect to do "good" for their people.

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Their actions therefore take on an added symbolic meaning (Smith, 1985) that can lead to distress if they perceive themselves to have failed. This can be seen by one of the responses:

*"Most Maori lawyers go into law with the idea of effecting change.... when you can't effect change...it's a really frustrating and stressful thing"*

Having to work within an imposed legal system is a strain for a number of respondents. Failure of the legal system to recognise Maori values and beliefs, mirror other professions where work areas inadequately cater for the different value systems that are part of the Maori psyche (Sisley & Waiti, 1997).

The monocultural nature of the system (Milroy, 1996; Jackson, 1986) has meant that for a number of respondents they have been unable to work properly because of conflicting values and because their values have been undermined (Sisley & Waiti, 1997). The institutionalised racism of the New Zealand legal system (Jackson, 1986) has not gone unnoticed by some Maori lawyers.

There is also the strain for Maori lawyers of participating in a system that does not necessarily serve the interest of Maori, something experienced by black Americans professionals (Brown, 1977). Further more Maori lawyers face the added dimension of participating in a system which has played a part in destroying their culture (Milroy, 1996) and which has been imposed by the colonising British (Havemann, 1999).

Invariably this leads to issues of cultural and institutional racism, discrimination and unsafe places of work (Fernandez, 1981; Jackson, 1986; Sisley & Waiti, 1997). Respondents indicated to a degree that racism exists in their immediate workplace as well as in the legal system as a whole. The use of racist language and behaviour was a feature of several responses. An example is where one respondent:

*"Heard other colleagues use expressions like nigger and radical in a derogatory manner towards their Maori clients."*

---

Dual obligations are an added stress for Maori lawyers. This dual accountability is felt by other Maori professionals (Sisley & Waiti, 1997) and also by Black American professionals (Brown, 1977). Accountabilities to employer and whanau, hapu and iwi are extremely taxing for Maori lawyers. Most participants responded in some way that they were expected to help other Maori, often for free and outside of normal hours. A typical responses that indicates this is:

*"Some of the stress for Maori lawyers is one where their own iwi, whanau, hapu or other Maori group who are affiliated with them, come and tono tono them."*

Another factor of dual obligations is where a person is in the double bind of being labelled and "Uncle Tom" and a sell-out by their own people and a racial militant by others (Brown, 1977). One Maori lawyer indicated this to be the case:

*"There is an argument by some Maori people that we aren't really representing Maori interests because of the fact that we work within the law anyway."*

Another issue facing Maori lawyers and which causes them stress is that anything they do becomes in a sense a public performance (Smith, 1985). This is indicated by the response:

*"Well I feel as a Maori lawyer you have to carry the burden of having to be an especially good lawyer because you are judged by your colour and by your race."*

And that as a consequence they are expected to perform better than the dominant group.

*"We need to really polish up on being professionals - more professional than the Pakeha. We've got to be a wee bit more better than better."*

---

The issues discussed and presented here are those that participants indicated as being stressful. Either from content analysis of the research questionnaire or of interview transcripts these themes emerged as being most poignant for Maori lawyers.

### **7.3 Coping**

Initial findings from the research conducted in 1995; indicate that most respondents used problem focused coping strategies to deal with their stress. These include giving one's best effort, trying to be organised, trying to work faster and devoting more time and energy to work. To a lesser degree, respondents indicated that they used emotion focused strategies such as reminding oneself that work isn't everything and trying not to get concerned about work (Hodgson & Dewe, 1995).

Maori lawyers similarly indicated the use of problem focused coping strategies. Social support from family and friends featured most prominently alongside talking with people inside and outside of the work situation. Other problem focused strategies included trying to see the situation as an opportunity to learn and develop new skills, giving extra attention to planning and organising and throwing oneself into work longer and harder.

Emotion focused strategies used by Maori lawyers mirror that of previous participants. Reminding oneself that work isn't everything and trying not to get concerned about it appeared high on the coping list of strategies.

Those coping strategies which participants identified as being particular to Maori are closely related to their belief of connectedness and the link between man and the physical and spiritual realms (Walker, 1999; Cunningham, 1996). As mentioned previously there is a great dependence also on social support, especially from whanau. There is a wealth of responses which highlight these coping strategies employed by participants. They include:

*"I would say that hopefully we talk more, to communicate better to korero more which I think is a good way of handling stress...sharing your problems, sharing your burdens."*

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*"I think that if you do have that sense of your own identity and you do see yourself being tied to the land then I think that's something that actually anchors you."*

For Maori lawyers the issues that surround stress are complex. Maori lawyers work within a system that many have been brought up to believe is destructive and therefore by choice of profession they place themselves in stresses way. As minority professionals the stressors they experience result from their ethnicity, an additional strain to the occupation specific stressors they encounter.

General cultural ignorance to Maori values and beliefs by colleagues and the judicial system itself place an extra burden on Maori practitioners. Other than their own expectations, major stress is derived from the expectations of other Maori. Having to perform for whanau, hapu and iwi is extremely taxing to most.

These issues are not unique to Maori alone, but as shown in earlier literature are unique to minority professionals. What does make these findings unique is the New Zealand context in which they take place. Issues of colonisation for indigenous peoples set their context apart from other minorities.

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## CHAPTER EIGHT CONCLUSIONS

### **Introduction**

The central focus of this research has been to identify, if any, stressors and coping strategies peculiar to Maori lawyers. Without a doubt this has proved to be the case. The findings from this study undeniably show that Maori lawyers face an additional set of occupational strains and utilise a different set of coping strategies that grow out of their ethnicity.

As with other minority professionals, Maori lawyers find themselves in a unique contextual setting that automatically adds to the strain they experience at work. Working within a monocultural and imposed legal system for a start, has already taxed most Maori lawyers in addition to them contending with day-to-day practise issues.

There is little that can be offered in the way of solution to this professional group. It is said, that to be forewarned is to be forearmed. Therefore the more dialogue on work-related stress espoused in the workplace and particularly in an educational setting, the better Maori will be prepared to face the inevitable stresses of day-to-day practise.

### **8.1 Limitations**

While the significance of what participant's have said has been captured in this study, it cannot under 'scientific terms' be claimed that these findings are significant. Stalwarts of scientific research would judge this study to be inconclusive because the number of participants was insufficient to draw clear findings. Common sense however, tells us that the experiences recorded in this study are no less unreliable or invalid.

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## APPENDICES

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**APPENDIX 1  
RESEARCH QUESTIONNAIRE**

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## **Maori Lawyers and Stress**

### **INFORMATION SHEET**

In 1995, research was conducted by the Department of Human Resource Management at Massey University on the causes and consequences of stress experienced by lawyers. As a continued and comparative study to that, this survey will look at the causes and consequences of stress experienced by **Maori** lawyers.

This research is being carried out by Moana John Eruera from the Department of Human Resource Management at Massey University, in partial fulfilment of the requirements for the degree of Master of Business Studies in Human Resource Management.

Supervisors for this research are Ani Mikaere, School of Law, Waikato University and Professor Philip Dewe, Department of Human Resource Management, Massey University. Both supervisors can be contacted either at Waikato University on (07) 838 4466 or Massey University on (06) 350 4269 for further clarification of this study.

The Executive Committee of Te Hunga Roia has agreed to send this questionnaire to its members. As a member therefore, you are invited to participate in this study. We anticipate it will not take more than 30 - 35 minutes to complete the questionnaire. You have the right to decline to answer any particular question.

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Once you have completed the questionnaire it can be returned to the Department of Human Resource Management at Massey University in the envelope provided.

The information which you provide will be held in the strictest confidence at Massey University and will only be seen by those involved in the statistical and content analysis. As a further aid to confidentiality and anonymity the questionnaire does not ask you to include your name.

The information gathered from this questionnaire will be used to explore the causes and consequences of stress for Maori lawyers. When reported, only summarised information will be used so that no one can be identified from the report and findings. Results will be published as part of a final thesis, and may be published in academic and professional journals.

The principal researcher for this project is of Te Whanau-a-Apanui, Ngati Kahungunu, Raukawa and Rangitane descent.

Completion and return of this questionnaire implies consent.

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## SECTION 1: OCCUPATIONAL STRESSORS

In this section we are interested in your *experiences as a practising lawyer* (past or present). We are concerned with finding out about the elements of your work situation that have contributed to your stress at work. By '*practising*' we mean as having worked in a law firm (including sole practitioner) or as a barrister/solicitor. If you have never worked in this capacity go straight to Section2 (page 4).

**Question:** To what extent do the following contribute to the overall stress of being a lawyer?

		Not at all	A little	A fair bit	A lot	A great deal
1.	Demands of clients	1	2	3	4	5
2.	Demands of the 'system' (e.g. courts, judges)	1	2	3	4	5
3.	Demands of co-workers	1	2	3	4	5
4.	Discrimination within the profession	1	2	3	4	5
5.	Gender issues within the profession	1	2	3	4	5
6.	Expectations of self	1	2	3	4	5
7.	Dealing with disturbed people	1	2	3	4	5
8.	Competing with peers	1	2	3	4	5
9.	Time recording	1	2	3	4	5
10.	Budgeting requirements (e.g. billing & collection)	1	2	3	4	5
11.	Lack of management directives	1	2	3	4	5
12.	Inadequate support systems	1	2	3	4	5

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		Not at all	A little	A fair bit	A lot	A great Deal
13.	Home pressures	1	2	3	4	5
14.	Work overload	1	2	3	4	5
15.	Work under-load	1	2	3	4	5
16.	Meeting deadlines	1	2	3	4	5
17.	Interruptions	1	2	3	4	5
18.	Keeping up with legislative changes	1	2	3	4	5
19.	Lack of recognition for good performance	1	2	3	4	5
20.	Pressures of career advancement	1	2	3	4	5
21.	Conflicting priorities	1	2	3	4	5
22.	Conflicting demands	1	2	3	4	5
23.	Being accountable to principals	1	2	3	4	5
24.	Demands of unexpected events at work	1	2	3	4	5
25.	The balance between quantity of work and time available	1	2	3	4	5
26.	Unclear instructions	1	2	3	4	5
27.	Not being able to do the 'quality' of work I would like	1	2	3	4	5

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		Not at all	A little	A fair bit	A lot	A great deal
28.	Lack of clarity about how performance is appraised	1	2	3	4	5
29.	Potential liability	1	2	3	4	5
30.	Initiatives of the Law Society	1	2	3	4	5
31.	Others, please specify					
	_____	1	2	3	4	5
	_____	1	2	3	4	5
	_____	1	2	3	4	5
	_____	1	2	3	4	5

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## **SECTION 2: OCCUPATIONAL STRESSORS**

Take a few moments and think about an event or situation at work that as a lawyer has been the most stressful for you. By 'stressful' we mean a work situation which was difficult or troubling you either because it placed demands on you, or made you feel bad or because it took some effort to deal with. It might for example, have been something to do with the tasks/work you have to do, something between you and your work colleagues or something to do with the way things happen at work.

1. In the space below, please describe one such stressful event. Describe what happened and include details of what was involved and what made it important to you. The situation you describe could be one that is happening to you now as well as one that has already happened. Don't worry about making it into an essay - just put down the things that come to you.

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2. If you could identify what you think is the single most important factor that made that situation demanding (i.e. stressful) what would you say that factor is?

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### SECTION 3: COPING STRATEGIES

#### Instructions:

Thinking about the stress you have experienced, please read the following items and indicate the extent to which you behave in this way (using the scales provided). If you do not do any of these things then please tick the box.

1. **Avoid the situation.**

\_\_\_\_\_

1	2	3	4	5	
Infrequently			Very frequently		<input type="checkbox"/> don't do this at all

2. **Discuss problems with supervisor.**

\_\_\_\_\_

1	2	3	4	5	
Infrequently			Very frequently		<input type="checkbox"/> don't do this at all

3. **Give extra attention to planning and organising.**

\_\_\_\_\_

1	2	3	4	5	
Infrequently			Very frequently		<input type="checkbox"/> don't do this at all

4. **Get extra sleep or nap.**

\_\_\_\_\_

1	2	3	4	5	
Infrequently			Very frequently		<input type="checkbox"/> don't do this at all

5. **Drink more than a moderate amount of alcoholic beverage.**

\_\_\_\_\_

1	2	3	4	5	
Infrequently			Very frequently		<input type="checkbox"/> don't do this at all



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12. **Seek company of friends.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

13. **Seek the company of family.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

14. **Eat or snack.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

15. **Watch TV.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

16. **Take it out on family and friends.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

17. **Take time off from work.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

18. **Seek professional help or counselling.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

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19. **Complain to others.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

20. **Work on changing policies that cause the situation.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

21. **Smoke cigarettes, cigars or pipe.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

22. **Set my own priorities based on what I like to do.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

23. **Throw myself into my work longer and harder.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

24. **Take a trip/leave the city.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

25. **Do my best to get out of the situation gracefully.**

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

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26. Spend money, buy something.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

27. Daydream.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

28. Accept the situation because there is nothing that can be done about it.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

29. Practice prayer or spiritual beliefs.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

30. Request help from people outside of the situation. (e.g. UNCLE, Law Society)

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

31. Seek advice from people who have power over the situation.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

32. Try not to get concerned about it.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

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33. Pursue hobbies or leisure activities.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

34. Remind myself that work isn't everything.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

35. Get someone else to solve the problem.

1      2      3      4      5  
Infrequently                      Very frequently

don't do this at all

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## SECTION 4: GENERAL HEALTH

1. Compared to others your own age, how would you rate your health at the present time? (Circle appropriate response)

Terrible	1
Very poor	2
Poor	3
Fair	4
Good	5
Very good	6
Excellent	7

2. Compared to a person in excellent health, how would you rate your health at the present time? (Circle appropriate response)

Terrible	1
Very poor	2
Poor	3
Fair	4
Good	5
Very good	6
Excellent	7

We should like to know if you have had any medical complaints, and how your health has been in general, over the past few weeks. Please answer ALL the questions on the following pages by circling the answer which you think most nearly applies to you. Remember we want to know about present and recent complaints, not those you had in the past.

It is important that you answer ALL the questions.

- |    |   |                   |                    |                        |                       |
|----|---|-------------------|--------------------|------------------------|-----------------------|
| 3. | Been feeling perfectly well and in good health?       | Better than usual | Same as usual      | Worse than usual       | Much worse than usual |
| 4. | Been feeling in need of some medicine to pick you up? | Not at all        | No more than usual | Rather more than usual | Much more than usual  |
| 5. | Been feeling run down and out of sorts?               | Not at all        | No more than usual | Rather more than usual | Much more than usual  |

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6.	<b>Felt that you are ill?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
7.	<b>Been feeling full of energy?</b>	Better than usual	Same as usual	Less energy than usual	Much less energetic
8.	<b>Found yourself waking early and unable to get back to sleep?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
9.	<b>Been getting up feeling your sleep hasn't refreshed you?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
10.	<b>Had difficulty in getting off to sleep?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
11.	<b>Had difficulty in staying asleep once you are off?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
12.	<b>Been having restless, disturbed nights?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
13.	<b>Been getting scared or panicky for no good reason?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
14.	<b>Found everything getting on top of you?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
15.	<b>Been feeling unhappy and depressed?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
16.	<b>Been losing confidence in yourself?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
17.	<b>Been feeling nervous and uptight all the time?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual

18.	<b>Felt that life is entirely hopeless?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
19.	<b>Felt that life isn't worth living?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
20.	<b>Thought of the possibility that you might do away with yourself?</b>	Definitely not	I don't think so	Has crossed my mind	Definitely have
21.	<b>Found yourself wishing you were dead and away from it all?</b>	Not at all	No more than usual	Rather more than usual	Much more than usual
22.	<b>Found that the idea of taking your own life kept coming into your mind?</b>	Definitely not	I don't think so	Has crossed my mind	Definitely have

23. **Do you feel you suffer from any other symptoms of stress not mentioned above? If so, please describe those symptoms. (e.g. headaches, dizziness, high blood pressure etc.)**

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## SECTION 5: DEMOGRAPHICS

Please complete the following demographic details.

1. Sex

Male

Female

2. How old are you?

\_\_\_\_\_

3. Iwi/hapu affiliations

\_\_\_\_\_  
\_\_\_\_\_

4. Current marital status

Single

Living together/married

Separated/divorced/widowed

5. What year did you graduate with your law degree?

\_\_\_\_\_

6. From which law school did you graduate?

\_\_\_\_\_

7. How many years have you been/were you in practice?

\_\_\_\_\_

8. Between which years have you/did you practice?

\_\_\_\_\_

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9. Are you **currently** working for a law firm or as a sole barrister/solicitor?

- Yes  (if **YES** please answer questions 10-12) then move to Section 6, page 16  
No  (if **NO** please answer questions 13-16) then move to Section 6, page 16

10. If so, how long have you been working in your present firm and where?

\_\_\_\_\_

11. (Please circle the appropriate response).

Is the firm you work for:

Sole

Small \_\_\_\_\_ (indicate number of employees)

Medium \_\_\_\_\_ (indicate number of employees)

Large \_\_\_\_\_ (indicate number of employees)

12. What is your current area of practice?

\_\_\_\_\_

13. If you are not working in a law firm who are you currently working for and where?

\_\_\_\_\_

14. What is your current job title?

\_\_\_\_\_

15. What work activity best describes what your job involves?

\_\_\_\_\_

16. What are your reasons for not working in a law firm or as a sole practitioner/barrister/solicitor?

\_\_\_\_\_

\_\_\_\_\_

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**SECTION 6: CULTURAL SPECIFIC STRSSORS & COPING STRATEGIES**

**In this section we are interested in your views as to whether or not there are specific stressors you encounter, and coping strategies you use as a result of your being Maori and a lawyer.**

**1. Have you encountered any barriers as a Maori lawyer?**

Yes  No

**If yes, can you describe these barriers and how you have dealt with them?**

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**2. As a Maori lawyer do you find your immediate work environment to be more stressful than some of your colleagues?**

Yes  No

**If yes, please explain - if no, please explain?**

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## APPENDIX 2 INTERVIEW QUESTIONS

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## **INTERVIEW QUESTIONS "Maori Lawyers and Stress"**

### BACKGROUND

1. What significance does Maoridom have in your life?
2. What are the critical issues for Maori who work in the legal profession?
3. What significance do these issues hold for you, and how does this affect your day-to-day practice?
4. In general terms how can these issues be resolved?

### THE STRESS EXEPRIENCE

1. Do any of the issues we have been talking about contribute to the stress you experience at work? If so how? If not why?
2. Describe a recent stressful situation that has a cultural dimension to it?
3. How frequently do you face situations of this nature?

### COPING STRATEGIES

1. Are there any strengths that you draw from your culture that help you cope with stress?
2. Do you think there are fundamental differences in how Pakeha and Maori deal with stress? If so what are they?