

Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

# **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**

---

## 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.

---

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.

---

## ACKNOWLEDGEMENTS

This thesis was made possible with the support and efforts of a number of people.

I would like to thank Philip Dewe for his expert advice, guidance and for believing in the significance of this research. I would also like to thank Ani Mikaere from the University of Waikato for her efforts in seeing this project underway.

Many thanks to Judy McGregor for providing me with the opportunity to complete this work and for keeping me true to the task.

Thank you to those Maori lawyers who participated in the study, especially those who gave their personal accounts of stress despite enduring an already stressful workload.

I would also like to thank Esther Tinirau for her quick and efficient transcription. Finally, thank you to the College of Business Research Fund for financially supporting this project.

*Kia ora koutou katoa mo o koutou tautoko.*

Thank you everyone for your support.

---

## TABLE OF CONTENTS

<i>Abstract</i> .....	<i>i</i>
<i>Acknowledgements</i> .....	<i>iii</i>
<i>Table of Contents</i> .....	<i>iv</i>
<i>List of Tables</i> .....	<i>vii</i>
<i>List of Figures</i> .....	<i>viii</i>
 Chapter 1 – Scope of the Research .....	 1
Introduction .....	1
1.1 The Research Question .....	2
1.2 Research Project Plan .....	2
1.3 Significance of the Study .....	3
1.4 Structure of the Thesis .....	4
 Chapter 2 – Historical Background .....	 5
Introduction .....	5
2.1 Maori Historical Context .....	5
2.2 New Zealand Legal Context .....	7
2.2.1. Maori and the Legal System .....	7
2.2.2. Maori and Legal Education .....	8
2.2.3. Ethnic Diversity in the Legal Profession .....	10
 Chapter 3 – Literature Review .....	 11
Introduction .....	11
3.1 Definition of Stress .....	11
3.1.1. Stimulus Model .....	12

---

3.1.2. Response Model .....	13
3.1.3. Transactional Model .....	14
3.2 Coping .....	15
3.2.1. Problem-focused coping .....	15
3.2.2. Emotion-focused coping .....	15
3.3 Lawyers and Stress .....	16
3.4 Minority Stress .....	18
 Chapter 4 – Methodology .....	21
Introduction .....	21
4.1 Methods of Stress Research .....	22
4.1.1. Quantitative v. Qualitative Methods .....	23
4.2 Minority Research .....	25
4.2.1. Maori and Research .....	25
4.3 Research Design .....	28
4.3.1. Questionnaire Development .....	29
4.3.2. Participants .....	31
4.3.3. Interviewing .....	32
4.3.4. Grounded Theory .....	33
4.3.5. Ethical Considerations .....	34
4.3.6. Limitations .....	34
 Chapter 5 – Survey Results .....	35
Introduction .....	35
5.1 Demographics .....	35
5.2 Occupational Stressors .....	37
5.3 Coping Strategies .....	39
5.4 General Health .....	42
5.5 Open-ended Questions .....	43
5.5.1. Barriers .....	43
5.5.2. Environment .....	44
5.5.3. Stressors .....	45
5.5.4. Coping .....	48
Conclusion .....	50

---

Chapter 6 – Interview Results .....	51
Introduction .....	51
6.1 Stressors .....	51
6.1.1. Legal System .....	52
6.1.2. Expectations .....	53
6.1.3. Billing .....	55
6.1.4. Other Stressors .....	55
6.2 Coping .....	56
6.2.1. Social Support .....	56
6.2.2. Connectedness .....	57
6.2.3. Wairua .....	57
6.3 Other significant comments .....	58
Conclusion .....	60
 Chapter 7 – Discussion of the Results .....	61
Introduction .....	61
7.1 Demographics .....	61
7.2 Stressors .....	62
7.3 Coping .....	65
 Chapter 8 – Conclusions .....	67
Introduction .....	67
8.1 Limitations .....	67
 References .....	68
 Appendices .....	73
Appendix 1: Questionnaire .....	74
Appendix 2: Interview Questions .....	95



---

## LIST OF TABLES

Table 1: Sex of Participants .....	35
Table 2: Age of Participants .....	35
Table 3: Current Employment of Participants .....	36
Table 4: Stressor Items .....	38
Table 5: Coping Strategies .....	40
Table 6: Health compared to others own age .....	42
Table 7: Health compared to a person in excellent health .....	42
Table 8: Comparative Demographic Data .....	61

---

**LIST OF FIGURES**

Figure 1: Research Project Plan ..... 3

Figure 2: Stimulus Model ..... 12

Figure 3: Response Model ..... 13