



LEGAL ADVISORS
SINCE 1892

CREATIVITY

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***“It’s exhausting to think and create, that’s why
we rarely do it”***

Henry Ford

The paradox

- We learn rules
- We are told that foreseeable outcomes are positive
- We rely on others' opinions to build our own

“Life is a mix of routine and creativity”

Abraham Maslow



What is creativity?

“A series of actions operating original and significant transformation within our consciousness”

Ghiselin

DAVIS | **LLP**

Creativity

Mental process which allows for the discovery of new ideas and concepts along with relationships between existing ideas and concepts through the conscious and subconscious processes

***“Creativity is a process extended in time
and characterized by its originality,
reality transformation and conscious result”***

Mackinnon

Creativity

To be creative, a new idea or concept must be original, appropriate and, most importantly, useful to reach the intended goal



“Creation is not the result of imagination but the transformation of contemplation into something useful”

Descartes



Creativity is the new “buzzword”

Criteria for recognizing creativity

- New
- Useful
- Motivated
- Valued
- Transformative and revolutionary
- Clarified
- Passionate
- Visionary
- Intuitive

“To create is to provoke the extraordinary meeting between two pre-existing elements which were in separate universes”

Arthur Koestler

Creativity

For Hindus, Taoists, Buddhists, Confucians:

There is no concept of creation from nothing

Creativity is the capacity to recognize for the first time
something that already exists

“The level of thinking that got you to where you now are will not get you to where you dream of being”

Albert Einstein



We have to recognize change as positive

“Who moved my cheese?”

Spencer Johnson

Change

- Must accept it before it happens
- Sometimes it happens for no reason
- It is an opportunity to improve
- In life neutral does not exist

Characteristics of difficult situations

- **Obscure:** absence of goal or clarity
- **Complexity:** a great amount of what appears to be unrelated elements
- **Resources:** limits of time and resources



“The most important and most difficult task is not to get the right answer but to find the right question”

Peter Drucker

Questions

- Why?
- Why not?
- What would happen if?
- Imagine if?

Innovation

- Innovation starts with creativity
- Innovation: is the ability to transform a creative idea into a viable, acceptable and commercially viable form



Creativity process
Some suggestions...

Creativity can be found

- A divine intervention
- An intense conscious process
- A social environment in which one evolves
- Particular personality traits
- Serendipity
- Subconscious
- And so much more...

Stages of thinking

- Graham Wallas' *The Art of Thought* (1926)
 - Preparation
 - Incubation
 - Appropriation
 - Illumination
 - Verification

- Incubation
 - Take control of the parameters
 - Essential to weed out facts and ideas
 - Allow to navigate outside of preconceived ideas
 - Explore many options

Methods

Examples:

- Improvisation
- Problem solving
- Therapeutic application
- By association
- Oneiric logic

■ Association

- A link between two things
- To mix completely different things
- Compare an idea with an unrelated concept
- Add a characteristic to any existing concept
- Relate two unrelated scenarios or images

- By analogy
 - Natural tendency to go back to the known reality – creating usually is the opposite
 - Direct: by replacing an object
 - Symbolism: by a non-related object
 - Functional: relationship between two objects
 - Fantastic: by using magic

- Problem solving strategies
 - Abstraction/simplification
 - Brainstorming
 - Divide to conquer
 - Listing of hypotheses
 - Lateral thinking
 - Progression analysis
 - Relationship between objects
 - Transformation of the problem
 - Research
 - Empirical analysis
 - Trial and error

Difference between ...

- Convergent thinking
 - Looking for one way to solve a problem
- Divergent thinking
 - Accepting many solutions to the same problem (fluid intelligence)

Lateral thinking

Is the capacity to envision a solution which first appears unrealistic or impossible

- Others would usually say:
 - It's not like that
 - It doesn't work
 - It's not a new idea
 - It's too expensive
 - It's unrealistic
 - It's stupid

Lateral thinking is the result of intellectual provocation

- Exaggeration of the problem
- Inversion of objects and elements
- Problem identification
- Distortion of facts
- Hijacking the intended use
- Utopia
- Escapism
- Random use



Linus Pauling once indicated that the only way to have a creative idea is to find as many answers as possible and to weed out what is inappropriate.

We call it “brainstorming”!

Principles of brainstorming

Alex F. Osborn, President of BBDO (in the 1950s)

Principles of differed judgment

1. No rejection (including self-censorship)
2. Even the strangest ideas must be welcomed by everyone
3. Quantity must trump quality
4. Requires training and effort

Difficulties


1. The absence of self-censorship is impossible
2. Second part should not become a social massacre
3. People who practice brainstorming must be trained

- Three dimensions of creativity
 - Talent
 - Method
 - Energy

Talent

Personal characteristics

1. Curiosity
2. Culture (general, scientific and artistic)
3. Open mind
4. Capacity to observe
5. Psychological balance
6. Social attitude
7. Respect and appreciation of differences
8. Tolerance toward complexity and ambiguity
9. Sense of humour
10. Independence of judgment
11. Sensitivity toward powers
12. Capacity to use all your senses including intuition



**There is no creation without competence and
experience. There is no invention without
knowledge and know-how.**

Method

1. Before: define the goal. Collect the maximum amount of facts. Digest the information. Deconstruct the information
2. During: allow yourself to have possible and unrealistic ideas
3. After: classify the possible solutions
 - a. Expect to drop certain ideas
 - b. Do not be afraid to make mistakes
 - c. Do not be uncomfortable with your ideas
 - d. Be able to understand what you have figured out

Energy

Sources

1. Physical and mental
2. Individual and collective
3. Present and over time
4. Psychological and moral



Motivation

***“Compensation has no impact on complex jobs;
it only works for simple results”***

Daniel Pink

Two types of motivation


- External motivation: such as money and treats
- Inner-motivation: such as satisfaction and happiness

Motivation to create

1. “Necessity is the mother of invention”
2. Desire/dreams
3. Contract

The danger of creation


- Fear
- Laziness
- Ignorance



**When our motivation is unclear,
we need stress**



One of the fundamental principles of Google is that
Creativity loves constraint



***“You must do the things that you
fear you cannot do!”***

Eleanor Roosevelt

“I need to sleep on it”

- The benefit of sleeping
- A way to weed out unnecessary ideas and facts

Interesting point on mental illnesses

Who is creative?

J.P. Guilford

1. Everybody has creative potential
2. There is no difference in terms of sex, age, race or social origin
3. The potential can be awoken at any age
4. Beyond an IQ of 80, there is no correlation between creativity and intelligence

Intelligence

- Is necessary but not sufficient
- Intelligence allows for the absorption of complex situations
- Intelligence allows for the digestion of many elements

Four stages

1. The reflex
2. The conditioned reflex
3. The intelligent action
4. The creative action



**Creative people are very
determined and resilient**

***“I did not fail; I just found 10,000 ways
not to do this”***


Thomas Edison



Creativity requires that we take risks

“There is something worse than not having succeeded: it’s not having tried”

Franklin D. Roosevelt



Otto Rank described the creativity process as an
“Assumptions-Breaking Process”

The objective is to have the capacity to leave aside
preconceived ideas and think about new methods and
approaches which appear unrealistic for others

Emotional factor

- There is a relationship between creativity and emotions
 - Our state of mind
 - The memory of the positive feeling of coming up with a creative idea
 - A positive attitude is fundamental



Generosity is an essential characteristic
because it pushes us to do more

“You have to care”

You must know yourself

- Strengths and weaknesses
- Motivations
- Abilities

One must be lucid about oneself

Vulnerability

To remember

Essential characteristics

- Only need basic intelligence
- Open mind
- Willingness to challenge preconceived rules
- Capable of adapting
- Determined
- Motivated
- Some emotional control
- Resilience
- To love risks

Essential characteristics

- Appreciate the work
- Recognize the difference between divergent and convergent thinking
- Independence
- Self-esteem
- To welcome complexity
- Looking for aestheticism
- Open to new ideas

Prolific creative environment

- Appropriate challenges
- Know your team and individuals
- Provide sufficient autonomy
- Allow for mistakes
- Must provide enough time, money and resources
- A team work environment
- A team that supports each other
- Share the excitement
- Recognize the talent of each
- A true willingness to help
- Encourage, recognize and congratulate
- Share the information and prioritize the result
- Value results

Techniques (Nickerson)

- Must have a goal
- Possess basic knowledge
- Encourage the acquisition of specific knowledge
- Curiosity and willingness to explore
- Motivation to build
- Build self-esteem
- Celebrate risk taking
- Help others to excel
- Promote creative process
- Certain amount of liberty
- Flexibility
- Find a balance

- What is negative to creativity and innovation
 - Absence of adequate leadership
 - Disorganised
 - Lack of communication
 - No accountability
 - No knowledge management
 - No clear goal
 - No team work
 - No follow-up on the results
 - Information is not available

“We can easily forgive a child who is afraid of the dark. The real tragedy of life is when an adult is afraid of the light”

Plato

***“Destiny is not a matter of chance.
It is a matter of choice.
It is not something to be waited for
but, rather, something to be achieved”***

William Jennings Bryan

Dalai Lama's *Instructions for Life*

- Take into account that great love and great achievements involve great risk
- When you lose, don't lose the lesson
- Follow the three Rs:
 - Respect for self
 - Respect for others
 - Responsibility for all your actions
- Remember that not getting what you want is sometimes a wonderful stroke of luck
- Learn the rules so you know how to break them properly

Dalai Lama's *Instructions for Life* (continued)

- Don't let a little dispute injure a great friendship
- When you realize you've made a mistake, take immediate steps to correct it
- Spend some time alone every day
- Open your arms to change, but don't let go of your values
- Remember that silence is sometimes the best answer
- Live a good, honourable life. Then when you get older and think back, you'll be able to enjoy it a second time
- A loving atmosphere in your home is the foundation for your life

Dalai Lama's *Instructions for Life* (continued)

- In disagreements with loved ones, deal only with the current situation. Don't bring up the past
- Share your knowledge. It's a way to achieve immortality
- Be gentle with the earth
- Once a year, go some place you've never been before
- Remember that the best relationship is one in which your love for each other exceeds your need for each other
- Judge your success by what you had to give up in order to get it
- Approach love and cooking with reckless abandon

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