

from **Stuck in a Rut: The Role of Creative Thinking in Problem Solving and Legal Education**

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*B. “Six Hats”*

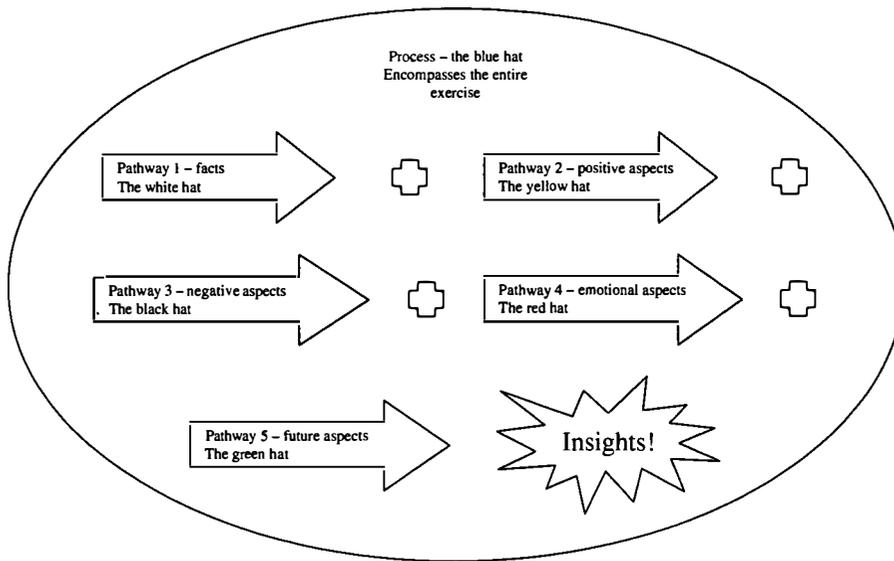
Edward de Bono, in his Six Hats thinking process, isolates aspects of a problem and addresses each separately. Each aspect is represented by a color: red for emotions, white for facts, yellow for positive, green for future, black for critique, and blue for process.<sup>63</sup> His theory is that the symbolic act of donning different colored hats allows the problem solvers to explore each aspect of the problem separately, without bias or interference.<sup>64</sup>

For example, lawyers and law faculty have the tendency to immediately critique ideas with our black hats; if we first explore the emotional aspects of an issue (red hats), it is easier to separate our anger or other feelings from other components of the issue. Or, it might be best to first explore the positive aspects of the problem (yellow hats), if we are dealing with a problem that seems to be very negative. It is often good to start with the facts (white hats). This process can be graphically demonstrated as:

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<sup>63</sup> EDWARD DE BONO, SIX THINKING HATS (1985).

<sup>64</sup> *Id.*



This process allows greater clarity in the problem solving process, because aspects of a problem that might otherwise taint the problem solving, such as one's feelings regarding the issue, are surfaced and categorized. The separation of facts from underlying biases and concerns, for instance, may bring insight that can help us jump out of a rut. We can use the Six Hats process to get through writing blocks in our legal scholarship. Going through the various steps, particularly focusing on the emotional aspects (putting on the red hat) of the subject matter, may help to clarify the topic and provide direction.

As discussed earlier, the mind chooses to travel down well-worn pathways. A conscious effort to focus on the less traveled pathways is required. The Six Hats process forces the participants to focus on one pathway (used here loosely in the sense of "train of thought") at a time. In this way the dominant thinking mode and thoughts do not drown out the weaker pathways, allowing a wider range of considerations to be brought to resolving the problem. Because the usual filtering of elements that would otherwise be perceived as irrelevant by the dominant pathway does not occur, the availability of this wider range of information makes possible a creative combination of existing ideas.