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# A Movement for Temperance:

## A Principle, a P.O.W., and a Values-Based Plan for the Future Force

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**Y**ou work in a glass house. Your glass house affords you a unique view with excellent glass house neighbors. You've grown comfortable in these surroundings, because, as a member of the Judge Advocate (JAG) family, you've come to accept that legal work ruffles feathers, invites scrutiny, and that intemperate personal or professional conduct undermines otherwise sound legal advice. As a result of the scrutiny our work invites, generations of attorneys and paralegals have come up through the force acutely aware of their responsibility to not only weigh their actions against black-letter law and regulation, but also to act in accordance with more abstract moral considerations, ideas embodied in the JAG Corps' principles and Air Force Core Values. Currently, the Air Force is undergoing a process to review and reduce the number of instructions and publications that guide Airmen. In an Air Force with less directive guidance, Airmen will need to now consciously weigh their actions against the values of the service.

This article first contemplates our responsibility to guide Airmen with lessons of temperance learned from life in the glass house and offers the philosophy of a "stoic" Prisoner of War (P.O.W.) in Vietnam. The next section considers the interplay between the JAG principles and Core Values, and outlines a role for attorneys and paralegals in the development of Airmen as moral actors. Moving forward, the JAG Corps should formally elevate temperance to equal standing alongside the JAG principles of wisdom, valor, and justice, and embrace our role as Core Values educators to the force.

### APPLIED TEMPERANCE

Admittedly, temperance is not sexy. That's kind of the point. **Temperance** consists of disciplined self-control and "habitual moderation."<sup>[1]</sup> Examples abound throughout legal offices. In the courtroom, the prosecutor exercises temperance when delivering a reasonable sentence recommendation that conforms to the facts as they actually presented themselves at trial. Further down the hall, the discharge paralegal exercises temperance by rejecting a second piece of cake and avoiding the inconsistency of drumming out Airmen for failure to meet fitness standards, while they strain to fit in their service dress. In the leadership section, the Staff Judge Advocate exercises temperance by listening openly when first approached with a commander's "creative" solution or "innovative" program. As the office empties for a social gathering at the club, the Law

Office Superintendent exercises temperance by limiting his or her alcohol consumption to model appropriate behavior for the young JAGs and paralegals in attendance. These lessons of self-control are then carried from the legal office to deployed locations across the globe. Temperance guides the attorney that acts amidst a din of activity to calmly consider the law of armed conflict before green-lighting a proposed strike. Temperance is everywhere in the JAG Corps. It directs our daily actions and operates as a key provision in our glass house lease.

“Stoic philosophers have long held that the four virtues for moral living are **wisdom, courage, justice, and temperance**”

- **Wisdom**  
The ability to navigate complex situations in a logical, informed and calm manner
- **Courage**  
Not just in extraordinary circumstances but facing daily challenges with clarity and integrity
- **Justice**  
Treating others with fairness even if they have done wrong
- **Temperance**  
The exercise of self-restraint and moderation in all aspects of life

~Learn more at: [TedEd, The Philosophy of Stoicism, https://ed.ted.com/lessons/the-philosophy-of-stoicism-massimo-pigliucci](https://ed.ted.com/lessons/the-philosophy-of-stoicism-massimo-pigliucci)

In recognition of the favored status precedent plays in the hearts of lawyers, there is *significant* historical precedent in favor of temperance standing alongside the other JAG principles. Stoic philosophers have long held that the four virtues for moral living are wisdom, courage, justice, and temperance.[2] In this context, let’s treat courage and valor as synonyms. The Stoics are a good group for consideration and study. **Stoicism offers a practical philosophy** that focuses on how good people should think and behave in order to weather life’s hardships and deprivations.[3] Moreover, whatever combination of legal profession and profession of arms you personally subscribe to, the Stoics are feted by both. We have the Stoics to thank for contributions to

several time-honored legal principles, not least among them the presumption of innocence and the notion of a burden of proof.[4]

Stoic philosophy also has a long connection to military life, and poignantly steeled the resolve of **Admiral James Stockdale** during his **time as a P.O.W.** in Vietnam.[5] Stockdale became acquainted with Stoicism, and the philosopher **Epictetus**, during his time in graduate school.[6] Three years after his graduation, as he ejected from his smoldering A-4 and into seven years of captivity, he recognized the opportunity to practice the philosophy, “I’m leaving the world of technology and entering the world of Epictetus.”[7]

Formal portrait of Rear Adm. James B. Stockdale in full dress white uniform. U.S. Navy photo (RELEASED)



**Rear Adm. James B. Stockdale** is one of the most highly decorated officers in the history of the Navy, wearing 26 personal combat decorations, including two Distinguished Flying Crosses, three Distinguished Service Medals, two Purple Hearts, and four Silver Star medals in addition to the Medal of Honor. Later he obtained the rank of Vice Admiral, and is the only three-star Admiral in the history of the Navy to wear both aviator wings and the Medal of Honor.

As a military officer, Stockdale was drawn to the path Epictetus mapped for men and women to live a virtuous life.[8] First, Epictetus presented wisdom as a filter to ensure individuals practice good judgment, so that people “may not judge at random.”[9] Second, he saw justice as “the sphere of what is fitting; that we should act in order, with due consideration, and with proper care.”[10] Finally, Epictetus combined the concepts of courage and temperance. He believed that courage and temperance were both necessary

virtues to regulate desire, and that the individual must be trained “not to fail to get what he wills to get (courage) nor fall into what he wills to avoid (temperance).”<sup>[11]</sup> Epictetus would have regarded our current JAG principles as an “incomplete” equation. An Airman without temperance is likely to be viewed as foolish instead of wise, motivated by self-interest instead of justice, and prone to fits of foolhardy bravado instead of valorous courage. We remedy this weakness, and complete our JAG principles, with the full status inclusion of temperance.

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As a final note on the subject, temperance is also a key virtue for the rest of the force. In 1989, President George H.W. Bush, issued Executive Order 12674, “Principles of Ethical Conduct for Government Officers and Employees.”<sup>[12]</sup> This order, since supplemented by subsequent administrations, lays out 14 principles that guide military and civilian employees as they perform their duties on behalf of American tax-payers. In fact, 9 of the 14 principles describe behaviors that Airmen “shall not” perform in order to avoid the perception that the individual places their private interests above their public office. That’s temperance too. This Stoic principle infuses our lives in the legal community, and provides significant meaning for the rest of the force.

#### **PRINCIPLES+VALUES=MISSIONACCOMPLISHMENT**

The addition of temperance to the JAG Corps’ principles does more than complete an incomplete “virtues equation”; our expanded principles inform and invigorate the Air Force Core Values. Organizational values statements are the vehicle to guide employees to act within the organization’s left and right limits. In the ideal construct, organizations with impactful values statements don’t need directive guidance, because they overflow with empowered individuals prepared to take action on behalf of the organization, secure in the knowledge that their actions comply with the company’s values. This is also an ideal state for the Air Force. If the

Air Force is truly moving towards a future of fewer and shorter instructions, Airmen will be expected to measure their actions, not against black-letter regulations that deny or grant permission, but against the demands of the Core Values. Unfortunately, values statements run the risk of being minimized as hokey or overly idealized. How often have you seen Airmen that maneuver at the speed of permission, desperate for top-cover from a single career-killing mistake? This is a values problem, and a recipe for failure. It is not reasonable to expect Airmen to be checklist-following automatons in garrison, who then magically transform into creative problem-solvers when deployed. The Air Force needs value-driven leaders that practice value-driven decision-making while in garrison.

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### JAG Corps members should consider themselves as the Office of Primary Responsibility for protecting the Core Values.

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While “Core Values” is not an Article 6 checklist item, JAG Corps members should consider themselves as the Office of Primary Responsibility for protecting the Core Values. Secretary of the Air Force Heather Wilson highlighted this responsibility when she explained that commanders know that their JAG functions as the “conscience by their side,” and further that the JAG Corps is “how America takes its values to war.”<sup>[13]</sup> Secretary Wilson charts a noble role for JAG Corps members, one we should embrace. The alternative to her ideal is to be cast in an uninspiring role as either a walking encyclopedia expected to demonstrate automatic recall of black-letter law or live life as the human embodiment of “no.” I’ve heard a current rated senior leader comment that our community inculcates habits of mind that separate us from many of our contemporaries. Men and women with our skillset don’t become obsolete during a publications reductions initiative. Our work changes, as we shift workload from e-publishing research assistant to Core Values guides. Considered together, Airmen need the Core Values, and the Core Values need JAGs.

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## It is insufficient for leaders to walk the walk, if they don't tell Airmen about the Core Values that guided their steps.

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One warning must be offered about the Core Values; they are ill-equipped to stand on their own. Several years after the Air Force Core Values were initially promulgated, Colonel Charles Myers proposed that the Core Values could function as a guide for Airmen seeking to navigate the increasingly complex operating environment. He also offered one caveat, with the warning that, “a person can be forthrightly honest, forget about self, and achieve excellent results—all for the sake of an evil purpose.”<sup>[14]</sup> As a means to remedy this weaknesses, the “Little Blue Book” supplements the Core Values with a series of virtues such as accountability, mission, and teamwork.<sup>[15]</sup> These virtues are capable of straining the plain meaning of the Core Values to cover all manner of good deeds and praiseworthy behavior. The use of semantic manipulation is not a new practice in the Air Force. For example, the original “Little Blue Book” argued that “integrity” consisted of courage, honesty, responsibility, accountability, justice, openness, self-respect, and humility.<sup>[16]</sup> While these efforts attempt to mold the Core Values into everything for everyone, in practice, Airmen are more likely to boil down the Core Values to a single concept of similar, albeit diminished, value. These diminished concepts must be elevated by leaders. It is insufficient for leaders to walk the walk, if they don't tell Airmen about the Core Values that guided their steps. It is insufficient for leaders to promote their own personal “Top Ten” list of workplace virtues, if they cannot immediately thereafter ground those ideals in the Core Values. This is where attorneys and paralegals must step in. If we are to be the “conscience” of the Air Force, we must seize this opportunity to talk about the Core Values, and do so through the lens of our JAG principles.

### THE CORE VALUES CONSIDERED

As a junior trial counsel, adorned with a ribbon rack that telegraphed my inexperience, I unsuccessfully attempted to invoke the Core Values during sentencing argument

on...more than one occasion. Looking back, I know that those attempts came off as forced and unnatural. The Core Values weren't concepts I'd infused with personal meaning, and I didn't have sufficient practice “speaking” values in my daily legal practice. I don't think I was alone in this. Notwithstanding this misfire, successful values conversations can be held. We should start small. Legal personnel practice this skillset, and make in-roads to our audience, by referencing the Core Values in draft administrative paperwork and nonjudicial punishment reprimands. Our conversation continues during annual ethics training, when Airmen are challenged to use the Core Values as a lens to understand the basis for the myriad ethical rules that guide their conduct. The conversation culminates when JAG Corps personnel provide legal advice that transcends black and white recitations of the law on issues such as ethics, morality, and justice. Our work is complete when senior leaders reflexively employ the “grammar of moral reasoning” when initiating conversations with the legal office, because they understand the language we speak.<sup>[17]</sup>

### Integrity

In order to encourage your own reflection about the intersection of the Core Values and principles, I offer several personal reflections for your consideration. First, integrity. Frequently, integrity is understood simply as a synonym for honesty, or cast as “doing what's right even when no one is looking.” While this rule of thumb is valuable, integrity is primarily a matter of employing consistent action. Airmen “do what's right,” because, at their core, they are constitutionally unable to do otherwise. Audience is irrelevant. Consistency, however, is a temporary state that must be continuously pursued. Wisdom facilitates this pursuit, and represents the ability to analyze our actions, consider our animating motivations, identify inevitable inconsistencies between ideals and behavior, and finally guide us to make the “right” judgment.

For example, consider the generation of Air Force leaders brought up as “servant leaders.” A “servant leader” places the needs of their people above their own and values mentorship to junior troops. They serve. Presumably, Air Force “servant leaders,” those that value mentorship and develop

subordinates, will leave their office at a reasonable hour because they place similar value on the opportunity to coach their child's soccer team and assist with algebra homework. Is this the behavior we see in practice in our workplace? Maybe? Sometimes? We can all likely cite a few famous people whose actions behind closed doors appear wildly disconnected from their public persona, so we know that integration isn't just an Air Force problem. When an Airman displays markedly different behavior on and off-duty, they lack integrity. They either fail to adequately reflect on their inconsistencies, lack the wisdom to identify the issue, or daunted by the challenge resign themselves to an inconsistent standard. Airmen need wisdom to consider themselves as moral actors and identify solutions to bridge disconnects between their actions and ideals.

### Service Before Self

As with the Core Value of "integrity first," the Core Value of "service before self" is susceptible to misapplication, as Airmen focus on "before self," and interpret this Core Value as a one-step flow chart to call upon when balancing competing professional and personal responsibilities. Balance is a temporary achievement, one that calls to mind the image of a playground see-saw that achieves equilibrium only briefly while on its journey into a period of opposite and increasing imbalance. For many Airmen, work-life "balance" appears less as an achievable goal and more as an unrealistic taunt birthed from the dreams of an out-of-touch idealist. Moreover, the mental imagery of a scale unhelpfully casts personal and professional life as two wholly separate and independent spheres.[18] In the modern information era where military members are instantly connected and always available, it appears increasingly impossible to draw a firm and unimpeachable line between personal and professional time. The two spheres continuously merge and mesh, and only with great effort are adequately separated. Airmen seeking to juggle their work responsibilities and home life may do better to refer back to the Core Value of "integrity first," and question whether their choices, on balance, demonstrate consistent work-life integration.

What then, can we draw from "service before self"? Airmen may find more value from this Core Value if they use it as an opportunity to consider the motivation for their actions and the "why" that motivates their service. In the JAG Corps, attorneys from both sides of the aisle serve justice. Justice, however, is a concept that abounds throughout the service, as all Airmen take an oath to uphold the Constitution. A Special Warfare Airman serves justice when following the rules of engagement and law of armed conflict. A First Sergeant serves justice when reading Article 31 rights to an Accused. An Airman serves justice when stepping in as an active wingman to stop bullying and harassment of friends or co-workers. A commander serves justice, and encourages the practice in others, when he addresses a gathered assembly and plainly tells them that, "if you can't treat someone with dignity and respect, then you need to get out." [19] With justice at its heart, the Core Value of "service" becomes much more than a reminder about appropriate work-life balance. Once invigorated, the value now calls to mind an image of the scales of justice, challenges Airmen to reflect on their oath and why they serve, and builds upon Airmen as morally integrated actors.

### Excellence In All We Do

The final Core Value, "excellence in all we do," also benefits from application of the JAG principles, specifically the virtue of valor and the proposed virtue of temperance. Unlike our counterparts in the civilian sector, excellence cannot be measured in working capital or market share. The dirt, grime, and friction inherent in military operations requires Airmen to display imperfect excellence in demanding conditions. Unfortunately, in our recent past the Air Force conflated the Core Value of "excellence" with the idea of checklist perfection.

Several years ago the service shifted from a "compliance" to an "effectiveness" inspection format.[20] In considering the move, the Air Force realized that the compliance inspection model glossed over true measures of daily mission readiness, and defined "excellence" in a manner that Airmen were only able to artificially simulate for the brief period they were being inspected.[21] This mindset, that excellence is



synonymous with perfection, is sure to rear its head again within the service. Vestiges of compliance thinking remain deeply rooted in our culture. The JAG principles of valor and temperance can stem that tide by encouraging all Air Force leaders to identify excellence in its true form – when Airmen act with valor to do what must be done, and apply temperance to avoid mistakes that undermine the legitimacy of their acts.

## WAY FORWARD

Moving forward, it is clear that temperance deserves a formal upgrade to sit as an equal alongside our other principles. Practically speaking, the greatest initial effort for this initiative will be spent on edits to the signage on our front doors. Thereafter, the real work begins, as attorneys and paralegals begin proactively identifying situations in which the Core Values and expanded JAG principles can be applied to real-world situations. We must embrace our role as Core Values educators, and draw Airmen out from behind the comforting cover of technical orders and instructions that deliver the “correct” answer. Epictetus explained that the fruit of the four Stoic virtues was, “tranquility, fearlessness,

and freedom.”<sup>[22]</sup> Similarly, our efforts will bear fruit, and culminate in an emboldened generation of air power leaders that operate consistently within our values, but without need for volumes of regulation. When we combine our Core Values and principles with temperance, Airmen will be empowered to operate with greater confidence, independence, and moral resolve knowing their actions are consistent in service toward a common goal.

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## EXPAND YOUR KNOWLEDGE:

### EXTERNAL LINKS TO ADDITIONAL RESOURCES

- **Center for Creative Leadership:** What Are the Characteristics of a Good Leader? (Apr 17, 2018)
- **Col Charles R. Myers:** The Core Values: Framing and Resolving Ethical Issues for the Air Force (USAF Air Power Journal, Spring 1997)
- **TED Ed:** The Philosophy of Stoicism (5:29)
- **TED Talks:** Stoicism: Why you should define your fears instead of your goals (Apr 2017, 10:45)
- **The Sextant:** Navy Legend Vice Adm. Stockdale Led POW Resistance (Nov 13, 2015)

## ENDNOTES

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- [14] Charles R. Myers, *Framing and Resolving Ethical Issues for the Air Force*, AIRPOWER JOURNAL 40 (1997), [www.dtic.mil/get-tr-doc/pdf?AD=ADA529801](http://www.dtic.mil/get-tr-doc/pdf?AD=ADA529801).
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