

Book Review

GETTYSBURG JULY 1¹

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Gettysburg July 1 is a comprehensive account of the events that occurred on the first day of the battle of Gettysburg. The author, David G. Martin,³ is an accomplished civil war scholar and historian who wrote this account primarily focusing upon the fighting at the tactical and regimental levels.⁴ Martin details why Gettysburg became the battleground for this crucial battle during the Civil War and describes how the various Union and Confederate commanders maneuvered and fought their respective forces.⁵ *Gettysburg July 1* not only provides well-researched historical information regarding the Battle of Gettysburg but also provides numerous anecdotes and commentary on leadership, military tactics, and controversial issues surrounding the first day's battle.⁶ "Make no mistake about it however; *Gettysburg July 1* is *not* for the casual observer of the battle. . . . [rather] [i]t is a work that is only for the serious minded Civil War student."⁷ Given the level of detail provided, most readers should start with a less daunting and more exhilarating account of the entire Battle of Gettysburg prior to laboring through Martin's 569-page epic detailing only the first day of the battle.⁸

In his two-page preface, the author sets out several purposes for writing this book.⁹ First, he argues that day one of the battle "was more than a simple prelude to the second and third days";¹⁰ it was a "major battle deserving a detailed history on its own merit."¹¹ Second, he utilizes "primary sources"¹² and "conclusions reached by a number of very good recent brigade and regimental level monographs" to provide a new detailed account.¹³ Third, he examines many of the controversies surrounding the first day's fighting.¹⁴ Lastly, he provides reasons "why the battle came to be fought at Gettysburg."¹⁵

There can be no question that the first day of the battle of Gettysburg was a major engagement, given the forty-nine thousand troops involved in the day's fighting.¹⁶ Accordingly, *Gettysburg July 1* quickly sets the stage for the battle by explaining the operational set of Union and Confederate armies and how and why this set precipitated the battle at Gettysburg.¹⁷

The author analyzes the campaign using primary sources and, in most cases, first-hand descriptions of each "skirmish" or battle that provide the reader with a view of the battle at the tactical and regimental levels.¹⁸ Most of these accounts preserve the prose of the period and graphically depict the gruesome, yet necessary, face of war:

¹ DAVID G. MARTIN, *GETTYSBURG JULY 1* (2003).

² U.S. Army. Written while assigned as a student, 54th Judge Advocate Officer Graduate Course, The Judge Advocate General's Legal Center and School, U.S. Army, Charlottesville, Virginia.

³ "David G. Martin is the author of over twenty books on the Civil War and Revolution." Longstreet House, Books by Author, Dr. David Martin, <http://www.longstreethouse.com/author.html> (last visited Apr. 25, 2006).

⁴ See MARTIN, *supra* note 1, at 9-10.

⁵ See *id.*

⁶ See *id.* (emphasis added).

⁷ The Robert E. Lee Civil War Round Table of Central New Jersey, *Gettysburg July 1*: Reviewed by James G. Keating, <http://www.robteleeecwrt.org/reviews.html> (last visited Apr. 25, 2006).

⁸ See, e.g., MICHAEL SHAARA, *THE KILLER ANGELS* (1987) (providing a Pulitzer Prize-winning overview of the entire battle through the eyes of the generals who fought the battle); STEPHEN W. SEARS, *GETTYSBURG* (2003) (providing a detailed narrative of the entire battle).

⁹ See MARTIN, *supra* note 1, at 9-10.

¹⁰ *Id.* at 9.

¹¹ *Id.*

¹² *Id.* at 10.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ See *id.* at 9.

¹⁷ See *id.* at 10, 30.

¹⁸ See *id.* at 9-10.

A soldier from the 88th relates that his line waited behind their fence until O'Neal's units were "in easy range, the order was given, 'commence firing.' With the sharp crack of the muskets a fleecy cloud of smoke rolled down the front of the brigade and the Minnie balls zipped and buzzed with a merry chorus toward the Southern line, which halted, and after a brief contest, retired to the shelter of the woods."¹⁹

And, "[t]he response from vastly superior numbers, equally well armed, was like a hail storm, but our men were as obedient to commands as if they shared the perils of twenty battles."²⁰ The author intersperses these types of accounts and many others through many of the chapters, adding details most would overlook. For example, when describing many of the officers and Soldiers, Martin provides detail that allows the reader to empathize with that particular leader or Soldier:

Colonel Pickens was aided by the 12th's major, Adolph Proskauer, who was an able officer as well as the "best dressed man in the regiment." Captain Robert Park was amazed at how "our gallant Jew major smoked his cigars calmly and coolly in the thickest of the fight."²¹

Martin's approach increases the readability and depth of this book by allowing the reader to view the battle through the participants' eyes.

On the other hand, Martin tends to overuse this approach, providing too much detail at times, thereby interrupting the flow of the narrative.²² This detail, coupled with the lack of accurate and useful maps to visually portray the author's descriptions of the battlefield may cause problems for the average reader. The inaccuracies and lack of maps hinder the readability of the book because they require the reader to flip back and forth between various maps to ascertain how each unit was arrayed and maneuvered on the battlefield.²³

Another drawback of *Gettysburg July 1* is that the author's topographical and meteorological descriptions are reserved for the appendices.²⁴ This information is better suited for the initial chapters and would better orient the lay reader to the battlefield and the corresponding effects of each on the ensuing battle. For instance, Martin explains in his topographical appendix that "[t]he primary reason a great battle arose at Gettysburg was the great road net – eleven in all – that radiated from the town and drew the two opposing sides to it."²⁵ This information provides answers to the fundamental reasons why Martin wrote this account and is better suited for the introductory chapters. Discussing the information provided in the appendices would help set the stage in the reader's mind as the author begins his description of the battle. In addition, a better description of the overall political and strategic environment would also help the average reader, as the leaders of the Confederate and Union States made decisions and set goals based on their background and leadership styles, which heavily influenced the decisions made by their senior army commanders at Gettysburg and throughout the war.²⁶ Thus, the introductory chapters lacked the detail that Martin poured into the rest of the book. These detractions, however, will only be a concern to the lay reader who is unfamiliar with the battle of Gettysburg and Civil War history as a whole.

Despite the detractions, *Gettysburg July 1* should be read by anyone wishing to explore the battle further. As previously discussed, Martin's account provides resolution to many controversies surrounding the first day's battle, objective critical commentary on the effect of decisions made by the leaders of both sides, and numerous anecdotes that could be studied by Soldiers and lawyers alike.²⁷ The author meticulously discusses the numerous controversies regarding the events of the first day, providing resolution and, in many cases, additional commentary on the effect of each mistake or misconception that

¹⁹ *Id.* at 222 (quoting JOHN D. VAUTIER, HISTORY OF THE EIGHTY-EIGHTH PENNSYLVANIA VOLUNTEERS IN THE WAR FOR THE UNION, 1861-1865 (1894)).

²⁰ *Id.* at 369.

²¹ *Id.* at 223 (quoting ROBERT E. PARK, WAR DIARY OF CAPTAIN ROBERT EMORY PARK 113 (1898)).

²² *See id.* at 233-34 (describing the capture of Confederate flags and colors by Union forces).

²³ Martin provides only twenty maps throughout 569 pages of text. These black and white maps depict only major terrain features, unit designations, and general movement routes. Additional color maps and photos would provide the reader with a better understanding of the battle.

²⁴ *See* MARTIN, *supra* note 1, at 570-94.

²⁵ *Id.* at 582.

²⁶ *See, e.g.*, JAMES M. MCPHERSON, ABRAHAM LINCOLN AND THE SECOND AMERICAN REVOLUTION 65-92 (1992) (comparing and contrasting the leadership styles, war aims, and policies of President Abraham Lincoln and President of the Confederacy, Jefferson Davis).

²⁷ *See* MARTIN, *supra* note 1, at 9-10.

triggered the controversy.²⁸ Martin's insightful analysis debauches many of the controversies with a logical resolution based on his depth of knowledge regarding the events of the day.²⁹ His discussion of these controversies provides "the reader with an unbiased and logical discussion of these . . . [and other] hotly debated topics."³⁰

Gettysburg July 1 is also full of interesting commentaries that explore the tactical decision-making and leadership of the commanders on both sides. Military leaders at all levels can benefit from a study of the lessons learned from each of the numerous tactical and regimental fights enumerated within this book. The author's criticism and discussion of the various effects of the mistakes of the day are not limited to one side, but are well dispersed among both sides at all levels of command.³¹ Likewise, his criticism and conclusions provide plenty of fodder for discussion and comparison of modern-day leadership challenges and tactical decision-making during the fog of war. An example of this book's application to current warfighting is provided by one of the author's descriptions of how both forces quickly adapted to warfare in an urban environment: "it should be remembered that men running at full speed, scattered in single file, were safer from the fire of the enemy than if marching in a compact body."³²

Martin's interpretation and analysis of events are superb in several areas, particularly when analyzing complex tactical issues of the day. For example, he attributes the initial Confederate effectiveness to the fact that "the Confederate units . . . simply had better fire control and better cohesion than the Union troops, who had trouble holding up and returned less effective fire than their opponents."³³ Martin's analysis is not only reserved for issues at the tactical level, but he also offers incisive commentary on the respective military commanders' effectiveness. He readily discusses General Robert E. Lee's failings as a leader, stating that "Lee was in the custom of giving his orders in the form of suggestions, or directing them to be carried out 'if practicable.' In this way he allowed his subordinates considerable discretion as to how, when or even if his command should be carried out."³⁴ Based on the level of discretion Lee allowed his subordinates, the author surmises, along with many Confederate officers of the day, that this may have been a key-contributing factor to the ultimate loss of the battle of Gettysburg.³⁵ Martin makes this point by quoting a Confederate lieutenant colonel:

There was not an officer, not even a man, that did not expect the war would be closed upon the hill that evening, for there was still two hours of daylight when the final charge was made, yet for reason that have never been explained nor ever will be. . . someone made a blunder that lost the battle of Gettysburg, and humanly speaking, the Confederate cause.³⁶

As with the rest of his analysis, the author spares no command from his critical review, immediately following his critique of the Confederate failings with those of the Union.³⁷

It is thus clear that Slocum did not maintain very close control of his XII Corps once it finally did reach the field. By sunset his command was spread out all across the field in three separate, disjointed and unsupported locations: Williams' two brigades east of Rock Creek, Kane's brigade on the Baltimore Pike, and Geary's other two brigades near Little Round Top. None were in direct contact with the enemy, and all might have been more effectively employed closer to the army's main position on Cemetery Hill. The best

²⁸ See *id.* at 10.

²⁹ See *id.* For example, Martin's discussion of the opening shots of the battle states:

It should be noted that Jones's shot was not the first of the day, though it is often claimed to be so by a number of zealous sources. The actual first shots of the battle were fired at dawn between the *vendettes* of the 17th Pennsylvania Cavalry posted on the Carlisle Pike and some of Confederate troops under Ewell's direction, probably a detachment of the 1st Maryland Cavalry or possibly of French's 17th Virginia Cavalry.

Id. at 64.

³⁰ Keating, *supra* note 7.

³¹ See *id.*

³² See MARTIN, *supra* note 1, at 435.

³³ *Id.* at 301.

³⁴ *Id.* at 504-05.

³⁵ See *id.* at 514.

³⁶ *Id.* at 514 (quoting Hamilton C. Jones, Jr., "Fifty-Seventh Regiment," 3 N.C. REGIMENTS 414 (n.d.)).

³⁷ See *id.* at 523-41. In his final chapter, Martin hypothesizes about the various outcomes of the day's fighting had different decisions been made by the leaders on both sides. See *id.*

that can be said of the XII Corps' position that night was that it was last on (or at least near) the field, and was preventing the enemy from occupying the positions held by it.³⁸

In addition to various commentaries on leadership and tactics, several of Martin's descriptions of the events that occurred both during and following battles could be utilized as vignettes for military lawyers. These commentaries provide early descriptions of concepts that now are considered customary law and regularly encountered by most operational lawyers. For example, Martin describes several "offers to parley"³⁹ along with the first hand reactions of the leaders involved:

By now many of Iverson's men had had enough, and began waving hats and handkerchiefs in token of surrender. Some of the Union officers, though, feared trap, and held an impromptu conference to consider what to do. Just then, General Baxter rode up and gave the order, "up boys, and give them steel!" His decision to conduct a bayonet counterattack may have been influenced by the fact that some of his men were beginning to run out of ammunition.⁴⁰

Other good examples of issues germane to today's military lawyer are the discussions regarding the capture, treatment, and *parole*⁴¹ of prisoners of war⁴² and the treatment and protection of civilians in combat.⁴³ Accordingly, this work can provide some historical precedence and insight for military lawyers facing similar issues today.

Gettysburg July 1 serves a definitive purpose—explaining the true importance of the often overlooked first day of the battle of Gettysburg.⁴⁴ Indeed, the first day set the conditions for the next two days of battle, the Confederate loss at Gettysburg, and the outcome of the Civil War. This account, however, should be reserved to those readers who have a keen interest in battle of Gettysburg, or at a minimum a working knowledge of the history of the Civil War. For the Civil War historian, the stories told and detailed commentaries make *Gettysburg July 1* a lasting contribution to the historical record and rank its author among the most learned Civil War scholars to date.

³⁸ *Id.* at 541.

³⁹ An "offer to parley" is an offer to "discuss terms with an enemy," generally conducted prior to surrender. MERRIAM WEBSTER'S DELUXE DICTIONARY 1328 (10th Collegiate ed. 1998).

⁴⁰ See MARTIN, *supra* note 1, at 231.

⁴¹ "Parole" in military law is "an engagement by a prisoner of war, upon being set at liberty, that he will not again take up arms against the government by whose forces he was captured, either for a limited period or while hostilities continue." BLACK'S LAW DICTIONARY 1116 (6th ed. 1990).

⁴² See MARTIN, *supra* note 1, at 316. Martin describes the confusion caused by the vast numbers of prisoners of war stating that "[t]he Confederates apparently tried to persuade their prisoners to sign paroles even before they were transported off the battlefield, which was not the proper way of doing things." *Id.*

⁴³ See *id.* at 462. Civilians were generally protected: "the Confederates appear to have behaved quite reasonably in view of the fact that they had just won a major victory on northern soil. J.F.J. Caldwell of Perrin's brigade recalled that 'No violence was offered to the citizens by our troops.'" *Id.* (quoting J. F. J. CALDWELL, THE HISTORY OF A BRIGADE OF SOUTH CAROLINIANS FIRST KNOWN AS "GREGG'S" AND SUBSEQUENTLY AS "MCGOWAN'S" 140-41 (1866).

⁴⁴ See *id.* at 9-10.