

A NEW LOOK AT INITIATIVE IN THE BATTLE OF GETTYSBURG

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Initiative in battle is often the determinant between victory and defeat. Few battles proceed exactly as planned. Decisions must be made on the spot, either by the army or navy commander or by subordinates. By the very nature of their assignment, commanders at higher levels, such as admiral of a fleet or commander of an army, have considerably more leeway than lower-ranking commissioned officers and non-commissioned officers (NCOs). However, in many cases, these lower-level officers and NCOs make critical decisions on the spot that determine the course of a battle, either positive or negative.

There are many examples of initiative that affected the outcome of a battle or even a war. Putative positive examples include Captain Ernest Evans leaving his formation (Code Name Taffy 3) and moving his destroyer northwest to attack a much larger Japanese naval force in the Battle of Samar in October 1944 and the numerous company grade officers and enlisted men who took over on Omaha Beach on June 6, 1944, D-Day, to lead men to fight their way over the bluffs. Putative negative examples include Lieutenant William Fetterman in December 1866 leading his force beyond his orders into a trap known as the Fetterman Massacre, and Lieutenant Colonel George Custer attacking the Sioux and Cheyenne camp on the Little Bighorn River in June 1876.

This paper will present initiative from its basic civilian definitions to specific military definitions. It then discusses a modified military definition from recent United States Army field manuals and uses that definition to evaluate certain actions in the Battle

of Gettysburg. This paper addresses no controversy: it attempts merely to investigate certain actions in the battle against a restrictive criterion.

However, some disclaimers are warranted. All discussion of generals in this paper is limited to facts and statistics. This paper will not “rate” generals and leaves that unnecessary task to others because the only substantive conduct is that *relative to the battle*. None of the points presented is intended to suggest that either side in that conflict was superior to the other: both North and South were part of the American culture. This paper never questions the incredible and inexhaustible courage and fortitude of the common soldiers who suffered, regardless of how their generals chose to fight battles.

Finally, this paper correlates actions and persons to those in other conflicts, a technique uncommon in Civil War historiography with the notable exceptions of the works of Fletcher Pratt and John Keegan. However, using such an approach can often help cast new light on relevant topics and serve to explain them better than in isolation. Although many students think that our civil war was fought in a historical vacuum and is unique among world conflicts with absolutely no comparison to others, the similarities are there if one is willing to both look for them and accept what they reveal.

ORDERS AND COMMUNICATIONS

The common civilian definition of initiative relative to this discussion has two general flavors:

a. That of independent thought: The ability to assess and initiate things independently.

b. That of pre-emptive action: The power or opportunity to act or take charge before others do.¹

Military definitions are similarly bifurcated, but along slightly different lines. According to U.S. Army Field Manual FM 100-5 (italics added):

Applied to the force as a whole, initiative requires a constant effort to force the enemy to conform to commanders' operational purposes and tempos, while retaining freedom of action. It means depleting the enemy's options, while still having options of their own. This requires leaders to anticipate events on the battlefield so that they and their units can act and react faster than the enemy. Applied to individual soldiers and leaders, initiative requires a willingness and ability to act independently *within the framework of the higher commander's intent.*²

Thus, modern army doctrine distinguishes the initiative of the fighting force (as in "seize the initiative") from that of the individual soldier (independent action). It is the latter form of initiative that is the subject of this paper, but note the slight difference between the civilian and the military definitions. Both the civilian and military definitions involve taking charge; however, the military definition includes the additional qualification of acting independently "within the framework of the higher commander's intent." What is that framework? Within a military framework, this normally means Orders.

Retired U. S. Navy Captain Norman Kleiss was a Dauntless dive bomber pilot in the Battle of Midway in June 1942. Then-Lieutenant Junior Grade Kleiss was the only dive bomber pilot to hit three Japanese vessels in the battle, two aircraft carriers and one cruiser. Discussing his squadron's preparations in the days before the battle, he wrote (italics added), "Of course, we did not concern ourselves too much with tactical

details. We were just pilots, after all. Our commanders had the responsibility of issuing orders. *We merely had the responsibility of carrying them out.*"³

In 2018, one of the authors met a young man from the Midwest in a tavern at a Caribbean island resort. He stated that he had been in the army for eight years and had deployed to Iraq and Afghanistan. He had married toward the end of his service and decided that eight years were enough and he wanted to settle down and start a family. The author identified himself as also a veteran, but of a completely different era, the Cold War, having left the Air Force in 1981 as a captain, also after almost eight years: there were approximately 35 years between their respective hitches. With no prompting, the young veteran looked at the author and said calmly, answering the question himself with emphasis, "Do you know the one thing that civilians don't understand about the military? *Orders.*"

Are military orders distinctive? To some extent they are not because both civilian and military orders involve obedience to a superior and achievement of an objective. In business, success could be profit or market share, and in the military success is victory and good order. Modern U.S. Army doctrine depends on five basic tenets: initiative, agility, depth, synchronization, and versatility. These are designated as the characteristics of successful operations.⁴ Despite hierarchical similarities between the military and industry, there are two features of military orders that civilian orders do not possess.

First, commissioned officers and enlisted personnel take an oath, required by law, which does not normally occur in civilian jobs. The emphasis of both oaths is to support and defend the Constitution of the United States, not a person. The oath for officers

includes the phrase, “and that I will well and faithfully discharge the duties of the office upon which I am about to enter.”⁵⁵ The enlisted oath is more specific: “I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice.”⁵⁶ Both oaths end in “So help me God,” which is optional. These oaths, whose origins lie in the Colonial Army, are repeated at each promotion and re-enlistment, providing a reminder of the values guiding the American military. (Note here that many in public service, such as police and firefighters, take a similar oath and have many of the same responsibilities and risks as the military. Their valuable service is recognized here, but for simplicity, this paper confines itself to military aspects of its topic.)

Second, the requirement to follow orders means: *To. Follow. Orders.* Depending on the situation, subordinates might be asked their opinion, or not, but in either case, when a superior gives an order, it is to be followed completely. In most cases, the order does not come in the form of “I order you to...” Instead, again depending on the situation, it might come as “Let’s do this...” or “Here’s what we’ll do...” Regardless, it is probably simplistic to state that a subordinate knows an order when he hears it, but he does. At that point, he is bound to execute the order to the best of his ability. That is how the military functions. And of course, in the military, one must salute a superior officer, an action with no civilian counterpart.

A caveat here is that the order must be a lawful order, i.e., that it violates no laws (such as the Geneva Conventions) or professional obligations (such as medical or legal ethics), and that the subordinate can morally obey the order. The discussion of lawful and unlawful orders is complicated and mentioned here solely for completeness. Part of that

discussion involves the conditions under which a subordinate may refuse to execute an order, and that complexity is not required in this paper, which assumes that all military orders issued during the Battle of Gettysburg were lawful. A good discussion of the issues surrounding dissent in the military may be found at the source in the endnote.⁷ (Whether the reader thinks that any military order during that battle was *smart* or not is different, but this paper assumes that all were *lawful*.)

One view of initiative is that it might not be such a good idea, that, in general, it might be safer to simply obey orders and not stick your neck out. And it is important to note that there is a difference between acting against orders and without orders. However, there *is* a danger in disobeying orders: reprimand or court-martial. In contrast, there is a certain security in following orders, and one should not violate them lightly.

Initiative has long been expected of subordinates. Scott Bowden and Bill Ward in *Last Chance for Victory* describe General Thomas (Stonewall) Jackson as “particularly intolerant of indecisive subordinates who failed to exhibit initiative and skill in the face of the enemy.”⁸ It is important to note that “initiative” and “skill” are disparate proficiencies that might not appear in the same person. In fact, there are four possible combinations of these two qualities—initiative/skill; initiative/no skill; no initiative/skill; and no initiative/no skill. Few persons possess both qualities in abundance. Expecting initiative implies trust; that Jackson did not tell his subordinates his plans indicates that he did not trust them enough to exhibit any initiative.

Of General Robert E. Lee, commander of the Army of Northern Virginia (ANV), Bowden and Ward write, “This constant search by Lee to conceptualize, create, and exploit what he called ‘opportunity’ [i.e., seizing the initiative] helps explain the

flexibility he extended to his subordinates...this method of attack [i.e., the *en echelon* attack on July 2, 1863] fit Lee's command style perfectly, which nurtured and encouraged initiative among subordinate officers."⁹ (It is important to note here that the echelon attack is not necessarily a way to test initiative because in its basic form, it depends on brigades departing the start line at intervals on a specified schedule. Equating the echelon attack with initiative is the interpretation of Bowden and Ward.) They add further (italics in original), "Lee placed a premium on initiative and allowed his general officers the freedom to best determine *how* to accomplish a task."¹⁰

A word about communications is in order, or rather the technology of communications. It seems obvious that without electronic communications, such as in 1863, subordinates in the field had opportunity to make decisions independent of their superiors. And in those days, far-flung units such as cavalry had even more independence. A good example of this is Federal General Benjamin Grierson's raid in Mississippi in April 1863. Grierson's brigade of three cavalry regiments acted to divert the attention of Confederate John Pemberton, the commander of the Vicksburg garrison, away from the movements of the main Federal army under General Ulysses Grant. This raid lasted 16 days and covered 600 miles.¹¹ During this time, Grierson was out of contact with any superiors, but he understood his mission and acted accordingly.

In summary, initiative in the military depends on a command environment that allows agility and versatility in the fulfillment of orders. This has been true in the U. S. Army. The key phrase is "fulfillment of orders." The next section explains initiative in the context of fulfilling orders.

DISCIPLINED INITIATIVE

As indicated above, the modern U. S. Army context for initiative is “within the framework of the higher commander’s intent.” This intent works its way to subordinate commanders and soldiers as orders. This qualification places a limit on initiative and offers clarification as to what initiative is *not*. Initiative is not ignoring orders, nor is it merely doing something on one’s own. Initiative is not second-guessing orders either or “interpreting” them such that it fits one’s own idea of what should happen. Initiative is not being a cowboy. The concept of disciplined initiative sets the bar high for what constitutes a valid reason to modify orders or to act without them. In short, one should follow orders as closely as possible unless circumstances overcome the orders.

Limiting the interpretation of orders assumes that the orders are clear with little ambiguity. Military orders are not the place for linguistic or regional flourishes: they are meant to produce directed action from subordinates. The general principles of orders in the US Army Field Service Regulations (FSR) 1905, read thus:

39. Orders should be brief; short sentences are easily understood. Conjectures, expectations, reasons for measures adopted and detailed prescriptions for a variety of possible events are little calculated to *raise* the confidence of troops, and should therefore be omitted.

40. Orders must not be couched in uncertain terms. The commander should accept the entire responsibility and shift none of it to the shoulders of his subordinates. Precise orders give confidence in dangerous undertakings. The more difficult the situation, the clearer and more definite must the order be.¹²

Two ways (of many) of writing unclear orders are the use of ambiguous phrases and an excess of conditional statements. General Alfred Terry’s order to Lieutenant Colonel George Custer on June 22, 1876, is an example of an ambiguous phrase. Written

by Terry's adjutant, it states (italics added), "He [Terry] will, however, indicate to you his own views of what your action should be, and he desires that you should conform to them *unless you shall see sufficient reason for departing from them.*"¹³ To an officer with Custer's well-known impatience, such wording was a blank check, as events at the Little Bighorn would prove. (Of course, one could argue that this case comes under the "out of contact with the commander for a long period" construct, but the commander wanted all parts of the army to converge before attacking.)

But perhaps the most famous and most controversial conditional statement from the entire war is in Lee's order to Second Corps commander General Richard Ewell in the late afternoon of July 1. This order, delivered orally by members of Lee's staff, told Ewell to take Cemetery Hill, "if practicable, but do not bring on a general engagement." The reader may decide whether this was a genuine option offered to Ewell or the careful wording of a polite Virginia gentleman ordering another polite Virginia gentleman genteelly. In either case, it is a conditional statement subject to analysis.

An excess of conditionals occurs when the order contains too many words such as "if" and "should." Cavalry division commander General James Stuart's order to brigade commander General Beverly Robertson prior to the Gettysburg campaign is an example of this form of unclarity.¹⁴ In contrast, orders given by Grant were delivered in clear prose with few conditionals, containing mostly statements such as "you will," "it is desired," "your command will," and so forth, leaving little room for misinterpretation.

Finally, the limit of orders is expressed in FSR 1905, which reads (italics in original):

41. An order should not trespass on the province of the subordinate. It should contain everything, which is beyond the independent authority of the subordinate, but nothing more. When the transmission of orders involves a considerable period of time, during which the situation may change, detailed instructions are to be avoided. The same rule holds when orders may have to be carried out under circumstances which the originator of the order cannot completely forecast; in such cases letters of guidance is more appropriate. It should lay stress upon *the object to be attained*, and leave open the means to be employed.¹⁵

It should be noted that the phrase “When the transmission of orders involves a considerable period of time, during which the situation might change” covers also the case where the recipient of the order will be out of contact with the commander for “a considerable period of time.” In the year of its printing, 1905, with rudimentary electronic communications, this would have involved cavalry or isolated posts. These extracts from FSR 1905 show that the army has been concerned with the clarity of orders for a long time.

Refer again to the military’s bifurcated definition of initiative: it should be noted that there is a difference between operational initiative and disciplined initiative. Per Army Doctrine Publication No. 3-0, “Operational initiative is the setting of tempo and terms of action throughout an operation. Army forces seize, retain, and exploit operational initiative by forcing the enemy to respond to friendly action. By presenting an enemy force multiple dilemmas across multiple domains, commanders force that enemy to react continuously until driven into an untenable position.”¹⁶ The modern army’s term for guidance on initiative is “disciplined initiative.” This is described in Army Doctrine Publication No. 6-0 thus (italics added):

Disciplined initiative refers to the duty individual subordinates have to exercise initiative *within the constraints of the commander’s intent* to achieve the desired end state. Simply put, disciplined initiative is when subordinates have the discipline to follow their orders and adhere to the plan until they realize their

orders and the plan are no longer suitable for the situation in which they find themselves. This may occur because the enemy does something unforeseen, there is a new or more serious threat, or a golden opportunity emerges that offers a greater chance of success than the original course of action. The subordinate leader then takes action on their own initiative to adjust to the new situation and achieve their commander's intent, reporting to the commander about the new situation when able to do so.¹⁷

The difference is between How the Army fights and How a Commander fights. This paper concentrates on commanders, their subordinates, and how the subordinates did or did not execute disciplined initiative. It should be clear from this description that the intent of the commander, i.e., from orders, should play a role in the evaluation of actions deemed to be those of initiative. The Battle of Gettysburg provides many opportunities to examine this criterion, and the next section will explore this in more detail.

ANALYSIS OF INITIATIVE AT GETTYSBURG

As expected, an online search of 'individual initiative battle Gettysburg' produces thousands of results; however, most of those hits refer to initiative as something the army must gain on the enemy, not the individual variety. They refer to, say, Lee having the initiative during the battle, but few mention specific personal cases. This section concentrates on cases of individual initiative during that battle against the criterion of disciplined initiative.

Although disciplined initiative is a modern concept unknown to the participants, the evaluation of battles against modern management concepts is not new and is an accepted mode of analysis. Colonel Tom Vossler, U. S. Army (Retired), is well known for such analyses under the auspices of the National Park Service. For instance, he has evaluated the battle against the modern Army Training and Evaluation Program, an

objective training evaluation system.¹⁸ This paper simply uses another modern army concept in its analysis.

The incidents chosen for analysis involve independent thought and action. These were determined by constructing a superset of potential cases from histories of the battle and narrowing that set to those that appear in the paper, the goals being to present substantive cases and to keep the paper at a reasonable size. This study is not quantitative: no scores are assigned to the incidents nor are detailed statistics produced. Instead, this study is qualitative in that each incident was studied and evaluated against the main criterion of whether the act of initiative by a participant was “within the framework of the higher commander’s intent,” i.e., was it the result of disciplined initiative? Other considerations:

a. Impatience, being high-spirited, or grandstanding is not an acceptable reason to violate orders, although these might be used incorrectly to justify some actions.

b. An obvious change in a tactical situation is an acceptable reason to act counter to orders, especially if there is little time to report the change to headquarters. (Another phrase for this is that the situation has been altered by events.)

c. Making judgments or exhibiting tactical skill appropriate to one’s position is not the same as initiative. This normally eliminates high-level commanders, but not always, as will be seen with General Daniel Sickles.

d. Exhibiting initiative might be done with the best of tactical intentions, but this is no guarantee that the act will have a positive result. There are two reasons for this. One, many circumstances might neutralize a movement, such as enemy action or new

orders from a superior. Two, the movement might not have been a good one. Examples of both are found below.

LEAD-IN TO THE BATTLE PRIOR TO JULY 1

Two obvious potential examples involve cavalry, one Confederate, one Federal. The former case involves the ride around the Army of the Potomac (AOP), General George Meade commanding, by the cavalry division commanded by General James Ewell Brown (J.E.B., commonly called “Jeb”) Stuart; the latter, the reconnaissance and holding action performed by General John Buford’s cavalry division. However, both Stuart and Buford, as cavalry commanders, exercised considerable independence in following their orders during this period. Lee had ordered Stuart to scout for the AOP, to inform Lee of its movements, and to screen Ewell’s right flank: he failed. He arrived eventually at Lee’s headquarters on July 2, having presented Lee with approximately 125 wagons, but not one shred of intelligence. General Alfred Pleasonton, commander of the Cavalry Corps, had ordered Buford to scout for the ANV, to act as a screen for the left wing, to inform wing commander General John Reynolds (and I Corps commander) of Confederate movements, and to go to Gettysburg. History shows that Buford was more successful than Stuart in fulfilling his mission. (Whether Stuart followed his orders or not is still debated to the present. This paper does not attempt to solve this argument; rather, the episode highlights the fact that the outcome of his mission resulted from tactical decisions and not initiative.)

Upon arriving at Gettysburg, Buford recognized its importance as a road hub and decided to defend it. He informed Reynolds of this, and Reynolds confirmed his decision,

telling Buford that his I Corps infantry would arrive in the morning. Buford's goal was to delay the Confederates and prevent them from capturing the hills south and east of town. To this end, he set up a defense-in-depth holding action on the western approach to the town (forcing the Confederates to fight toward the hills) and continued to scout for the location of Confederate units. All of these actions were within his orders and the effective tactical dispositions were appropriate to his position. Therefore, because Stuart and Buford acted within their orders and positions, they cannot be considered as acting with initiative.

DAY 1, JULY 1

The first day of the battle offers many candidate episodes, starting with its opening movements. By June 28, the ANV was spread out in an eighty-mile arc from the Blue Ridge on the Maryland border to Harrisburg and York. After learning on June 28 from the scout Harrison that the Federal army was closer than he was aware, Lee ordered the army to concentrate in the Cashtown-Gettysburg area and not to start a general engagement until the army was collected.

General A.P. Hill's Third Corps reached Cashtown on June 29; an initial reconnaissance into Gettysburg by the brigade of General Johnston Pettigrew on June 30 was cut short when Federal cavalry was observed in the town. Pettigrew, heeding the order not to engage, withdrew and reported the sighting to General Henry Heth, his division commander, and Hill. Both men disagreed with Pettigrew's assessment, believing that Pettigrew observed local militia. Hill reported this to Lee, who ordered Hill to execute another reconnaissance to determine the nature of the men in blue; Lee also

sent orders to Heth to “ascertain what force was at Gettysburg, and, if he found infantry opposed to him, to report the fact immediately, without forcing an engagement.”¹⁹

Heth’s division departed Cashtown toward town, the traditional pretext being to search for shoes. (However, given that General Jubal Early’s division passed through Gettysburg on June 26, there was little chance that any shoes remained.) Shortly afterward, his two leading brigades (Generals Joseph Davis and James Archer) met advanced elements of Buford’s cavalry near Marsh Creek, approximately 2.5 miles west of McPherson’s Ridge. When fired upon, Heth’s men returned fire and deployed into lines of battle with skirmishers, starting the engagement. Both brigades continued the fight on the pike toward Gettysburg, continuing the engagement that Lee had seemingly ordered his generals *not to start*.

To determine whether Heth’s starting the battle violated Lee’s orders, one must return to the original order and perform some logic manipulation. Lee ordered Heth not to force an engagement “if he found infantry opposed to him.” Buford’s division, of course, was cavalry and not infantry. By this logic, Heth did not violate the order because it specified *only* infantry and *not* cavalry; therefore, the order allowed Heth to do battle with cavalry. In fact, Heth did not meet infantry until he met I Corps across Willoughby Run later that morning. However, from the standpoint of disciplined initiative, it could be argued that the battle started from a violation of General Lee’s order (his intent), and was not a case of disciplined initiative. The intent of the order was clear: do not start a battle.

Another aspect to the start of the battle is offered by Glenn Tucker in his *High Tide at Gettysburg*. If Tucker's contention is true (and it is unprovable), then Hill acted like a cowboy and started the battle for the wrong reason, which is deplorable:

Some other points are salient in considering the July 1 fighting. One is that Hill was tacitly, perhaps even covertly, looking for battle as well as for shoes. Ordinarily a full division is not employed for a foray or a reconnaissance, but in the case Hill consented not only to have Heth go to Gettysburg, but had [General Dorsey] Pender aroused by three o'clock in the morning with orders to follow him and give support. Manifestly something more than shoes was expected. Yet the full intention was not made clear to General Lee. The fact that Heth spent the balance of his life lamenting his role in bringing on the battle suggests that his own conscience was never eased or his conduct fully justified in his own reflections.²⁰

Edwin Coddington in *The Gettysburg Campaign* offers this on the same conjecture, to wit:

...Heth possibly had something more on his mind than shoes and information when he made his advance toward Gettysburg. Major John S. Mosby, brilliant Confederate guerrilla fighter and defender of "Jeb" Stuart's reputation, may have been right when he charged Hill with planning a "foray" and calling it a "reconnaissance." Both Hill and Heth, Mosby asserted, "evidently expected to bag a few thousand Yankees, return to Cashtown, and present them to General Lee that evening. But ... 'they bit off more than they could chew.' "Whatever their reasons for the advance to Gettysburg, now that they had a real fight on their hands Hill and Heth felt compelled to throw in fresh troops, and willy-nilly they committed Lee to a battle without prior notice. Heth refused to concede that he and Hill because of recklessness and poor judgment were largely responsible for this development.²¹

A comment on Hill's action is in order. Careful reading of Tucker's comment shows that not only did Hill send a full division on a reconnaissance, but he also backed it up with Pender's Division plus added artillery. That represented two-thirds of his entire Corps. The presence of Pender's Division seems to indicate that Hill was intent on taking Gettysburg and was not solely on a reconnaissance. Mosby's conjecture suggests that

there was much post-battle suspicion on Hill's action. Again, starting a battle that day was clearly not Lee's intent, indicating that Hill willingly disobeyed Lee's order.

However, the start of the battle put each Confederate brigade and division commander on the spot as they entered the field one by one. Lee's orders to Hill and Ewell were not to start an engagement, and presumably they transmitted them to their subordinates. But as each unit entered the field, each viewed an intense battle in progress. In this case, although they had orders not to *start* an engagement, it was apparent to them that battle *had started*. The tactical situation for them had changed and checking for orders from Lee would have caused delays while other brigades were fighting; therefore, they used their initiative to join the battle to assist their fellow Confederates, the only logical and honorable course they could take. It is a clear case of disciplined initiative. (Note that these acts of initiative were required only because two generals, Hill and Heth, started the battle against orders in the first place.)

The Confederate brigades west and north of town were fighting three major Federal units: Buford's cavalry division mentioned above, and I and XI infantry corps, all with supporting artillery. I Corps arrived around ten and deployed on the west side of town. After Reynold's death, General Oliver Howard, IX Corps commander, assumed command of the field and division commander General Carl Schurz assumed corps command. Early in the afternoon, the XI Corps divisions of Generals Carl Schurz (now under General Alexander Schimmelpfennig) and Francis Barlow arrived. Schurz ordered Schimmelpfennig to deploy just north of town and Barlow to deploy to its right toward the Heidlersburg Road (today Business U.S Route 15, the Old Harrisburg Road). This

would have formed a continuous line within the capability of the two divisions to defend. At the time of this deployment there were few Confederates facing them from the east.

Instead, Barlow ordered his division forward several hundred yards to the northwest and occupied a small hillock called Blocher's Knoll, the only visible elevation, ostensibly as an artillery platform. This created a salient in the Federal line, and Schurz advanced his division somewhat to line up with Barlow's extended line. The new deployment stretched the line beyond the capability of the two divisions to cover it adequately. With insufficient numbers, its right on the east was in the air; by mid-afternoon, Confederates under Rodes and Early attacked XI Corps from the north and east, pushed it back, and forced it to retreat through town. Barlow was seriously wounded and found by the Confederates, who carried him to the rear to receive medical attention.

Barlow and Schurz certainly had orders to deploy north of town to extend the line of I Corps, but it is unclear if Barlow's subsequent action was from orders or "initiative." The logic of the move was clear: place Federal artillery on the knoll before the Confederates. It does not appear in Howard's official report on the battle, and as an oral order, there is no record of it.²² However, Barlow insisted he was directed to move to the knoll, and Howard confirmed this in his memoirs. Schurz suggested that Barlow misunderstood the order.²³ Extending the line to the knoll exceeded the ability of Howard's corps to defend the northern approaches to town, and the attack by the Confederates on Barlow's right showed its defensive inadequacy. It is another illustration that an action of apparent initiative does not necessarily produce a good result.

A more famous candidate from that day was the New York politician and congressman Federal General Daniel Sickles, III Corps commander. He was the only

AOP corps commander who was not a West Point graduate; he was ambitious and dynamic. He was passing through Emmitsburg, Maryland, when he received the Pipe Creek Circular from Meade. This order, which prescribed a contingent defensive line in northern Maryland along Pipe Creek, stipulated that III Corps should remain in Emmitsburg to protect the AOP's left flank.²⁴

Sickles had received an order from Reynolds in Gettysburg to move his corps north, but the order in the Circular (to remain at Emmitsburg) posed him with a dilemma. He requested clarification from Reynolds, but received a call for help from Howard, now in command of the field, along with word that Reynolds was dead. These were impulse enough for him to act, whereupon he ordered his corps to Gettysburg.²⁵ He wisely left two brigades of infantry and two batteries of artillery behind at Emmitsburg to guard the left flank.²⁶ Thus, although he had orders to remain in Emmitsburg, Sickles realized that a battle of some magnitude was being fought a few miles north in Gettysburg, especially at hearing of the death of Reynolds. Despite his orders, he evaluated the situation and concluded that his corps would be of greater help at that place than where it was. In addition, he notified Meade of his movement. Whether the soundwaves of battle in Emmitsburg actually struck his eardrums is open to conjecture, but in effect, he marched to that sound, another clear case of disciplined initiative.

Contrast Sickles's spirit with that of General Henry Slocum, XII Corps commander. His corps arrived in Two Taverns, a village approximately five miles from Gettysburg on the Baltimore Pike, in the late morning of July 1. From his official report on the battle:

On the morning of July 1, the corps was moved to Two Taverns, and remained at that place until information was received that the First and Eleventh Corps were engaged at Gettysburg, when the march was at once resumed, and, agreeably to suggestion from General Howard, the First Division was put in position on the right of our line, near Rock Creek. The Second Division was moved forward as rapidly as possible, and placed, pursuant to orders from General [Winfield Scott] Hancock, on the extreme left of the line.²⁷

Slocum omitted at least two calls for assistance from Howard, a report from a civilian about a big battle in Gettysburg, and a report from a staff member who rode ahead and reported on hearing heavy artillery, indicating a large battle. Other officers and men also heard sounds of battle. His corps did not start to move until around three, and its first elements arrived in town around five.²⁸

Although not as infamous as Ewell's decision not to take Cemetery Hill, Slocum's supposed languor that afternoon is still one of concern. One theory was that his receipt of the Pipe Creek Circular earlier that day ordered him to remain in Two Taverns to cover the retreat of the army, if necessary. Another theory deals with his position as the highest ranking general of all the Union generals in the area. He outranked both Howard and Hancock. Normally II Corps commander, Hancock had received orders from Meade to take command when he arrived even though Howard outranked *him*, and Slocum might have been unsure of the command arrangement when he arrived: Meade had assumed that Slocum would take command by virtue of his seniority. Although he ordered his corps to deploy around the battlefield per Howard's recommendation, Slocum refused to take command and "assume the responsibility of that day's fighting & of those two corps."²⁹ This might sound as if he did not wish to assume command for a potential catastrophe. Slocum assumed overall command around seven in the evening.³⁰ (Note that this does not reflect on Slocum's tactical ability, only on his decision that day: he went on

to serve competently as a corps and army commander under General William Sherman in the Western Theater.)

Regardless of the reason, Slocum perhaps should have realized at some point that afternoon, after numerous reports of a large battle, that Meade's assumption of a defensive battle along Pipe Creek was less likely. Instead, he allowed the two divisions of his corps to sit in bivouac for most of the afternoon on July 1 while two Union corps were having a rough day five miles ahead. It could be argued that by the time his corps would have arrived, most of the battle would have been over, but this is specious. (In fact, the division of General Alpheus Williams did arrive near Benner Hill in late afternoon on Ewell's left flank during Ewell's pursuit of Federals through town, but Williams was ordered back to the Federal line to ensure that he was not isolated.) The arrival time for XII Corps is not the issue: the issue is that Slocum did not move, unlike Sickles, who did.

DAY 2, JULY 2

The first example of disciplined initiative for this day is General George Greene, a brigade commander in Slocum's XII Corps. An 1823 West Point graduate and former mathematics instructor of Lee there, Greene had a long and successful career as a civil engineer. He rejoined the army at the start of the war and by July 1863 commanded the Third Brigade in General John Geary's division. At 62, he might have been the oldest soldier on the battlefield. Slocum's corps arrived on the field on July 1, but did not deploy to Culp's Hill until early on July 2; Greene's brigade was one of those deployed there.

Upon arriving, Greene proposed to Geary that the division should strengthen its defensive line with breastworks. Geary opposed them under the mistaken theory that they made men reluctant to fight later in an open field. With years of designing bridges and water systems behind him, Greene ordered his brigade to construct fortifications using the plentiful wood and stone all around. In addition, he had his men construct a fortification perpendicular to the main line, called a traverse. This traverse would protect his right from a Confederate flanking movement and provide a path for rotating regiments to a rear area where they could replenish ammunition and acquire water, food, and a short rest. This endeavor was completed by early afternoon. Note that Greene did not disobey an order from a superior—indeed, Geary did not think the fortifications necessary—but used his own authority to order the construction. Also, note that Geary did *not* order Greene to stop the construction of the fortifications.³¹

Later in the afternoon, Meade ordered XII Corps to send brigades from Culp's Hill to support the battle around the Peach Orchard. Slocum left Greene's brigade behind, and it found itself the only XII Corps brigade to defend the hill. The breastworks acted as a force multiplier, allowing Greene's thinned-out brigade (augmented by reinforcements from I Corps and XI Corps) to successfully defend a line originally held by three brigades against a force over three times its size.³² The traverse worked as he intended, providing rest for his men and a defensive barrier when the Confederates flanked his right. General Greene's skill, foresight, and most importantly, initiative, prevented the Confederates from taking Culp's Hill and threatening the Federal supply line. (The Federals were also assisted by Confederate General Edward Johnson's apparently not realizing how close his division was to the Baltimore Pike.) In addition, this is an excellent example of

disciplined initiative: Greene had orders to defend the hill, i.e., the commander's intent, and he did all in his power to fulfill it. In addition, Greene opposed his commander's *opinion* (not to construct breastworks), but not his order to defend the hill.

On the other side of the field, at a morning meeting of Lee and General James Longstreet, First Corps commander, the latter ordered Lieutenant Colonel Edward Porter Alexander, who commanded one of the First Corps's reserve artillery battalions, to command his artillery for the afternoon attack against the Union left flank. Alexander first rode to the area to scout the terrain, then returned to lead the batteries to their destinations. On the Black Horse Tavern Road near the Fairfield Road, Alexander bypassed a hill by traveling off the road into the fields to avoid being seen by Union signalman on Little Round Top. He then continued on the road to the sites he chose and deployed his guns, where he waited for the rest of Longstreet's corps.³³ Note that once given the order, Alexander acted on his own, and solved the problem of being sighted by the Federals by simply going around the hill in defilade, a good example of disciplined initiative.

Contrast Alexander's actions with those of General Lafayette McLaws, whose division led the march of Longstreet's corps to its attack position. Upon arriving at the same hill that Alexander went around to avoid being sighted by Union signalmen, he stopped to await orders from Longstreet. Alexander pointed out that the solution was to go around the hill, but McLaws remained and waited for orders. Rather than cut across the field, as did Alexander, McLaws insisted on using roads, resulting in a countermarch of two divisions that delayed the Confederate assault by at least two hours. "So much for Confederate individualism and initiative on that fateful day."³⁴ (It should be noted that

McLaws checked with his superior, Longstreet, and the latter approved the countermarch rather than going around the hill.³⁵⁾

Alexander then placed his cannons, numbering around 24, along Seminary Ridge in an arc centered roughly on the Peach Orchard. His was one of three artillery battalions for a total of approximately 60 guns. Starting around three that afternoon these guns engaged in an hour-long artillery duel with the Federal batteries in and near the Peach Orchard. The guns continued to support the infantry attack that started around four. Later, as the attack appeared to succeed and Federal batteries were departing from the Peach Orchard, Alexander ordered his batteries forward. Approximately 20 guns and their caissons rolled down Seminary Ridge 700 yards up to the Emmitsburg Road where they dropped trail and started to support the infantry. Once again, Alexander, a lieutenant colonel, exhibited disciplined initiative by acting based on the tactical situation before him and not checking or waiting for orders.³⁶⁾

A *potential* installment this day involves General Sickles in a more controversial episode. Early in the morning, Meade had ridden along his entire line and knew where he wanted to assign his corps. Having received orders from Meade as to the placement of III Corps, Sickles claimed not to understand them. There was some back-and-forth communication between Meade's headquarters and Sickles's. Meade then ordered his aide and son, Captain George Meade, to tell Sickles that "his instructions were to go into position on the left of the Second Corps; that his right was to connect with the left of the Second Corps; that he was to prolong with his line the line of that corps, occupying the position that Geary had held the night before. Captain Meade was also instructed to say

that it was of the utmost importance that his troops should be in position as quickly as possible."³⁷ This appears to be a clear statement of the commander's intent.

Buford had earlier received permission from Pleasonton to take his cavalry division to Westminster for relief, but Pleasonton did not order cavalry to replace it, which was unknown to Meade. This resulted in an exposed left flank for Sickles (and the army). Also, III Corps was assigned to perhaps the worst stretch of the Federal line in terms of topography: north and west close to Little Round Top, one is not on high ground, which is around three-quarter mile west on the Emmitsburg Road. Thus, with no cavalry on his left and sitting on low ground, Sickles had legitimate concerns about the placement of his corps.³⁸ That said, concern about placement *does not* explain or justify confusion about location, which Sickles claimed.

After more back-and-forth with Meade's headquarters, Sickles went there himself around eleven to complain about the position of his corps. Meade repeated his earlier order, explaining further that he expected Sickles to extend the line of from the left II Corps to Little Round Top. Sickles then asked for a staff member to assist him in placing his corps. He then asked Meade if he was allowed to post his corps based on his judgment, to which Meade responded (*italics and bold added*), "Certainly, *within the limits* of the general instructions I have given you; any ground *within those limits* you choose to occupy, **I leave to you.**"³⁹ Meade then sent AOP artillery chief General Henry Hunt to provide that assistance.

Meade's response is notable for two reasons. First, he clearly indicated to Sickles that he was authorized to place his corps within his (Meade's) topographical limits, i.e., to prolong the line between II Corps and Little Round Top. In fact, Meade referred to his

limits twice. Second, he did confer to Sickles the discretion to place his men as he saw fit, but within those limits. However, the phrase “I leave to you” appears to have been all the leeway Sickles needed to hear. This might be a case of selective perception, the unconscious selection of less than the whole of a transmission’s content.⁴⁰ But this was Dan Sickles, and Stephen Sears refers to Sickles’s “elastic notion of military practices and procedures,” meaning that his choosing to ignore the “limits” part of Meade’s order was probably more deliberate than unconscious.⁴¹

Sickles then abandoned his original line and moved his corps west in a triangular salient with an obtuse angle near the Sherfy Peach Orchard at the intersection of the Wheatfield and Emmitsburg roads. In essence, he disobeyed his orders on two points: he left Little Round Top undefended and he left a significant gap between II Corps and III Corps. He informed no one of this move, not Meade, nor Hancock, the corps commander to his right. Sickles ordered his corps to occupy a line requiring twice as many men, he had insufficient infantry to cover the entire line of the salient; therefore, artillery sent by Hunt was used to fill in part of the line. Meade and Hunt were visiting Sickles to order him to return to the original (as ordered) line when the Confederate artillery barrage started around three in the afternoon, followed by the infantry attack by Longstreet around four.

Meade then perceived that he had no choice but to strip brigades from the Federal line (II and XII Corps), the reserve (V Corps near Powers Hill), and eventually the newly-arrived VI Corps to support III Corps. The fight, which lasted for three hours and engulfed most of the Federal line in an echelon attack, severely wounded Sickles, destroyed his corps, seriously threatened the Federal line, and damaged severely many

Federal brigades. (It also led to Greene's brigade above being the only XII Corps brigade on Culp's Hill after other XII Corps brigades were removed from that place to support Sickles.)

Sickles had one legitimate grievance, that Buford's cavalry was removed from his left, causing him to rely on his own infantry to find the Confederates: it is unclear if he expressed this to anyone. Beyond that, it is unclear what Sickles found confusing about Meade's orders about placing his corps. He received them at least twice and persisted to claim they were confusing; later, before the Congressional Committee on the Conduct of the War, he claimed that he received no orders and had to act on his own.⁴² Thus, Sickles's actions on July 2 can present a dilemma: He seemingly violated his orders (the commander's intent), which he claimed not to understand, but the forward placement of his corps might have blunted Longstreet's attack far ahead of the Federal line and might have helped the army. However, this clearly did not meet the commander's intent as to the position of III Corps, and it definitely reduced Meade's defensive and offensive options for that day of the battle. (Often proposed as a reason is the Battle of Chancellorsville when Sickles's corps was ordered off the high ground at Hazel Grove only to be pounded by Confederate artillery that later occupied it. His situation on July 2 in front of Little Round Top is compared to this; however, it is unclear whether Sickles himself ever stated this as a reason for his move. However, it should be clear that Sickles was wrong on July 2 because on July 3, Confederate artillery in the Peach Orchard had little effect on the Federal artillery in the same spot Sickles was ordered to occupy.)

It should be noted that despite his egregious actions on July 2, General Sickles received no court-martial. It is doubtful that anyone in the command structure, including President Abraham Lincoln, wanted to defile that Union victory by the court-martial of a general who lost his leg there. Besides, from Lincoln's standpoint, given the timidity and ineptitude exhibited by past generals, it would look ridiculous to punish a general who moved his men *closer* to the enemy—twice, on July 1 and 2. This was especially true for a pro-war Democrat with considerable political clout. Sickles would never serve in the army again, and that seemed to satisfy everyone.

Dan Sickles's actions on July 1 and July 2 present two flavors of disciplined initiative. His natural aggressiveness on both days exhibited itself. This is the dilemma of evaluating Sickles for this battle. On July 1, separated from his commander, he resolved a dilemma in his orders in favor of moving to battle rather than waiting. But on July 2, he could not or would not follow clear orders from Meade, and moved his men and destroyed his corps. But in doing so, he forced the battle to be fought three-quarter mile away from the Federal line, which might have saved the army. The dilemma and the debate continue to this day.

As stated above, Longstreet's attack on III Corps caused a tsunami throughout the AOP. Its effects reached as far as the Federal right on Culp's Hill with Greene's brigade, but its obvious major impact was on the southern part of the Federal line. It is here that one sees many examples of disciplined initiative, and these acts, almost all by soldiers of rank colonel or lower, contributed to the defeat of the Confederates that day.

Before continuing, it is important to highlight the contribution of General Hancock to the Union victory at Gettysburg. He commanded II Corps of the AOP (in his

first battle as corps commander) and he might have been the best corps commander in the entire Union army. If Slocum was hesitant and Sickles obtuse and inconsistent, Hancock was prominent on all three days. With any contribution from Reynolds impossible, Hancock would be an easy choice for Most Valuable Player for that battle. It was during this crisis of July 2 that Hancock's abilities came to the fore. Per orders from Meade, he was extremely active receiving reports and gathering brigades to send into the Confederates charging into the III Corps wedge.⁴³ On July 3, he steadied his men in the line facing Pickett's charge and led the defense against that attack, being wounded in the leg during that charge. In fact, Bowden and Ward's reason number 12 for the Confederate defeat (*not* for the Union victory, their choice of words) is "Winfield Hancock's excellent performance throughout the battle."⁴⁴ It would be a stark omission not to mention Hancock's leadership. Although a corps commander and granted wide latitude by Meade, who had the good sense to do so, his reputation and conduct those three days set an excellent example for the lower grade officers discussed below.

At the center of the storm around Little Round Top was General Gouverneur Warren, AOP chief engineer. Chief engineer was a staff position and not a line position; thus, Warren commanded only the members of his staff and not an individual unit such as a regiment. As the situation on the Federal left flank deteriorated, Meade sent Warren to Little Round Top with orders to assess and make recommendations, as necessary. Upon reaching the hill, he discovered a lone signal unit on its summit, and he observed thousands of Confederates in the woods to the south.⁴⁵

Realizing that there was no time to make recommendations to Meade, Warren sent members of his staff out to find General George Sykes, V Corps commander and to

request that he send a division to the hill. When no troops appeared, he sent other couriers to find General James Barnes, V Corps division commander. One of his couriers came across a V Corps brigade, whose commander asked him whom he was looking for. The courier stated that General Warren wished that hill occupied. The brigade commander, Colonel Strong Vincent, observed that Little Round Top was empty and immediately realized its perceived importance. He also deduced quickly that there might not be enough time to find Barnes for orders. Risking court martial, he stated that he would occupy the hill with his brigade on his own authority and proceeded to do so. His men were in place minutes before the Confederate attack on the hill.

Thus, one finds two examples of disciplined initiative at the start of the fighting in this area. First, Warren, a staff officer, realized that his order to make recommendations was no longer valid as time did not allow it. This is a clear example of circumstances overcoming orders. His actions afterward, trying to find local forces to occupy the hill, were entirely apt. Later, upon speaking to one of Warren's couriers, Vincent assessed the situation and realized that his was the closest brigade to occupy Little Round Top and that it had to happen quickly. This is another example of circumstances overcoming orders, and Vincent acted correctly.

Vincent deployed his four regiments midway up the hill, and the Confederate attack started shortly thereafter. Although Vincent's brigade held, its right flank facing west was weak. Warren stepped in again, finding an artillery battery commanded by Lieutenant Charles Hazlett and the 140th New York regiment commanded by Colonel Patrick O'Rourke. The latter officer recognized Warren as his previous brigade commander and he trusted Warren's judgment: he disregarded his orders from his brigade

commander, General Stephen Weed, and followed Warren's lead. O'Rourke's men took no time to form into battle lines and simply charged over the summit into the Confederates below. Once again, Warren continued to corral units to defend Little Round Top, and once again, the commanders of those units trusted his judgment and followed him despite their orders, clear cases of disciplined initiative. Sykes eventually ordered Weed and the rest of his brigade to the hill, and this completed its defense.

It should be noted that Warren did not tell Vincent, Hazlett, O'Rourke, or Weed how to deploy their units on Little Round Top, with the possible exception of telling O'Rourke *where* to deploy his regiment. Warren was too busy trying to find reinforcements, but it appears that the tactical dispositions were good enough to retain the hill. Vincent and Weed were mortally wounded and O'Rourke and Hazlett were killed outright that afternoon.

The Confederate attack started on its far right with General John Hood's division of Longstreet's corps. By the time General Evander Law's brigade reached Plum Run, two of its regiments shifted to the left, leaving the 15th and 47th Alabama regiments on its far right. Law had told the commander of the 15th Alabama, Colonel William Oates, to wheel right when he reached the foot of Big Round Top and to attack Little Round Top. However, Federal sharpshooters on Big Round Top were harassing the regiment, and Oates decided that he could not attack with this interference, causing him to order the 15th to its summit while the 47th remained on the slope.⁴⁶

As his men rested, a captain from Law's staff arrived and told Oates that Hood's orders were for his regiments to attack Little Round Top without delay. Oates protested, stating that his current position was a far better platform than Little Round Top. The

order stood, and Oates ordered his tired, thirsty men up and his attack on the spur Little Round Top began.⁴⁷ Thus, out of contact with his commander (by now Law was the division commander following Hood's wounding), but following these orders, Oates reacted to his tactical situation, and this resulted in his regiment's scaling and controlling Big Round Top. To him, this was the key position of the field and he held it, a clear example of disciplined initiative. Unfortunately for him, he received orders to abandon it and attack Little Round Top; however, this does not negate Oates's initiative up to that point.

The southern spur of Little Round Top was defended by two regiments of Vincent's brigade, the 83rd Pennsylvania and the 20th Maine, the latter being the far left of the Federal line. Vincent ordered the commander of the 20th, Colonel Joshua Chamberlain, to hold fast and not retreat as he was the end of the line. Chamberlain's men dug in as well as they could in the few minutes before Oates's attack; for extra security, he deployed his Company B farther east of his left flank to stop an envelopment. As the battle developed, he "refused the line," ordering his left to swing back 90 degrees to catch any attempt at a flanking movement. After enduring three attacks and low on ammunition, he ordered a bayonet charge down the hill when the next attack came (between Little Round Top and Big Round Top, from which the Confederates attacked). As the Confederates retreated, they were met by a volley from Company B, now augmented by U.S. Sharpshooters, adding to the confusion in the Southern ranks. This action ended the immediate threat to the Federal left.

Given a difficult task—hold the line with no retreat—and little time to prepare, Chamberlain's quick thinking and tactical dispositions proved to be correct. But these

were entirely within his position as regimental commander and not necessarily the result of initiative. However, the bayonet charge might be seen as initiative. The 20th Maine was low on ammunition (except for Company B, which had used none until the end) and Chamberlain did not think that his line could hold against another charge. Rather than simply stay and wait for another attack, he decided to take the battle to the Confederates. One could argue that the tactical situation had changed—no ammunition—and the bayonet charge was the only way to accomplish the mission of holding the hill.

Thus, July 2 saw multiple acts of disciplined initiative on both sides of the field. Only one act was controversial, Sickles's moving III Corps forward, but the rest in some measure fall well into the definition of disciplined initiative. And those actions, many by mid-level officers, affected the fighting that day. In particular, those on the Federal side made the difference between victory and defeat that terrible afternoon.

DAY 3, JULY 3

The discussion for this day starts with General Longstreet, Lee's senior corps commander, but some background is required. Prior to the campaign, he suggested to Lee that it should be one of defensive tactics, that the ANV should position itself to force the AOP to attack. He understood this to be part of Lee's plan.⁴⁸ However, Lee did not consider himself to be tied to the defense. Regardless of discussions in Virginia, Lee had to command the army *today*. Although his corps did not participate in the first day's battle, when he met Lee that evening, he suggested that Gettysburg was not the place to fight and that the Union army would be ready for them. He also suggested that the army move to the south and east to place it between the AOP and Washington to force it to

attack. Lee did not agree, and with his preferred cavalry absent, he chose to fight the Federals on the same ground.

On the morning of July 2, Longstreet had suggested again the same move to Lee, who again rebuffed it. At the morning conference, Longstreet then contradicted Lee in full view of subordinates and staff, and Lee had to override him. Longstreet's two divisions, those of McLaws and Hood, were then forced to countermarch to get into position with the attack not starting until around four in the afternoon. The fighting of Longstreet's divisions was exemplary and they battered many Federal brigades; however, the attack stopped in Hill's corps and darkness ended it. The Union line held. Overall, July 2 was not a good day for Longstreet.

It is curious that after his two divisions fought that afternoon, no meeting had occurred between Lee and Longstreet on the evening of July 2; however, Lee sent orders to Longstreet to continue the attack the next day. (Contrast this with Meade, who met with all his commanders that same night.) The original plan for July 3 would follow the same attack plan as on July 2 with the addition of Pickett's division of Longstreet's corps. Longstreet challenged Lee on this, stating that the divisions of Hood and McLaws had suffered heavy casualties the day before and would be needed to anchor the right flank. Lee relented and offered brigades from Hill's corps.

Early on July 3, Longstreet sent out scouting parties to search for an open route around the Federal left. Despite Lee's having ruled out a wide swing south (a turning movement), a move around the proximate Federal left flank was still possible. Although a brigade from VI Corps and two brigades of artillery had filled the line to the east of Little Round Top, the scouting parties reported nothing guarding the Northern rear.⁴⁹ It was

reasonable for Longstreet to scout these areas first, because prudence would dictate that a commander be aware of his opponent's dispositions, and second, because Lee just might be interested in a short right hook against the Federal left. Finally, Longstreet was probably still trying to avoid a frontal assault against the Federal line.

Regardless of the reason, early morning reconnaissance is well within the purview of a corps commander and disciplined initiative. Longstreet again proposed a move to the right, but Lee had decided against a flank attack and planned an assault against Culp's Hill (Ewell) and Cemetery Ridge (Longstreet), the latter using Pickett's division and brigades from General Hill's corps, the target apparently being Cemetery Hill. The Confederates spent the morning preparing for this attack.

The northern part of Cemetery Ridge was held by the division of General Alexander Hays of II Corps. A few hundred yards west of his position, across the Emmitsburg Road, sat the farm of William Bliss, who with his family fled the house when the battle started on July 1. Since the morning of the second, Federal and Confederate skirmishers fought over the barn. The barn was used by snipers against the Federals and the clashes even resorted to artillery duels. Finally, around ten, Hays decided to burn the house and barn to the ground because they were too close to Confederate lines for his men to hold them. Also, he suspected a Confederate assault, and destroying the buildings would result in clear lines of fire.⁵⁰ The deed was done, and both sides continued to prepare for the upcoming assault. Here again, a subordinate, observing the tactical situation before him, chose a course of action independently within the bounds of his orders (the commander's intent), a good example of disciplined initiative.

An interesting conflict of orders occurred on the Union side during the Confederate bombardment. All morning the Federals observed Confederate artillery forming before them across the field, numbering approximately 150 cannon. Suspecting a Confederate assault, Hunt ordered his batteries along Cemetery Ridge to hold their fire until the Confederate infantry assault. The Confederate bombardment started around one in the afternoon, the exact time being uncertain. During the bombardment, Hancock ordered his II Corps artillery to return fire to maintain the morale of his men receiving the shelling, overriding Hunt's order.

When he rode down the line to the reserve brigade of Lieutenant Colonel Freeman McGilvery, Hancock ordered its cannons to return fire also. McGilvery protested, stating that it was against Hunt's order to hold fire. McGilvery was in a tight spot: Hunt, a brigadier general and his commander, had given him standing orders, but Hancock, a major general, was overriding them. In any army, a lieutenant colonel has little chance of standing up to a two-star general, so McGilvery complied with Hancock's order. Hancock departed the area, and after McGilvery's guns fired a few rounds of long-range ordinance, he gave the order to cease fire, again conforming to Hunt's order. The ammunition saved by this action produced a devastating fire against the right flank of Confederate General James Kemper's brigade as it maneuvered to its left during the charge.⁵¹ Thus, finding himself in tough spot, McGilvery found a way to comply with the orders from both generals, exhibiting disciplined initiative to accomplish his commander's (Hunt's) intent. (Whereas it is true that Hancock did not indicate the duration of his order, it is doubtful that he would have been pleased with McGilvery's exploitation of this technicality.)

After the Confederate artillery bombardment (which lasted anywhere from one to two hours, depending on the source), the attack known as Pickett's Charge began around three. Although named after Pickett, the total force included one division and two brigades from Hill's Corps. The left flank of the attack comprised two brigades, that of Colonel John Brockenbrough (in temporary command of Colonel Robert Mayo) with Davis on his right. As they marched eastward, under artillery fire, they were fired upon by the 8th Ohio regiment, which was ahead of the Federal line on skirmish duty. The combination of artillery and infantry was too much for Brockenbrough's (Mayo's) brigade and it withdrew before it hit the Emmitsburg Road. The commander of the 8th Ohio, Lieutenant Colonel Franklin Sawyer, then ordered his regiment to fire on Davis's brigade, and many of those Confederates started toward the rear. Sawyer then ordered his men to shoot at any Confederates that went by.⁵²

As the Confederates approached the Federal line, it became obvious to the Federals that the attack was concentrating on the section of the line between the copse of trees and the empty house of Abraham Brian. In doing so, the right flank of the attack south of the copse moved across the Federal line from left to right. This afforded an opportunity for an attack on the Confederate right flank, and this was done by the Second Brigade of I Corps, the Vermont Brigade. Its commander, General George Stannard, ordered two of his regiments forward wheeling clockwise to end perpendicular to the Union line, whence they fired repeated volleys into the Confederates. Hancock claimed to have ordered the movement, but Stannard insisted that the movement had already started (by his own order) when Hancock arrived to "order" it.⁵³ Regardless of its origin, it was a good move at the right time. If ordered by Stannard, it is an excellent example of

disciplined initiative; if ordered by Hancock, it is yet another example of his leadership during the battle.

By late morning on July 3, Stuart's cavalry brigades had reached Cress Ridge, which is just north of the part of the national park known as East Cavalry Battlefield. This is around three miles east of Cemetery Ridge. The afternoon of July 2 had seen heavy skirmishing on Brinkerhoff Ridge, southwest of Cress Ridge; Federal cavalry continued to patrol the area to protect the far right of the Federal line from Confederate reconnaissance, incursion, or flanking movement. Pleasonton had ordered division commander General David Gregg to depart the area, but Gregg did not think it wise to do so: he and his division remained. Shortly after the noon hour, Gregg received a dispatch from Pleasonton relaying a message from Howard. His pickets near Cemetery Hill had observed a long line of Confederate cavalry, with cannons and ambulances, marching out the York Pike east toward the Federal rear.⁵⁴

This observation of the Confederates alerted Pleasonton to the possible advance of Stuart's cavalry somewhere in the area behind the Union lines. The appearance of General Custer (ordered there by Pleasonton after first being ordered to the Union left flank, an order that was rescinded at Custer's suggestion) followed shortly thereafter. As Stuart's brigades attacked across the John Rummel farm, they were met by attacks by David Gregg and Custer, supported by artillery. In the end, Federal cavalry held the field. This action finished around the same time as Pickett's Charge started. The success on East Cavalry Battlefield is owed in large measure to the decisions of Custer, who disputed his order to move, and David Gregg, who had not departed the area since July 2 and who chose to stay there despite orders to report to headquarters. The observation of

large bodies of Confederate cavalry moving eastward convinced David Gregg to disregard his orders, an exigency outside the realm of his orders but within the bounds of disciplined initiative.

This analysis shows that Generals Meade, Lee, and their corps commanders were not the only officers to exercise independent thought: many officers of lower grades exercised disciplined initiative as exigencies arose. Given the constraint of “within the framework of the higher commander’s intent,” in some cases the initiative worked, as with Colonel Vincent at Little Round Top, and in other cases, it did not, as with Heth approaching the town. However, the analysis shows also that much of the battle depended on the decisions made by officers who were not commanders or corps commanders.

SUMMARY AND CONCLUSIONS

This paper examined the concept of initiative as it pertains to the Battle of Gettysburg. It first defined and compared initiative in its civilian and military forms. The military definition differs from the civilian definition in that the former is bound by independent action “within the framework of the higher commander’s intent,” a restriction not placed on the civilian definition. The commander’s intent is expressed by the familiar concept of orders. However, military orders differ from civilian orders for three major reasons:

- a. Members of the military are required by law to take an oath to follow lawful orders that civilian jobs do not require.

- b. It is incumbent on military personnel to follow orders completely and to the best of their ability. Military operations depend on this.

c. Orders are to be followed to ensure victory, which is the sole reason for military operations.

The American military has long expected soldiers and sailors to exhibit initiative, although the decision to modify or disregard orders should not be done lightly because a court martial might result from such action. Examples from other conflicts were cited for comparison and clarification. The paper noted that being out of communication with one's commander for a long period might offer a basis for independent action, but this too is dangerous.

The paper then discussed the modern U.S. Army concept of disciplined initiative, which defines initiative within the framework of the higher commander's intent. This definition offers a limit of what initiative is and is not. In short, one should follow orders as closely as possible unless circumstances overcome the orders. This led to a discussion of clear orders, and U.S. Army regulations offered some characteristics of clear orders: brevity, concise terms, no ambiguous phrases, including an excess of conditional statements. Examples of such orders were offered from 19th century history.

This paper evaluated approximately 25 cases of independent action during the battle against the criterion of disciplined initiative. These incidents were discussed in detail in this paper, a summary of which follows.

1. Lead-in to the battle prior to July 1. For this period, the actions of General Buford were not technically initiative because he was in command. That said, they were more in line with the *idea* of disciplined initiative than those of General Stuart, especially in terms of "the commander's intent." In addition, Buford's actions incur almost no controversy today whereas those of Stuart are still debated.

2. Day 1, July 1. Of the candidates from this day, the possibility exists that Generals Hill and Heth went into the town in force looking for a fight against General Lee's explicit order to avoid one. This could be considered initiative with a negative result. Because of this act and the ensuing battle, other Confederate commanders were forced to support their fellow units, an acceptable violation of their orders. General Sickles's movement from Emmitsburg to Gettysburg with no orders is within the guidelines of disciplined initiative in contrast to General Slocum's decision to stay at Two Taverns despite hearing guns firing as Sickles had. General Barlow's decision to occupy high ground on Blocher's Knoll might have had logic behind it, but it placed his division in position to be flanked by the Confederates.

3. Day 2, July 2. With both armies largely in place, this day offers the best examples of disciplined initiative by officers of lesser rank. General Greene's trenches, built on his own authority, were instrumental in the defense of Culp's Hill. Lieutenant Colonel Alexander's efficient movement of his guns to the southern part of the field, his deployment, and his forward movement during the battle around the Peach Orchard explain why Longstreet chose him to command the First Corps artillery for that battle. McLaws, on the other hand, upon reaching the same hill, stopped and asked for orders, which resulted in a countermarch causing the infamous two-hour delay.

The contentious Daniel Sickles has an entry on this day, that of moving his III Corps from the base of the Round Tops to the Emmitsburg Road. Surprising Federal and Confederate generals equally, it seems to have not been General Meade's intent (although wording of his order might be taken to allow latitude for the movement). And like Stuart's journey prior to the battle, Sickles's forward movement is debated to this day.

After the Confederate attack reached the Round Tops, the quick actions of a number of subordinate officers set up a defense of those hills in relatively short order: Warren, Vincent, Hazlett, and Weed. Colonel Oates led two regiments up to Big Round Top, with his 15th Alabama reaching the summit to eliminate harassment by U.S. Sharpshooters. From there, his attack on the spur of Little Round Top met the 20th Maine under Colonel Chamberlain, which disputed the ground with the Confederates. All of these officers on both sides exhibited disciplined initiative, especially in the quick evaluation of the tactical situation versus their orders and in their courage to follow the situation despite those orders.

4. Day 3, July 3. General Longstreet's persistence in suggesting a flank attack against the Federal left might have seemed like a broken record (a simile that would have had no meaning in 1863) to Lee. However, Longstreet's early morning reconnaissance this day was well within his authority as a corps commander. It was also a good tactical precaution to know the location of Federal forces around his part of the line.

General Alexander Hays's ordering the burning of the Bliss farm was a precaution similar to Longstreet's and well within his orders, in this case to provide a clear field of fire in case of a Confederate attack. During the bombardment, Lieutenant Colonel McGilvery took advantage of General Hancock's unspecific order to return the posture of his guns to his original orders from General Hunt. When that attack did come, it was met by Federal forces on three sides owing to the quick thinking of two lower-level officers: General Stannard and Lieutenant Colonel Sawyer. These two officers saw an opportunity to hit a flank of Pickett's Charge and ordered their commands to a position to do so, well within the intent of their orders. Finally, the action of General David Gregg

in ignoring an order to depart the far right flank of the Federal line based on his observations resulted in his command, along with Lieutenant Colonel Custer's repeated attacks, stopping Stuart's incursion into the Union right.

It should be noted that none of the officers covered above was punished for their actions, even though some of them disobeyed orders. Of course, some were killed in the battle—Weed, Vincent, O'Rourke, and Hazlett—but it is doubtful that any action would have been taken against them for three reasons. One, they successfully defended Little Round Top. Two, they all acted per their orders or from their recognition of General Warren, Meade's chief engineer, who took responsibility for their orders and who would most certainly have conveyed this to Meade after the battle. Three, Sickles was not court-martialed, although he never served again served with the army and likely avoided a sullied reputation because it is doubtful that anyone would court martial a general who lost his leg in action in a Union victory.⁵⁵

These conclusions may be derived from this study:

1. The modern U.S. Army concept of disciplined initiative provides a practical, structured approach for examining independent action in historical battles. Its criterion of "within framework of the higher commander's intent" offers a consistent structure to compare all actions. Important in this examination is the role of proper communication of orders, including the qualities of clarity, brevity, and minimal use of conditionals. In addition, they must be received by officers who read them correctly and who were inclined to interpret them "within the intent of the commander" and not on impatience or grandstanding. This might not be the only way to evaluate initiative, but it seems to be effective.

2. Both sides exhibited independent thought and action in the battle, perhaps not in profusion, but certainly in sufficient quantity. This indicates that some officers felt that they had the freedom and authority to act based on the tactical situation before them, even if the resulting action was contrary to their original orders. Most of these qualified as disciplined initiative, per the U.S. Army's modern definition. Care must be taken to evaluate these decisions academically: although they are obviously studied long after the fact, hindsight does not give us the right to conclude that we, today, would have made a better decision. This is not the intended terminus of this analysis.

3. Although Southerners of that period were known for their independent spirit, it appears to have vacated the ANV for the most part or, when applied, did little or good. For example, Stuart produced no reconnaissance for Lee, Generals Hill and Heth initiated a battle contrary to their orders, and General McLaws failed to follow the route in defilade determined earlier by Lieutenant Colonel Alexander. Oates made useful independent decisions on his way to the Federal left, but was ordered off Big Round Top to find and attack the Federal flank, negating any benefit from the position. In fact, Alexander was one of the few Confederates to exercise independent action with any benefit, although even that was not enough to win the day on July 2.

It is unreasonable to conclude from this study that the Confederates lost the battle *solely* because of a lack of disciplined initiative, although it might be considered a symptom of the ANV's command structure. The reasons for the Union victory are many and need not be enumerated here. But disciplined initiative is an element of leadership that can be considered in any analysis of the loss, especially in analysis of the command systems of the two armies. Of course, context is important: Sickles's decision on July 1

to move north from Emmitsburg had less effect on the battle than Stuart's lack of reconnaissance prior to and during the battle.

4. In contrast, with one major exception, that is, General Sickles on Day 2, almost all independent action in the AOP contributed to the Federal victory. Many of them fell within the applicable orders (Buford, Greene, and Hays) and many did not (Sickles, July 1), Warren, Vincent, Hazlett, O'Rourke, Weed, Chamberlain, Stannard, Sawyer, and Gregg). This indicates that the AOP's command system had reached a state of maturity, independence, and competence unexpected by the Confederates and often overlooked by historiography. It is important to realize that it is a convergence of two trajectories that met in this battle, being the two command systems, with the trajectory of the Federal command system on a slightly higher curve this time. This was no accident and it was not luck; rather, it was a natural development resulting from time, attrition, and experience. Freeman expressed this idea thusly: "At Gettysburg, the magnificent Federal Divisions had strong ground, interior lines, the sense of fighting for home, knowledge of combat, and the intelligent, courageous leadership of George Gordon Meade, of Winfield Scott Hancock, and other wholly capable captains. Vigorous and experienced as was Lee's Army, it could not prevail over that adversary."⁵⁶

In the end, the Battle of Gettysburg was fought largely by men of conviction on both sides who received orders and followed them. They did this under the most terrible of circumstances. Some of the officers came across situations that did not fit neatly into their orders and they improvised. The modern U.S. Army concept of disciplined initiative offers a way to evaluate these actions with clear criteria, and that has been used in this paper. Regardless of the outcome of their improvisations, most of them acted

bravely with the goal of gaining an advantage over their opponents, and this is why they were there.

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