

Tried by War: Abraham Lincoln as Commander in Chief¹

Reviewed by Major Luke Tillman*

*I found the “original gorilla,” about intelligent as ever. What a specimen to be at the head of our affairs!*²

I. Introduction

Tackling a new leadership position is a challenge that can cause even the most talented humans to feel (and sometimes behave) like primates. Each of us has likely witnessed a boss who, due to a lack of education, training, or experience, finds himself temporarily reduced by some leadership dilemma to scratching stupidly at his head, beating wildly on his chest, or shrieking angrily at his fate. Perhaps no new leader in history, though, has faced a more daunting array of difficulties than did President Abraham “The Original Gorilla” Lincoln upon taking office in 1861. His prior military experience limited to leading a small band of militia into battle against “wild onions” and “musketoes [sic]” during the Black Hawk War of 1832,³ Lincoln shortly found himself facing the “chief challenge of his life and the life of the nation”:⁴ winning the Civil War. In *Tried by War*, acclaimed historian James McPherson expertly weaves quotes from Lincoln and his contemporaries with his own insightful analysis to persuasively argue that it was ultimately Lincoln’s performance as commander-in-chief that ensured both “his success . . . as president and the very survival of the United States.”⁵ The result is a very readable account of that performance filled with leadership lessons on competence and courage. This review explores a few of those lessons and their relevance to judge advocates; analyzes the book’s strengths and weaknesses; and concludes by commending *Tried by War* to those readers who are looking to evolve as leaders.

II. Leadership Lessons

Tried by War provides an excellent account of Lincoln’s struggles to become competent as a military leader and to act courageously in ambiguous and uncertain circumstances.

While readers from all walks of life will draw meaning and inspiration from McPherson’s work, the book is particularly

pertinent to judge advocates given our duties as both military officers and attorneys.

A. There is no Short—Cut to Competency

In his introduction, McPherson seeks to debunk the myth that Lincoln was a “natural strategist.”⁶ As the author states, Lincoln “worked hard to master this subject, just as he had done to become a lawyer.”⁷ While hard work was definitely an important factor in Lincoln’s ultimate success as commander in chief, the lawyerly approach he took to acquiring the knowledge and skill he needed to perform his duties was equally important. He exhaustively researched the topic, “digest[ing] books on military strategy,” and “por[ing] over reports from the various departments and districts.”⁸ Additionally, he sought out “eminent generals and admirals” to discuss his ideas and test his understanding of military strategy, operations, and tactics.⁹ In essence, Lincoln used the same method to gain competence as commander in chief that Army Regulation 27-26 commends to judge advocates seeking competence in a new area of law: study thoroughly, consult with experts, and keep in mind what is at stake in determining the proper amount of attention and preparation to be dedicated to the matter.¹⁰ Thus, one important lesson we can glean from *Tried by War* is that applying the same methodology we use to find answers to novel legal issues can help us in evaluating possible solutions to new leadership challenges.

Yet, while Lincoln’s lawyerly studies of the military art certainly helped prepare him to lead the military as commander in chief, McPherson takes the position that it was only by rolling up his sleeves and getting his hands dirty that Lincoln developed the skills that made him arguably the greatest “war president” in U.S. history.¹¹ Presented with a string of generals-in-chief and subordinate military leaders who, for a variety of reasons—from old age¹² to

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¹ JAMES M. MCPHERSON, *TRIED BY WAR: ABRAHAM LINCOLN AS COMMANDER IN CHIEF* (2008).

² *Id.* at 53.

³ *Id.* at 1.

⁴ *Id.* at xvii.

⁵ *Id.* at xv.

⁶ *Id.* at 4.

⁷ *Id.*

⁸ *Id.* at 3.

⁹ *Id.*

¹⁰ See U.S. DEP’T OF ARMY, REG. 27-26, RULES OF PROFESSIONAL CONDUCT FOR LAWYERS app. B, r. 1.1 (1 May 1992). The comments to Rule 1.1 discuss how a lawyer can become competent to provide “adequate representation in a wholly novel field.” *Id.*

¹¹ MCPHERSON, *supra* note 1, at 4.

¹² *Id.* at 8 (General Winfield Scott).

hemorrhoids¹³—lacked either the competence or the will to carry out the military strategy and operations necessary to win the war, Lincoln had no choice but to frequently take the military reins himself.¹⁴ In order to keep the military on track, he worked tirelessly throughout the war to improve his understanding of military strategy, operations, and tactics. Following battles, Lincoln would often work around the clock reviewing reports from the field and revising his overall military strategy as necessary.¹⁵ He visited his commanders in the field to discuss their operations, sometimes while shots were being exchanged.¹⁶ Lincoln even personally solicited, tested, and ordered the fielding of new weapons and technologies that gave Union forces tactical advantages over the Confederates.¹⁷ While, in theory, Lincoln should have been able to rely on his subordinates to perform these duties, in reality he was often left with the option of either doing them himself or not having them done at all. Hence, *Tried by War*'s corollary lesson for judge advocates is that leadership, like the law, may be more difficult and less glamorous in practice than it is in theory.

B. It Takes Courage to Act

Although Lincoln viewed himself as “not a specially brave man,”¹⁸ McPherson makes a compelling argument that the President was, in fact, a leader who acted courageously in the face of uncertainty and ambiguity, and who encouraged his subordinates to do the same. The effectiveness of the author's argument lies in his ability to clearly convey to the reader the complexity of the problems Lincoln faced by describing the competing political, military, legal, and moral interests that coalesced at various critical junctures of the Civil War. For example, during the War's infancy in 1861, Lincoln faced the urgent need to slow the rise of the South, to prevent agitators from disrupting military operations in the North, and to rapidly increase the size of the Union Army and Navy so as to be ready to respond to the growing threat from the Confederacy. With Congress out of session and therefore unable to act, and with no legal precedent to follow, Lincoln invoked his “war powers” as President to justify his bold responses to the aforementioned problems.¹⁹ First, he ordered a blockade of Confederate ports.²⁰ Next, he “authorized General [Winfield] Scott to suspend the writ of

habeas corpus on any ‘military line’ between Philadelphia and Washington.”²¹ Finally, Lincoln issued executive orders that called for volunteers to increase the size of the regular army and navy and instructed “the treasury to advance \$2 million to three private citizens in New York to purchase arms and vessels.”²² Lincoln eventually explained his decision to take these and other legally questionable actions in the following manner:

Was it possible to lose the nation, and yet preserve the Constitution? By general law life *and* limb must be protected; yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb. I felt that measures, otherwise unconstitutional, might become lawful, by becoming indispensable to the preservation of the constitution through preservation of the nation.²³

Lincoln would again invoke his “war power” to courageously address the ambiguous issue of how to end slavery. While Lincoln opposed slavery on moral grounds, he believed as late as September of 1861 that he lacked the authority as president to permanently free slaves by executive proclamation.²⁴ Moreover, he recognized that making freedom for slaves an official objective of the war eliminated any hope of the Confederate states returning peacefully to the Union, and increased the risk of secession by neutral border states.²⁵ However, by September of 1862 it had become evident to the President “that slave labor sustained the Confederate economy and the logistics of Confederate armies.”²⁶ Additionally, public opinion in the North began to shift in favor of emancipation as abolitionists made a compelling argument that that Lincoln's “war powers” gave him the authority to seize slaves as “enemy property . . . being used to wage war against the United States.”²⁷ Ultimately, the combination of this shift in public opinion, the need to strike a heavy blow at the Confederate war machine, and the desire to do what was morally right gave Lincoln the courage to issue a preliminary proclamation on 22 September 1862,²⁸ and to follow through with the final Emancipation Proclamation on 1 January 1863.²⁹

¹³ *Id.* at 119 (General George McClellan).

¹⁴ *Id.* at 8.

¹⁵ *Id.* at 41.

¹⁶ *See, e.g., id.*

¹⁷ *Id.* at 191.

¹⁸ *Id.* at 100.

¹⁹ *Id.* at 24.

²⁰ *Id.* at 23.

²¹ *Id.* at 27.

²² *Id.* at 23–24.

²³ *Id.* at 30.

²⁴ *Id.* at 60.

²⁵ *See id.* at 131–32.

²⁶ *Id.* at 7.

²⁷ *Id.* at 107–08.

²⁸ *See id.* at 130–31.

²⁹ *See id.* at 156–58.

Finally, in the summer and fall of 1864, Lincoln again showed courage in refusing to abandon the causes of emancipation and reunification in spite of intense pressure from a discouraged constituency who saw no promise of a Union victory and who desperately desired an end to the bloody war.³⁰ Although Lincoln himself was weary of war and in danger of not being reelected to a second term, he never wavered from his position that any peace agreement with the Confederacy must begin with “the restoration of the Union and abandonment of slavery.”³¹ In response to the clamor for him to drop emancipation as a prerequisite to peace, Lincoln had the courage to reply: “I should be damned in time and eternity for so doing. The world shall know that I will keep my faith to friends and enemies, come what will.”³²

Lincoln also went to great lengths to encourage his subordinates to act boldly and courageously in the face of ambiguity and uncertainty. McPherson’s account of Lincoln’s dealings with General George B. McClellan provides numerous examples. The author sums up the leadership challenge McClellan presented for Lincoln in this manner:

Having known nothing but success in his meteoric career, McClellan came to Washington as the Young Napoleon destined by God to save the country. These high expectations paralyzed him. Failure was unthinkable. Never having experienced failure, he feared the unknown. To move against the enemy was to risk failure. So McClellan manufactured phantom enemies to explain his inaction against the actual enemy, and to blame others for that inaction.³³

Lincoln tried numerous approaches in his efforts to instill in McClellan the courage to ignore the phantoms and destroy the real Confederates in front of him. He sent McClellan a “fatherly letter” to help him overcome his nervousness on the eve of battle and to persuade him that he “must act.”³⁴ He congratulated McClellan following his victories and urged him onward.³⁵ He consoled him after his losses and encouraged him to regroup.³⁶ However, in the end, none of these techniques worked. In the words of General Henry

Halleck, it would have required “the lever of Archimedes” to move McClellan.³⁷

As judge advocates, we may find ourselves advising commanders in ambiguous and uncertain conditions. Some, like Lincoln, will want to act boldly, even in the absence of any legal precedent for their proposed courses of action. To those commanders, we owe the courage to be thorough and, if necessary, creative in our search for legal authority to facilitate their actions. In contrast, other commanders, like McClellan, will look to their judge advocates for legal justifications to do nothing, even when something can and ought to be done. In those circumstances, we must remember that the Army is our client, and have the courage to use our advocacy skills to persuade our commanders, as Lincoln tried to persuade McClellan, that: “If we never try, we shall never succeed.”³⁸

III. Strengths and Weaknesses

Tried by War is generally the excellent book one would expect from an author of Mr. McPherson’s background. He is an acclaimed historian who has authored, edited and contributed to at least fifty-six works on the Civil War since 1964.³⁹ McPherson’s books include the *Battle Cry of Freedom*, for which he received the Pulitzer Prize for History in 1989,⁴⁰ and *For Cause and Comrades*, which won the Lincoln Prize in 1998.⁴¹ He currently serves as a Professor Emeritus at Princeton University as the George Henry Davis 1886 Professor of American History.⁴²

With *Tried by War*, McPherson delivers another Lincoln Prize winner.⁴³ As he states up front, his purpose for writing this particular Lincoln book was to help fill the relative void of literature “devoted to his role of commander in chief.”⁴⁴ McPherson achieves this purpose by limiting the scope of the book to the fifty months beginning with Lincoln’s

³⁰ *Id.* at 231.

³¹ *Id.* at 234.

³² *Id.* at 240.

³³ *Id.* at 47–48.

³⁴ *Id.* at 82–83.

³⁵ *Id.* at 125.

³⁶ *Id.* at 99–100.

³⁷ *Id.* at 139.

³⁸ *Id.* at 186.

³⁹ *McPherson, James M.*, LIBRARY OF CONGRESS ONLINE CATALOG, http://catalog.loc.gov/cgi-bin/Pwebrecon.cgi?hd=1,11&Search_Arg=McPherson%20James&Search_Code=NAME%40&CNT=100&PID=XSVtg37fTTMeSn9fVSox5tk54&HIST=0&SEQ=20120611103729&SID=1 (last visited June 11, 2012).

⁴⁰ *History*, THE PULITZER PRIZES, <http://www.pulitzer.org/bycat/History> (last visited Feb. 7, 2012).

⁴¹ *The Lincoln Prize*, GETTYSBURG COLLEGE, http://www.gettysburg.edu/civilwar/prizes_and_scholarships/lincoln_prize/previous_winners.dot (last visited Feb. 7, 2012).

⁴² *James McPherson*, PRINCETON UNIVERSITY, http://www.princeton.edu/history/people/display_person.xml?netid=jmcphe (last visited Feb. 7, 2012).

⁴³ MCPHERSON, *supra* note 1.

⁴⁴ *Id.* at xvi.

journey to his first inauguration in February 1861⁴⁵ and ending with his assassination in April 1865.⁴⁶ Throughout *Tried by War*, the author keeps his narrative focused on Lincoln's performance as commander-in-chief. On those occasions McPherson refers to Lincoln's past, he does so briefly and only to the extent necessary to give context to a particular decision Lincoln made or an action he took as commander-in-chief. McPherson logically organizes the book into chapters that coincide with various stages of the war, and the photos and index he includes both add value to the work. Although the book is impeccably researched and relies extensively on primary sources, the quality of McPherson's writing is the book's greatest strength. The masterful way McPherson weaves an endless array of quotes from primary sources into his analysis makes the book read more like a novel than the well-researched treatise it is.

While McPherson's intimate knowledge of his subject matter certainly contributes to the overall quality of *Tried by War*, his familiarity with the Civil War and its leaders also serves to weaken his argument in two ways. First, there are occasions in the book where the author discusses events out of chronological order for no apparent reason.⁴⁷ Given that the book is generally organized chronologically, these segments are especially distracting. Second, McPherson's discussions of the Civil War's leaders often read more like biased descriptions of personal acquaintances than objective analyses of historical figures. Those individuals the author likes, such as General Ulysses S. Grant and General William

T. Sherman, he tends to treat with respect. Those he dislikes, however, he tends to caricaturize. Although McPherson's thorough research supports the humorous Jabba-the-Hut-like portrait he paints of the aged and obese General Winfield Scott⁴⁸ and the entertaining character assassination he performs on General George McClellan, his disparate treatment of these and other leaders undercuts his stated purpose for writing the book by causing the reader to question the fairness and accuracy of his analysis of Lincoln.

V. Conclusion

Overall, *Tried by War* delivers a thoughtful examination of Lincoln's performance as commander in chief. While McPherson sometimes presents events out of order and allows his personal biases to seep into his work, he more than makes up for these minor flaws with his thorough research, focused narrative, and elegant prose. In fact, the book's readability makes it ideal for anyone looking for an unimpeccable introduction to Lincoln and the Civil War. However, it is the reader looking to become a better leadership specimen who will most benefit from McPherson's account of Lincoln's struggles. For anyone in that band, the lessons on competence and courage to be gleaned from "The Original Gorilla's" performance as commander in chief make *Tried by War* a must-read.

⁴⁵ *Id.* at 1.

⁴⁶ *Id.* at 265.

⁴⁷ See, e.g., *id.* at 23–27 (discussing Lincoln's 3 May call for volunteers prior to his 15 April call for militia).

⁴⁸ See, e.g., *id.* at 45.