

**Escambia Santa Rosa Bar Association
Northwest Florida Paralegal Association**

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TATE SOPHOMORE, DILLON AIKEN, WINS

2009 LAW WEEK ESSAY CONTEST

PENSACOLA, FL, MAY 4, 2009: In collaboration with the American Bar Association's 2009 Law Week theme "A Legacy of Liberty: Celebrating Lincoln's Bicentennial," the Escambia Santa Rosa Bar Association and the Northwest Florida Paralegal Association sponsored an essay contest on Abraham Lincoln, the man, the attorney and the President.

The essay contest was open to all Escambia and Santa Rosa county high school sophomores and included a \$150 cash prize and an invitation to the Law Week Luncheon on Thursday, May 7, 2009. In addition, the winning essay will be posted to both the local Bar's website (www.esrba.com) and the paralegal association's website (www.nwfpa.com).

The 2009 Law Week essay contest winner is sixteen-year-old J.M. Tate sophomore, **Dillon Aiken**, of Cantonment. Aiken's essay entitled, "Abraham Lincoln's Rule of Law," was selected by a panel of judges consisting of local attorneys and paralegals based upon creativity, conformity to the topic and presentation.

"Jodi and I are very proud of Dillon's accomplishment. He is a focused, determined, and intelligent young man who gives his all to everything he does. We watched him labor over this

assignment and are excited that his efforts have proven fruitful," stated Chris Aiken, Dillon's father.

Aiken is an active member of Calvary Baptist Church on Pine Forest Road, a member of the National Honor Society, a Cadet Lieutenant with the Army's Junior ROTC program, a member of Tate's First Priority Club, and a member of Tate's Rho Kappa honor society that focuses on expanding the students' knowledge in the field of social studies while encouraging a high level of academic achievement. Aiken aspires to attend the United States Military Academy at West Point upon graduation from Tate.

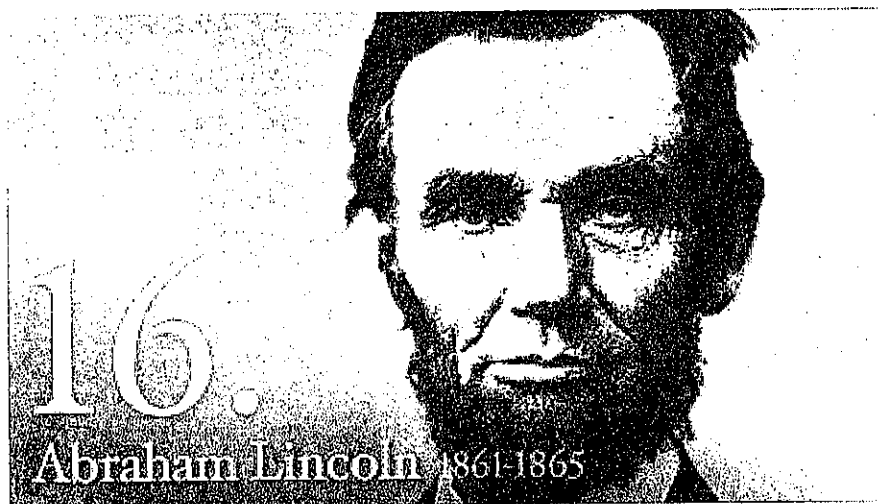
"Dillon is the type of student who not only studies the material given, but also comes to class eager to discuss, question and critically analyze the subject matter. He is the student educators love to have in class, as he is intellectually inquisitive and willing to put forth the effort to understand the subject not just accept what is given. Dillon is also a leader amongst his classmates, he has been elected the Junior Vice President of the Rho Kappa Social Studies Honor Society for the upcoming school year," stated Cherie Arnette, Tate social studies teacher and advisor to Tate's Rho Kappa society.

The local 2009 Law Week activities conclude on Saturday, May 9, 2009, after the free legal clinic to be held at the St. Sylvester Church, in Gulf Breeze, FL.

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Abraham Lincoln's Rule of Law

Dillon Aiken



A comprehensive essay on how the rule of law during Lincoln's term as president changed our world.

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Abraham Lincoln's Rule of Law

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The concept of law is as old as time itself and exists to protect people from each other and themselves. Due to the inevitably changing nature of people, laws must also change over time. During Abraham Lincoln's life, a shift occurred in the way that men viewed and practiced law. Lincoln witnessed and created some of these changes including the shift from the "rule of man" to the "rule of law" mindset, the focus on mitigation in courtroom procedures, and the art of connecting with the jury on a personal level.

Abraham Lincoln's charisma is related to his "common man" childhood. He was born in Kentucky in 1809 and grew up in poverty. Lincoln was encouraged to read and write by his stepmother Sarah Lincoln. Although she loved all of her children, Sarah placed a special interest in the education of Abraham. Though he received no formal education and read few books as a child, Lincoln completely absorbed and retained all that he read. He developed a passion for the law, preparing for and passing the bar examination in 1836. He soon became one of the most famous and skilled attorneys in Illinois. The principles that he learned in his early life greatly helped him as he entered politics and went on

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to become the 16th president, leading the United States through the civil war.

One of the most important changes in law that occurred during Lincoln's life was the shift in thought from the "rule of man" to the "rule of law". The "rule of man" is the belief that powerful people are exempt from or above the laws they create. The "rule of law" is the concept that the law applies to all people equally. Some in power during Lincoln's time followed the "rule of man" concept. They convinced themselves that they possessed more self-control or that their actions would ultimately benefit others and therefore felt justified in breaking the "common man's" law. This state of mind revealed itself in bribery and in showing preferences to friends. Political officials sometimes gave prestigious positions to unqualified men based solely on personal relationships. Lincoln opposed this practice both publicly and personally. Perhaps he agreed with Alexander Hamilton who once said, "If individuals enter into a state of society, the laws of that society must be the supreme regulator of their conduct." Lincoln's belief was that everyone, government and citizens included, was responsible to act according to established law rather than personal desires or goals.

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Another important legal revolution in Abraham Lincoln's day was the focus on mitigation in considering legal matters. Mitigation proposes that "justice" must consider both the "letter of the law" as well as the "context" of the situation. For example, self-defense and "state of mind" claims should be taken into consideration when a person is accused of murder. Recognizing that the law applies differently in different circumstances, can determine that a person's actions may be justified in a given situation. Gifted in oral argument, Lincoln distinguished himself as a lawyer using this concept. While other lawyers of his day simply read the law and argued that the consequences should be as they are written, Lincoln would seek to apply the law to a case practically. His style of arguing the facts of the case and presenting how the law pertained to the specific situation revolutionized the practice of law and is still used in the modern justice system.

Additionally, Lincoln took a different approach to courtroom procedure than his contemporaries. Instead of stating the law and leaving it up to the judges to decide the case, he sought to make a personal connection with members of the jury. For example, a friend of Lincoln's was

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accused of taking part in a killing by a man claiming to have witnessed the crime by the light of a full moon. Rather than arguing to the judge that his friend should not be held responsible simply because of his presence, he persuaded the jury that the witness was not trustworthy. Lincoln used an almanac to show the jury that the moon was not full that night, making it too dark for the certain identification of anyone. Lincoln wanted the jury to relate to his client's situation rather than merely render a verdict based on the prosecution's presentation of the legal facts. This approach to connect with the jury soon became standard practice. Having the ability to see past legal jargon and into the heart of the case still serves skilled attorneys well, allowing convincing argument on behalf of a client.

From these examples, one can see that the application of the law changed in significant ways during Lincoln's era and one can expect it to continue to do so. Abraham Lincoln was a revolutionary thinker who believed in "rule of law" over the "rule of man." Lincoln also used his charisma and analytical thinking to persuade juries to consider mitigating circumstances in order to achieve a fair verdict. Finally, he mastered the art of personally

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connecting with a jury to speak in a relatable way. Lincoln's contributions to the legal system helped insure that the law remained just. The importance of his contributions are vital to freedom because, as John Locke stated, "Wherever law ends, tyranny begins."