

Closing Argument – Defendant Elliott Adams

Your Honor my name is Elliott Adams, pro se defendant and I am giving Closing Arguments.

Thank you for your care, patience and deliberateness during this trial.

International Law expert Ramsey Clark testified that international law applies here in DeWitt.

- He testified that drone attacks are illegal.
- He testified that the law obligates us, as individuals, to obstruct war crimes and violations of international law.
- He testified that the law obligates us, as individuals, to get our government to obey international law.
- Everything we did on 22 April was in compliance with international law, the supreme law of the land.
- He testified that law requires the Judge to decide if our acts were in compliance with international law or not. And that the Judge of a court like this has the power and obligation to enforce international law.
- The only limits Mr. Clark offered the Judge is that the means of stopping a crime must do less damage than the crime being stopped.

Your honor during Vietnam I volunteered for the Army, volunteer to be a paratrooper and volunteered for Vietnam. I served in the infantry as a paratrooper in Vietnam, Japan, Korea, and Alaska. After we invaded Granada I went down fact finding. I also spent time in Gaza.

From my significant exposure to war I have learned two important things. One is that IHL (International Humanitarian Law) is terribly important in restraining the most heinous and inhuman of acts which occur in war and make war so horrible. The other, more important, lesson is how simple it is for a system to convince good people to not enforce or comply with IHL. I will have to live with the rest of my life; knowing that when the opportunity was there for me to uphold IHL I failed the test.

I live with this. I am driven by my memories of the past and it is my intent to never, ever, make that mistake again. To never let fear of those above me, of social pressure, or professional pressure to keep you from doing the little piece I can to see to it that our country complies with these most basic of human laws, International Humanitarian Law. Much of which is so basic to human existence and decency it is even “customary law.”

Let me be clear about the long-term, delayed, cost of failing to comply with IHL

Night after night at 4 am you heard the scream in your ear. There is that image. You and your squad hit the dirt because there was suspected enemy activity. Through a break in the brush you see something moving. Over your sights you see it looks like a woman, and it looks like she is carrying a baby. You ask should you open up and fire on her? Your orders are that this is a free fire zone and all people are considered the enemy. You double-check yourself, can she be a threat? She could be a weapon courier, she could be growing the rice for the Viet Cong, and she could be a scout for an ambush.

As you jolt awake you know you followed the wrong law, you asked the wrong questions. Instead of asking is she in a free fire zone you should have asked your command is it legal to force a population to leave their homes and ancestral village under threat of death. Instead of asking could she be growing food for the Vietcong you should have asked how is it legal for you as a U.S. soldier to be lying in wait

in her field. If I had asked the right questions, if I had followed the right law, only our imagination can say how many innocent lives would have been saved? That was an opportunity to support IHL - I failed the test. These opportunities come and we are tested. Even Judges occasionally get tested. They, like me, will face pressure by the system and social pressure making it hard to comply with IHL - but in the balance hangs the lives of hundreds or thousands.

In summary all defendants say we were trying to prevent heinous war crimes, by alerting the airman that they may be committing punishable war crimes, by petitioning their government to obey with the law, (International Humanitarian Law), and fulfilling our personal obligation under Nuremberg Principles and international law.

For all those reasons, your Honor, we believe that you should find the defendants not guilty.