

# The political issues in the Kyle Rittenhouse trial

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The murder trial of Kyle Rittenhouse, currently underway in Kenosha, Wisconsin, has become a focal point for a nationwide campaign to legitimize vigilante terror against left-wing protests and lionize the far-right youth as a hero.

The trial itself has been transformed into a kind of courtroom version of a Trump rally, with the American-flag-tie-wearing judge breaking with all semblance of propriety Thursday to lead the jury in a round of applause for Rittenhouse's defense expert on the ground that he was a "veteran" and "served our country."

Throughout the trial, the judge has gone out of his way to exclude all of the evidence that would undermine Rittenhouse's claim that he was acting in self-defense when he killed two people and wounded a third during a protest against police brutality on August 25, 2020.

Before the killings in Kenosha, Rittenhouse openly boasted that he planned to gun down purported shoplifters with his assault rifle. After he posted bail, he was caught flashing "white power" signs, posing for selfies with Proud Boys members, drinking beer, and belting out a song associated with the Proud Boys at a pub together with top Proud Boys leaders.

The claim that Rittenhouse was acting in self-defense, which turns reality completely on its head, has been taken up by Trump and the Republican Party, together with sections of the American media, carrying along in their wake disoriented pseudo-left and libertarian figures like Glenn Greenwald, who seek to blind the population to the political forces behind this fascistic campaign.

The only legal right to self-defense involved in the Rittenhouse case is the right of the protesters to defend themselves from an unstable right-wing extremist youth who showed up to their protest, brandished an illegal gun at them, and even pointed it at them while it was loaded. At the point Rittenhouse pointed his loaded assault rifle directly at a protester, the protesters would have been fully within their legal rights to forcefully disarm him, or if necessary, to shoot him.

If Rittenhouse is acquitted, it would embolden the violent paramilitary militias that have been cultivated in the orbit of Trump and the Republican Party. It would effectively provide legal sanction for neo-Nazi and fascistic militias to march into future left-wing protests armed to the teeth, to terrorize workers, students, and youth with assault rifles, and to shoot protesters whenever they "feel threatened."

## The politics of Kyle Rittenhouse

Kyle Rittenhouse, who was 17 years old at the time he carried out the killings in Kenosha, is the product of an utterly toxic political and cultural environment. Decades of unending war, attacks on public education, and a generally deranged cultural and political atmosphere have produced many

such brutalized, broken, and disoriented young people in America—a phenomenon doubtless accelerated by the pandemic and by the official indifference to mass death.

Without any progressive outlet for their energies, cut off from all culture and historical knowledge, many young people see no future to look forward to except a hopeless grind of oppressive and exploitative jobs that pay less than survival wages. Under these conditions, some of these damaged, atomized young people can become vulnerable to the influence of the far-right, as was the case with Rittenhouse.

Rittenhouse was not a native of Wisconsin. Instead, he traveled there from his hometown of Antioch, Illinois, about 60 miles north of Chicago, where he was born into a troubled family. His father struggled with alcoholism, experimented with drugs, and was periodically unemployed. At one point his father was charged with domestic battery, and on two occasions, according to the *New Yorker*, his mother stayed in a women's shelter.

A cellphone video taken weeks before the shooting that subsequently came to light provides a glimpse of a bleak existence. Rittenhouse was filmed on the Kenosha waterfront repeatedly punching a girl who had gotten into a fight with his sister. The family frequently faced eviction and teetered on the edge of financial ruin.

During his teenage years, Rittenhouse gravitated to right-wing politics, supporting Trump's reelection campaign, the pro-police "Blue Lives Matter" movement, and participating in police ride-alongs. While a teenage police cadet, he was trained by the police with "replica" guns. He played paintball and was attracted to all of the trappings of militarism and military violence.

Rittenhouse bought his black AR-15 assault rifle, a close relative of the M16 assault rifle that has seen widespread use by the American military, "because it looked cool." During the trial, he admitted he never intended to hunt with it. The gun was purchased illegally, since Rittenhouse was too young to own it, but America's gun control laws are unevenly enforced and often easy to evade. In similar fashion, he drove a car without a driver's license.

On August 23, protests exploded in Kenosha, Wisconsin against the shooting of Jacob Blake, an unarmed black man who was shot seven times at point blank range in front of his children as he was attempting to get into his car. Coming three months after the murder of George Floyd, the shooting of Jacob Blake uncorked a "geyser of social anger in Kenosha," as the *World Socialist Web Site* wrote at the time. Protesters were subject to violent police attacks and viciously labeled as "rioters" and "looters" in the media.

Rittenhouse, 17 at the time, was already immersed in far-right politics on social media. Before the shootings, Rittenhouse was recorded openly boasting that he wished to shoot people he saw coming out of a CVS store, who he believed were shoplifting. "Bro, I wish I had my f—ing AR. I'd start shooting rounds at them."

On August 25, as the Jacob Blake demonstrations continued to unfold, a

right-wing “patriot” militia that had formed on Facebook, calling itself “Kenosha Guard,” posted a call for volunteers: “Armed Citizens to Protect our Lives and Property.” The formation of the militia was endorsed by a city council member, who called for the “Kenosha Guard” to oppose “evil thugs.” The supposed “commander” of the militia sent a message to the police chief stating, “We are mobilizing tonight and have about 3,000 RSVP’s.” The police chief made no effort to dissuade him.

On the same day the “Kenosha Guard” posted its call for volunteers, Rittenhouse and a friend traveled the 20 miles from Antioch to Kenosha. According to a brief filed by prosecutors summarizing Rittenhouse’s political background as well as his conduct after the shooting, the prosecutors concluded: “The fact that he has since celebrated his notoriety strongly suggests that he set out to achieve the goal of becoming famous.”

After the killings, Rittenhouse was immediately elevated as a far-right icon. Fascist and QAnon conspiracy adherent Lin Wood, who later supported Trump’s efforts to overturn the 2020 elections, helped to raise money for Rittenhouse’s defense, together with lawyer and right-wing zealot John Pierce. Pierce tweeted that Rittenhouse had fired the “shot heard around the world” and that: “A Second American Revolution against Tyranny has begun.”

Rittenhouse posted bail following a fundraising campaign led by these far-right figures, after which he was spotted in a bar in Racine County where he celebrated with leading members of the Proud Boys organization in Wisconsin, joined by his mother. Surveillance video and photos of this meeting at Pudgy’s Pub obtained by prosecutors show Rittenhouse flashing “white power” hand signs, grinning and posing for selfies with other Proud Boys members, and belting out the Proud Boys anthem.

According to prosecutors, after the shootings, Rittenhouse’s “family has sold merchandise with his image on it that celebrates his acts of violence.”

## **The events of August 25, 2020**

The Kenosha shootings took place against a backdrop of massive protests against police brutality touched off by the killing of George Floyd and a runaway pandemic that was claiming hundreds of thousands of lives, with workers raising demands in their workplaces for measures to combat the spread of the disease.

The far-right militias were brought forward to oppose the coronavirus lockdowns, storming the Michigan Capitol on April 30, 2020. In October, a plot was exposed by far-right militia members to kidnap and murder the Democratic governor. These militias would go on to play a significant role in the violent attempt to overturn the elections and install Trump as president on January 6, 2021. The mobilization of far-right militias to assist the police in crushing protests in Kenosha in August 2020 was one point on this trajectory.

On June 1, Trump infamously demanded that governors “dominate” the protests, and the police took him at his word. Images circulated around the world of what amounted to a national police riot, with police ramming protesters with their cars and indiscriminately shooting protesters and journalists with “less-lethal” munitions.

As protests exploded in Kenosha in August, members of the pro-Trump far-right militias mobilized on social media, openly boasting about their intent to shoot protesters. One post read, “Armed and ready. Shoot to kill tonight.”

While confronting what amounted to a police riot, residents, organizers, and protesters were justifiably fearful of the added danger of violence from the right-wing vigilantes making their way into the city with the tacit support of the police.

Trump would go on to openly solidarize himself with the Proud Boys

during the September 29 presidential debate, declaring, “stand back and stand by.”

On the night of August 25, Rittenhouse joined a group of far-right militia members that had given itself the mission of “protecting” a car dealership. Rittenhouse’s own behavior that night was immature and unstable. He was captured on video earlier that evening boasting that he was an “E.M.T.” (which was not true) and also claiming that protesters were creating a bomb (also not true). At one point, Rittenhouse told police he was hit in the head with a baseball bat (also not true).

The presence of these armed far-right militias at a protest against police brutality was an extreme provocation and itself a violation of the protesters’ rights to demonstrate without being subjected to violent threats and intimidation.

When far-right militia members positioned themselves on the roof overlooking the protests like snipers, some demonstrators called out that the militias were pointing laser sights at them. The act of pointing a loaded gun at a person is an extremely dangerous act by itself, and a further provocation, compounded by the use of a laser sight. In another confrontation, one armed vigilante screamed, “F— around and find out!”

The police made no effort to restrain the right-wing vigilantes, with whom they were in open sympathy. Instead of arresting Rittenhouse for carrying an illegal rifle, for being out past curfew, or for brandishing the illegal rifle at protesters, at one point the police brought water to the militia members, infamously saying, “We appreciate you.”

Rittenhouse’s first victim was Joseph Rosenbaum, a homeless man who had been discharged from a psychiatric hospital hours before the protest and, according to a report in the *New Yorker*, had wandered into the scene of the confrontation carrying a plastic bag with a few of his belongings in it. It is undisputed that Rittenhouse was brandishing his AR-15 and pointed it towards at least one protester.

Rosenbaum, who was unarmed, followed Rittenhouse into a parking lot where, according to prosecutors, Rittenhouse pointed the rifle at him, and Rosenbaum tried to take it from him. Rittenhouse shot Rosenbaum in the groin, the hand (gunpowder residue was found on Rosenbaum’s palm), and the back, killing him. Rittenhouse ran away, saying “I just killed somebody” on his cellphone.

After Rittenhouse shot Rosenbaum, protesters collectively reacted, in the words of Gaige Grosskreutz, on the belief that Rittenhouse was an “active shooter.” Protesters charged Rittenhouse and knocked him to the ground. Anthony Huber courageously pushed his girlfriend out of the way and charged Rittenhouse, striking him with a skateboard and struggling for control of the rifle. Rittenhouse shot Huber through his heart and right lung, killing him.

Gaige Grosskreutz, a volunteer medic who was armed, pointed a handgun at Rittenhouse, and Rittenhouse shot him in the arm, resulting in a gruesome wound that nearly severed his entire right bicep. Then Rittenhouse approached police with his hands up, but the police drove past him. Rittenhouse fled back to Illinois, where amid a popular outcry he was labeled a “fugitive from justice” and ultimately extradited back to Wisconsin to face murder charges.

## **The killing of Trayvon Martin and Ahmaud Arbery**

The legal issues in the Rittenhouse trial bear a strong resemblance to those in the killing of Trayvon Martin by George Zimmerman in 2012. Zimmerman, a wannabe cop, decided that Martin looked “suspicious,” aggressively pursuing Martin even after a dispatcher told him not to. After provoking a confrontation with the unarmed black teenager, Zimmerman shot Martin in the heart, killing him instantly.

Zimmerman, like Rittenhouse, was celebrated as a right-wing icon, and was only arrested several months later after a campaign by Martin's parents attracted nationwide support. He was charged with murder and manslaughter but was acquitted after a travesty of a trial, during which the police barely concealed their sympathy for him, and in which Zimmerman asserted that he was acting in "self-defense" and claimed the benefit of Florida's "stand your ground" statute.

As the *World Socialist Web Site* wrote at the time, if anyone had a right to self-defense in that case, it was Trayvon Martin. "Zimmerman had no cause to get out of his car in the first place and pursue Martin while wearing a firearm—especially after being told not to do so," we wrote. "The young man had every right to use force to defend himself against such a provocation, and the fact that Zimmerman may have been getting the worse in a fight he picked does not excuse lethal force."

The prosecution of the killers of Ahmaud Arbery, a black man who was killed in February of last year by three armed white vigilantes near Brunswick, Georgia, is proceeding at the same time as the Rittenhouse trial. After the vigilantes provoked a confrontation, Arbery allegedly struggled over a shotgun carried by one of the vigilantes before they shot and killed him. The vigilantes claimed that Arbery was a "burglary suspect" and that they had shot him in "self-defense" while attempting to carry out a "citizen's arrest." Notwithstanding these claims of self-defense, Arbery's killers currently face multiple charges, including murder and aggravated assault.

In the same way, if anyone had a right to self-defense in the Rittenhouse case, it was protesters who collectively confronted a far-right youth illegally carrying and brandishing an assault rifle and pointing it at them. Simply by carrying the rifle to the protest as an associate of a far-right militia, Rittenhouse's conduct constituted an implicit death threat and a reckless and extreme provocation. Having recklessly provoked a violent confrontation, Rittenhouse cannot legally claim to have acted in self-defense in the confrontation that he provoked.

## The Rittenhouse trial

The judge in Rittenhouse's case, Kenosha County Circuit Court Judge Bruce Schroeder, has gone out of his way to exclude all of the evidence that would undermine the narrative presented by Rittenhouse's attorneys and their far-right allies.

In February, Rittenhouse violated a court order by concealing his whereabouts from the prosecutors, but the judge denied a request by Kenosha prosecutors for a warrant to rearrest him and increase his bail.

In September, the judge entered orders excluding all of the evidence of Rittenhouse's political activities and motivations from the trial, including his affiliation with the Proud Boys and his declaration that he wanted to kill shoplifters with his rifle two weeks before the protests.

In October, the judge ruled that prosecutors could not call Rittenhouse's victims "victims" or even "alleged victims." At the same time, he permitted Rittenhouse's defense attorneys to refer to the victims as "arsonists," "looters" or "rioters."

During the trial itself, the judge wore an American flag tie. If any more evidence was needed of his political bias, his cellphone rang during the trial and the ringtone was the country-music song "God Bless the USA" that has been the theme song of Trump's "Make America Great Again" rallies, also known by its lyrics "Proud to be an American."

When he took the stand, Rittenhouse conformed his testimony to the jargon of police officers who testify after having shot someone: "I used deadly force to stop the threat that was attacking me," he said. When Rittenhouse appeared to break down on the stand, the judge came to his

aid by solemnly excusing the jury.

When the prosecutors attempted to cross-examine him, suggesting that he had conformed his testimony to what earlier witnesses had said, the defense attorneys jumped up and demanded that the judge declare a mistrial "with prejudice," meaning that the judge would toss out the charges and bar the prosecutors from ever bringing them against Rittenhouse again. The judge then proceeded to yell—not at the defense attorneys for making such a frivolous request—but at the prosecutors when they attempted to cross-examine Rittenhouse regarding his political motivations: "Don't get brazen with me!"

As trial opened yesterday, Schroeder carried out what amounts to a provocation of his own. As Rittenhouse's "use of force" expert was about to take the stand, the judge declared that he wanted to know if there were any veterans in the room.

When nobody answered, it was clear that the judge knew the answer to his own question: "Well, that's unusual not to have at least somebody in here, but Dr. Black [Rittenhouse's next defense witness] is – what branch?"

Black replied, "Army, sir." Then the judge proceeded to lead the jury in a round of applause for Black: "Okay, and I think we can give a round of applause to the people who have served our country."

Black, an expert hired by Rittenhouse who routinely testifies on behalf of police officers, went on to testify about his military service and background as a veteran police official. Just as he would in a case involving a police officer, Black then provided a second-by-second breakdown of the shootings that emphasized how quickly they happened, which aimed to underscore how Rittenhouse allegedly made a split-second decision to shoot.

Black previously testified the shootings were "reasonably necessary." Another of Rittenhouse's witnesses was Drew Hernandez, who attended the January 6 riot, and who bolstered Rittenhouse's claim that he fired in self-defense.

## The campaign to legitimize vigilante terror

The campaign to lionize Rittenhouse follows in the wake of the largest protests in American history last year, which brought between 15 and 26 million people into the streets, together with a pandemic spiraling out of control, a mounting strike wave and emerging signs of combativeness among workers in the automotive, logistics, education, and health care industries.

Under these circumstances, right-wing vigilante groups are being brought forward to act as a battering ram against working class opposition.

In this context, Rittenhouse has been embraced as "our boy Kyle" by the *Daily Stormer*, the website of the neo-Nazi and anti-Semite Andrew Anglin. A Republican state representative from Florida tweeted, "Kyle Rittenhouse For Congress," and far-right-wing provocateur Ann Coulter tweeted: "ALL THE BEST PEOPLE #StandWithKyle."

In the wake of Kenosha shooting, then-president Trump instructed Homeland Security officials in a subsequently leaked memorandum to frame the case in a manner sympathetic to Rittenhouse, ordering them to emphasize that Rittenhouse "took his rifle to the scene of the rioting to help defend small business owners."

Days after the shooting, Trump himself came to Rittenhouse's defense: "I guess it looks like he fell and then they very violently attacked him," Trump said.

The response of the Democrats and their media satellites to the far-right campaign around Rittenhouse has been ambivalent to sympathetic,

generally accepting the entire right-wing “self-defense” framework. Many of the news headlines have featured sympathetic coverage of Rittenhouse’s supposed sobbing fit on the stand.

When Ayanna Pressley, a Democratic congresswoman from Massachusetts, called Rittenhouse a “white supremacist domestic terrorist” and denounced media outlets for whitewashing his politics, Tulsi Gabbard, a Democratic congresswoman from Hawaii and candidate for the 2020 presidential nomination, responded by defending Rittenhouse on the grounds that he only wanted to “protect people.”

Where there is criticism of Rittenhouse from the Democratic camp, it is couched in racial categories that simply do not fit the facts of the case—Rittenhouse’s three victims were all white.

Glenn Greenwald, meanwhile, has appointed himself to the task of championing the case for the right-wing extremist gunman, celebrating on Twitter how “genuine liberals” are “expressing shock and horror upon realizing, after watching the trial, that so much of what the media told them about the Rittenhouse case is false.”

Greenwald is taking advantage of the fact that all of the evidence of Rittenhouse’s political motivations was excluded from the trial by the judge. Greenwald also implied that Rittenhouse had been unfairly labeled a “racist,” dishonestly concealing the fact that Rittenhouse was caught flashing “white power” signs after being released on bail.

Reading Greenwald’s tweets, one would have no way of knowing that Rittenhouse is an “honorary member” of the Proud Boys, whose founder Gavin McInnes was an open “Western chauvinist,” misogynist, and anti-Semite who shouted on his show in 2016: “We will kill you. That’s the Proud Boys in a nutshell. We will kill you ... We will assassinate you.”

Attacking the *World Socialist Web Site* for its coverage of the trial yesterday, Greenwald wrote: “You’re literally on the side of the state, its prosecutors, and the carceral system: the engines of fascist power. That’s who you cheer and applaud. I maintain my pro-defendant principles regardless of the ideology of the defendant,” adding “Communists 4 Prosecutors.”

It is Greenwald who is “on the side of the state” and of “fascist power.” Building up the legitimacy of the far-right militias with which Rittenhouse is associated is, in reality, a political objective of a substantial section of the American ruling class, who plan to use these militias to terrorize left-wing social opposition.

In Rittenhouse’s case, his militia was mobilized specifically to aid the police in violently crushing a left-wing protest, in the context of violent assaults on protesters by police nationwide. Prior to the shooting, another militia member with whom Rittenhouse was in contact named Ryan Balch openly boasted: “You know what the cops told us today? They were like, ‘We’re gonna push ’em down by you, ‘cause you can deal with them, and then we’re gonna leave.’”

Greenwald, now a frequent guest on Fox News, has employed similar sophistry to justify his defense of the participants in the January 6 coup attempt as well as the participants in the plot to kidnap and assassinate the Democratic governor of Michigan.

Under conditions of rampant police and vigilante violence, there is absolutely nothing unprincipled about demanding the prosecution of those who perpetrate right-wing violence—and with exposing and denouncing, in this case, a right-wing judge’s extraordinary efforts to derail that prosecution.

It is necessary to warn that in the same way that the German ruling elite embraced the Freikorps and subsequently the brownshirts to suppress the danger from below, sections of the American ruling class are bringing forward the Proud Boys and other paramilitary groups to serve a similar purpose: to suppress left-wing opposition through terror and violence.

The open support for Rittenhouse by Trump and the Republican Party, the extraordinary and provocative behavior of the judge, the willingness of a former police official to support and collaborate with Rittenhouse’s

defense—together with the hopeless disorientation of middle class pseudo-left and libertarian figures represented by Greenwald—all underscore the real danger of right-wing terror becoming normalized in America.

As was the case in the last century, the international working class, organized and acting collectively, is the only social force which can stop and reverse this danger.



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