

Kenosha's Return to the State of Nature

On August 28, lawyers representing accused Kenosha shooter Kyle Rittenhouse issued a [statement](#) asserting that the 17-year-old “was protecting life and community because his state and local government failed” and that he “was viciously attacked by mob and fearing for his life exercised his God-given and constitutional right to self-defense” when he shot three protestors on the night of August 25, two of whom later died. These two had [criminal records](#) for battery and other charges, and one of them was also a [convicted sex offender](#).

Rittenhouse's attorneys explain that their client was in Kenosha for his job as a lifeguard, stayed to clean up graffiti, and only armed himself after he and a friend learned that local business owners were asking for help defending their shops from rioters.

This account makes it clear that Rittenhouse did not come to Kenosha with the intent to kill protestors, as many online commenters suggested. Obviously his lawyers will attempt to portray him in the best light possible, but the combination of the background information provided in the statement and [video evidence](#) available online suggests that a strong case for self-defense exists.

However, one objection remains: Was Rittenhouse justified in taking up arms to defend local businesses? Seventeenth-century English political philosophy may provide some clarity.

The philosophers Thomas Hobbes and John Locke both began their political works with descriptions of a “state of nature” in which no government exists and every person is free to do as he pleases, but is then also wholly responsible for protecting himself and his own property. Despite their differences, both

philosophers agreed that people escape the state of nature by making a “social contract.” By empowering the state to resolve their disputes and defend their rights according to a set of agreed-upon rules, citizens are able to cooperate with their neighbors instead of living in fear of them.

If a neighbor vandalized my property, I would call the police and the problem would soon be out of my hands. In the state of nature, I’d have to call up some cousins, go to my neighbor’s house, and rough him up. That option takes far more effort on my part and risks sparking an escalating blood feud with my neighbor and his family.

Of course, the social contract only works as long as the state actually provides the services it was contracted to provide. In his [essay](#) “Delinquents in the Snow,” C.S. Lewis offers an example of what might happen when the social contract breaks down:

“No one, I hope, thinks Dr [Samuel] Johnson a barbarian. Yet he maintained that if, under a peculiarity of Scottish law, the murderer of a man’s father escapes, the man might reasonably say, ‘I am amongst barbarians, who . . . refuse to do justice ... I am therefore in a state of nature ... I will stab the murderer of my father.’”

Rittenhouse’s lawyers make a similar argument when they claim that the “Kenosha Mayor and Wisconsin Governor failed to provide a basic degree of law and order to protect the citizens and community buildings in Kenosha.” For Rittenhouse, “I will stab my father’s murderer” became “I will defend my community’s small businesses.” Certainly this threat to Rittenhouse was not direct or personal. He could have simply gone home.

Of course, the rioters burning down the city could have done the same. It is hypocritical to [give Gaige Grosskreutz a pass](#) for bringing a gun out of fear of violence while

condemning Rittenhouse for doing the same. The distinction between the two is entirely political. Imagine the resulting rhetoric if Grosskreutz had shot a trio of people as they tried to defend local businesses. He would face similar accusations from the right as Rittenhouse now faces from the left. After all, the claim that Grosskreutz yearned to kill cops or militia members is just as easy to make as the claim that Rittenhouse yearned to kill protestors.

It is impossible to read Rittenhouse's mind, and therefore we cannot know what his motivations were. We can judge him only by the actions he took, specifically the act of illegally arming himself and putting himself in a position where he might have to kill or be killed while defending people (and yes, to defend someone's property from violence is to defend that person) whom the state proved unable or unwilling to defend.

This is not to suggest that vigilantism is in any way desirable. It might be possible to justify Rittenhouse's actions in their particular context, but every person of good will ought to be horrified by the very existence of that context. Life in the state of nature is, to [quote](#) Hobbes, "solitary, poor, nasty, brutish, and short," and such disorder often leads to the assertion of an order more horrifying than any chaos.

Many have called Rittenhouse a fascist, but fascism does not emerge in a vacuum. The Spanish fascist dictator Francisco [Franco](#), for example, came to power only after defeating a leftist opposition that [delighted in](#) confiscating private property and murdering Catholic priests. No matter who won that conflict, the results were guaranteed to be horrific.

Liberal commentators fit the shootings in Kenosha into their simple [message](#) that America is in the grip of white supremacy and that protestors and rioters should redouble their efforts

to combat it. They are missing the point.

Right-wing violence and left-wing violence fuel each other. Rioters burn, beat, [and kill](#) because they believe that American government and society are infected with systemic racism so thoroughly that they cannot be peacefully reformed. Rittenhouse and his ilk take up arms and clash, sometimes fatally, with rioters because they believe that American [government](#) and [society](#) have kowtowed to a radical leftist agenda and are too cowardly to stop the riots for fear of being labeled racists.

Neither side is entirely wrong, but so long as the two continue to feed off of each other, they threaten all of us with a return to the state of nature.

—

Image Credit:

Flickr-Tony Webster, CC BY-SA 2.0