

Kyle Rittenhouse and the Individual's Choice to Take the Witness Stand

I've watched the Kyle Rittenhouse court proceedings this week with interest, not only because they are a microcosm of the cultural struggle over basic constitutional rights, but because they've turned into a fascinating legal drama. Who needs television shows such as *Law and Order* when you have a judge continually hauling the prosecution to the woodshed for multiple instances of stepping over the accepted legal line?

One of the most intense moments of the trial, however, was Rittenhouse's decision to take the witness stand. In doing so he waived his Fifth Amendment right to not be compelled "to be a witness against himself." Doing this is quite rare, and as [various commentators noted](#), often snatches defeat from the jaws of victory.

The fact that Rittenhouse chose to testify in his own trial shows that he and his defense team were either stupid or strongly convinced of the truth and soundness of their case. I tend to think it's the latter.

Rittenhouse, as you will recall, was present during the August 2020 riots in Kenosha, Wisconsin, which erupted following the police shooting of Jacob Blake, [who came after officers with a knife](#). The 17-year-old Rittenhouse helped clean up the city from rioting damage and offered his services to help protect the city. He later shot three people during another night of riots—allegedly in self-defense—killing two and wounding one.

[Rittenhouse began sobbing](#) as he described that fatal night to the jury. Many noted that he was exhibiting all the signs of posttraumatic stress disorder during his recall, while others claimed that his gasping sobs were simply crocodile tears

attempting to sway the jury his way. If the sobs were genuine, it's likely that Rittenhouse was regretting his decision to testify at that point.

So why did he? Author and former *TIME* magazine editor Whittaker Chambers sheds some light on the issue.

Chambers was once an American spy for the Communists. Roughly a decade after he left the Communist Party, the much-maligned Chambers testified in the high-profile Hiss case about the Communist infiltration in the American government. In his memoir [*Witness*](#), Chambers recounts why he endured the difficulties of testifying:

For I had begun to understand that to be a witness, in the sense in which I am using the term, means, ultimately, just one thing. **It means that a man is prepared to destroy himself, if necessary, to make his witness. A man does not wish to destroy himself.** To the full degree in which he is strongest, that is to say, to the full degree of the force that makes it possible for him to bear witness at all, he desires not to destroy himself. To the degree that he is most human, that is to say, most weak, he shrinks from destroying himself. **But to the degree that what he truly is and what he stands for are one, he must at some point tacitly consent in his own mind to destroy himself if that is necessary.** And, in part, that tacit consent is a simple necessity of the struggle. It is the witness' margin of maneuver. **In no other way can he strip his soul of that dragging humanity, that impeding love of life and its endearments which must otherwise entangle him at every step and distract him at last to failure.** This is the point at which the witness is always most alone. [Emphasis added.]

Is this same factor at work in the Rittenhouse case? Like Chambers, he likely knew the risks of testifying—that he could destroy himself by doing so. But what if he, like Chambers, was so convinced of the truth of his case and his need to

stand for right, that he was willing to destroy himself if necessary in order to make that truth known?

I can't know whether this was Rittenhouse's thought process in deciding to testify, nor can I tell what the outcome of his testimony will be in this trial. Regardless, this idea of being a witness, of standing and speaking the truth of what we believe no matter the cost, should inspire each of us.

The lines of good and evil are fast being drawn in our current society, and those who stand for truth and right will likely suffer for that stance. The question is, do you have the stamina and courage to stop shrinking from potential destruction—whether through cancellation or imprisonment or loss of wealth—in order to be a witness for that truth?

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