Illinois Governor calls for reinstatement of the death penalty

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Republican Governor Bruce Rauner issued an amendatory veto last month to Illinois state gun control legislation that establishes a 72-hour waiting period for firearm purchases. It would reinstate the death penalty at the state level for murders of two or more people or of police and create a new category of criminal offense called "death penalty murder."

The state of Illinois banned the death penalty in 2011, following an eleven-year moratorium after multiple reports of wrongful convictions emerged. The death penalty remains widely opposed by the state's residents.

The Democratic-controlled Illinois General Assembly can either accept the changes by a simple majority vote in each of the chambers or override the Governor's veto by a three-fifths vote in each chamber. A third option is that the veto is not acted on and the bill, with its amendatory veto, dies.

Rauner's amendatory veto is an attempt to force the Democratic-controlled General Assembly to approve even more draconian law-and-order measures in order to get the bill's gun control measures.

The original bill passed by the state legislature called for a 72 hour "cooling-off" period on the sale of assault rifles. In addition to reinstating the death penalty, Rauner's amendment would expand the waiting period to cover all firearms, ban the sale of firearm enhancements that turn semi-automatic guns into fully automatic guns, and establish a legal path for the courts to seize firearms possessed by people identified by their family members or police as "a danger to themselves or others."

At a May 14 conference, Rauner said: "There are plenty of cases where there's no doubt who's guilty, and they deserve to give up their life when they take the life of a police officer, who are our heroes, or they take the life of many people."

Rauner acknowledged the long history of wrongful convictions in death penalty cases in absurd fashion, declaring in his amendment: "[T]he only morally justifiable standard of proof in a death penalty case is 'beyond all doubt.'" The evidentiary standard for criminal conviction in the United States is guilty "beyond a reasonable doubt." Rauner's appeal to "beyond all doubt" has no status in US law.

Rauner's effort to reinstate the death penalty in cases where two or more people are murdered and in cases where a police officer is killed echoes various "Blue Lives Matter" laws, proposed in 14 states over the past year, which increase the penalty if the victim is a law enforcement officer. One such bill at the federal level, The Protect and Serve Act of 2018, passed the US House of Representatives 382-35 with the support of 162 of 193 Democrats. The bill calls for a maximum 10-year sentence for anyone who assaults or attempts to assault a law enforcement officer and life imprisonment for murder of a law enforcement officer. Having passed the House, the bill is currently before the US Senate.

What is clear is that the billionaire Rauner was using his veto to make a public appeal to the most reactionary elements in the state to vote for him in the upcoming November election. Rauner is seeking re-election against the Democratic Party's own billionaire candidate, J.B. Pritzker.

In the Illinois Republican primary, Rauner narrowly defeated a far-right challenger Jeanne Ives. Ives, who was financed by the far-right activist Uihlein family, appealed to the most reactionary elements within the Republican Party and the financial aristocracy who are angered by Rauner's inability to deliver on his promises of further deregulating the state, lowering wages and destroying workers' collective bargaining

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The Democrats are in no fundamental way opposed to the terms of Rauner's amendment, as they have elected to open the floor to debate the proposal to bring back the death penalty.

Citing their concerns with the lack of time to evaluate the legislation, the Illinois State's Attorneys Association, made up of both Democrats and Republicans, stated, "We believe that any process by which the government would end a human life should be deliberate and thoughtful, with appropriate safeguards in place, and that the death penalty should be reserved for the most serious offenses and offenders."

When Democratic Governor Pat Quinn signed into law the abolition of the death penalty in 2011, he did so largely as an effort to stem the growing outrage over wrongful convictions and claimed ending the death penalty would improve the fiscal health of the state. From the reinstatement of capital punishment in Illinois in 1977 through 2000, when the moratorium began, the state carried out 12 executions. Over that same period, 20 condemned inmates were taken off death row. Some of these men were exonerated after DNA evidence proved their innocence and other cases collapsed after new trials were ordered by appellate courts.

The continued barbaric practice of capital punishment across the US and the effort to revive its use in Illinois in the face popular opposition speaks volumes about the decay of class rule in America.

Rauner, and his reactionary call to bring back the death penalty, represents a capitalist class that is openly turning to repressive and authoritarian forms of rule. The few crumbs of progress afforded to the working class, including the abolition of the death penalty, are being clawed back.

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