

Calling a big fat foul on the Illinois legislature's 'recall law'

by JOSHUA SPIVAK

Could Rahm Emanuel really be recalled?

A member of the Illinois State Legislature has submitted a bill making the Chicago mayor's office eligible for recall — and the eligibility would start immediately — following the release of a controversial police dashcam video showing the shooting of Laquan McDonald.

Portrayed as a bold step, this bill has won support from prominent figures. But in reality, it demonstrates that the Illinois legislature is willing to play with cosmetic electoral changes as a cowardly public relations move. Rather than take an actual stand on accountability by making themselves vulnerable to recalls, members of the legislatures have simply pushed for a law that exempts them from any potential political danger.

This exact behavior first cropped up after the arrest of Governor Rod Blagojevich, when Illinois became the 19th state to adopt the recall in some form for a state level official. However, Illinois recall law was markedly different than any of the other 18 states: Illinois allowed the recall only for one official — the governor. Even this limited recall law was hedged, requiring that a bi-partisan collection of members of both houses of the legislature support the recall before it moves forward.

Rather than have the guts to adopt the recall for all officials — or at least, to include themselves in the law — the state legislature made sure that they were protected from the people's wrath.

It is not like state legislative recalls are that common of an occurrence. There have been only 46 that have made the ballot or resulted in a resignation in the 107 years since the recall was first re-adopted on a state level. And even that figure is misleading: Of the 46, 16 were in Wisconsin in the 2011-2012 period during the recall effort against Scott Walker.

But this type of logic doesn't sway officials, not when their own ox can be gored. The fear is such that Illinois doesn't do what the vast majority of other states do: clearly allow local jurisdictions to adopt and create their own recall laws. It is believed — the records are unclear — that there has only been one recall in Illinois' history (the mayor of Buffalo Grove in 2010).

It is therefore much easier to just have a law directly targeted at Rahm Emanuel. And at that, a law that is very unlikely to be used since the signature totals required to get a recall on the ballot is prohibitive. Even if it is passes, this law is more of a feel good exercise than anything else.

However, for municipalities that want to hold officials accountable, there is an easy fix. Simply allow alderman and others to be subject to the recall. Recalls on the city council and alderman level are a regular occurrence in American politics. They also allow voters to send a serious shot across the bow to higher-ups.

Illinois citizens may feel some anger at elected officials for their actions, but the legislature's cynical attempts to claim that passing a truncated and effectively useless recall law should only add more fuel to the fire for voters. If the legislature wants to show some electoral accountability, they should open up the electoral process and allow recalls against all officials in the state.

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