



# Preventive Detention and the Democratic State

*Hallie Ludsin*

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## **Preventive Detention and the Democratic State** Hallie Ludsin

Preventive Detention and the Democratic State tracks the transformation of preventive detention from an emergency measure into an ordinary law enforcement tool in the democratic world. Historically, democracies used preventive detention only in the extraordinary circumstance in which the criminal justice system was impotent. They preferred criminal prosecution and its strict due process requirements to detaining people for a crime they may never commit. This book shows that major democracies have begun using detention as an insurance policy against dangerous people. In the process, they have embarked on a slippery slope that allows them to use preventive detention to bypass the criminal justice system. Already, detention has established a separate, inferior legal system for certain suspected criminals. Comparing preventive detention in India, England and the United States, the book brings to light its potentially dire consequences for the rule of law, due process rights and democratic principles based on the very real experiences of these countries.

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