



Goonda Act and Civil Liberties: A Critical Examination of Preventive Detention Laws in Maharashtra, Tamil Nadu, and Uttar Pradesh

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ABSTRACT:

The Goonda Acts, which some Indian states use, get a lot of side-eyes from both the law and ethics folks. This bunch of rules lets the big shots lock people up with no need for a trial if they just think someone might cause trouble. They say it's to keep peace and stop bad guys who can't seem to play nice, but let's be real—it's got everyone worried about folks' rights and the government maybe throwing its weight around too much.

This article probes the Goonda Acts across Maharashtra, Tamil Nadu, and Uttar Pradesh. It digs into their legal structures how people put them to use, and their effect on basic freedoms. It unravels Maharashtra's tough Maharashtra Prevention of Dangerous Activities Act, Tamil Nadu's Goondas Act, and Uttar Pradesh's Gangsters Act, within their past and legal settings. The research looks into the misuse trends when folks use these rules all - or to quiet those who disagree often hitting harder on folks on the edges and those with different political views. A major concern is the clash between keeping the country safe and personal freedoms. Laws for holding people without trial can skip over the protections the Indian Constitution promises in Articles 21 and 22. Sometimes, courts like the Supreme Court and High Courts stop the government from going too far. Still, it's tough to make sure people answer for their actions. Looking at how other countries handle human rights shows it's important to weigh up keeping the nation safe with protecting human rights.

Taking a hard look, the article makes the case that while laws for preventive detention hold importance for keeping peace and quiet, their wide and uncertain bits can lead to them being used. It suggests legal changes better court watch, and sticking to the main rules of the constitution to stop the wearing away of personal freedoms. The research points out the importance of being more open and responsible when using these laws, to make sure they don't turn into ways of squashing people instead of ways of fair play.

KEYWORDS: *Preventive Detention, Goonda Act, Civil Liberties, Human Rights, Judicial Review, Due Process, State Power.*

INTRODUCTION:

The Goonda Act along with similar laws in India for keeping people before any crime happens has been debated. They bring up big questions about personal rights and finding the right mix between keeping the state safe and respecting people's freedom. "Goonda" comes from the Hindi-Urdu words and it means a rough guy or a troublemaker. The rules with this name aim to get tough with folks who break the law a lot and cause trouble for everyone else. They're supposed to keep the peace, right? But people give them a lot of flak for being too wide-ranging, easy to abuse, and butting heads with the protections our constitution is supposed to guarantee. This goes double for places like Maharashtra, Tamil Nadu, and Uttar Pradesh¹.

Laws on preventive detention let the government lock up people skipping the usual steps of charges or trials, 'cause they think a crime might happen, not 'cause one did. They say we need this for keeping the nation safe, having tidy streets, and stopping bad stuff before it goes down. But often, this bumps into issues with folks' rights keeping people quiet, or picking on groups that already have it tough². Judges can't seem to decide – sometimes they're cool with these laws other times they get worried they're being used the wrong way. It's like a tug of war between the big guys in charge and regular peeps trying to live free.

Indian states wield the Goonda Act in different shapes giving cops mega authority to lock up folks seen as hazardous to keeping the peace. Take Tamil Nadu's Goondas Act of 1982; it's been super active in stopping stuff from crime rings to folks speaking out against the system. Maharashtra's got these tough rules too, like the Maharashtra Prevention of Dangerous Activities Act, which lets the bigwigs throw people in the slammer for a whole year, no trial needed. Over in Uttar Pradesh, with all its rough-and-tumble with the law, they've grabbed onto laws like these to take on gang brawls and other nasty crimes. But, there's a bunch of people who reckon these rules just skip right over what judges think and mess with super important freedoms the Indian Constitution says we've got, in Articles 21 and 22. I'm sorry, but it seems like there is no text provided for me to paraphrase. Please provide the content you would like paraphrased, and I'll be happy to help. Experts have put a spotlight on the big risks that come with laws that lock people up to prevent future crimes. They've noted how easy it is for these rules to be twisted for political gain. Looking back, it's clear that these laws haven't been used to stop regular lawbreakers, they've also come down hard on folks fighting for change, reporters, and those working to help society. These sure sets off warning bells about how these laws might choke democracy. Not having a judge look at these cases right away just makes things worse, as it leaves people stuck in jail with no quick way to fight back against the government just doing whatever it wants.

¹ Upendra Baxi, *The Indian Supreme Court and Politics* (1980)

² A.G. Noorani, *Constitutional Questions in India: The President, Parliament, and the States* (2000)

Moreover, laws on preventive detention often exist in a space that's not legal or illegal. They let the government have power that's kinda like what judges have, and nobody checks them that much. The big court case *A.K. Gopalan v. State of Madras*³ way back in 1950 said that preventive detention was okay giving the government a high-five to keep the peace. But later on, cases like *Maneka Gandhi v. Union of India*⁴ in 1978 started to change things up making the courts look at personal freedom in a different light. This made everyone think about human rights more. So now we gotta take a hard look at the preventive detention stuff that's going down in Maharashtra, Tamil Nadu, and Uttar Pradesh to see how it's messing with people's rights in today's India.

The debate's key part is the social and political setting where these rules are active. The Constitution's creators knew well they had to balance safety and personal freedoms. Still, as laws for preventive custody have developed, it seems they're leaning more and more toward giving leaders more control. This often happens while overlooking the protections the Constitution promises. In places such as Uttar Pradesh, seeing an increase in clashes and actions outside the law, adding laws for preventive custody just makes the conversation about police enforcement and people's rights even more complicated.

Even though they're meant to keep peace and make sure people follow rules, the way folks have been using the Goonda Act a whole lot, and other rules like it, shows we got to change some stuff. The smart folks who know the law and the ones fighting for everyone's rights say we should be watching courts more, be careful with what counts as proof, and make sure nobody gets locked up without a good reason. In countries where people vote and everyone's supposed to be equal, it's super important to protect our right to live free in places that brag about following the law and treating people fair⁵.

This study takes a hard look at the "Goonda Act" along with laws for preventive lock-up in Maharashtra, Tamil Nadu, and Uttar Pradesh. It digs into their legal roots, past uses, and what they mean for people's freedoms. By looking into court decisions expert opinions, and real-life examples, the work aims to add to the ongoing chat about preventive lock-up's place in today's India. Checking out these laws across various states shows both shared trends and local differences shedding light on how legal setups could shift to match the Constitution and human rights norms.

HISTORICAL BACKGROUND & LEGAL FRAMEWORK:

People call various laws that let the authorities lock up folks they see as regular troublemakers or dangers to peace the Goonda Act. These rules come from old laws from colonial times meant to stop people from causing a ruckus or fighting against the government. Back in the day, like during the 1915 Defence of India Act during the big World War I, they used these laws to shut down folks trying to start a revolution. Then came the Bengal

³ A.K. Gopalan v. State of Madras, AIR 1950 SC 27

⁴ Maneka Gandhi v. Union of India, 1978 SCR (2) 621

⁵ Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (1966)

Criminal Law Amendment Act in 1930, which let them hold people without even having a trial those who were into politics and stirring up problems. All this stuff from way back set the stage for the laws after India got its freedom, the ones that say the police can keep someone locked up without a trial if they think they need to⁶.

India clinched independence, and boom—the Indian Constitution laid down a rule in Article 22. This bit says the gov can lock up folks without a trial if the situation's dicey mixing up people's rights with keeping everyone safe⁷. Scooting with this idea different places whipped up their own "Goonda Acts" to put a stop to shady stuff. They're talking about chilling organized crime, bootlegging, drug dealing, and any mess that shakes up peace and quiet.

Many regional laws exist to tackle these issues. For example, "The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders, and Dangerous Persons Act, 1981" goes after a whole bunch of crooks. In the same vein, "The Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Slum Grabbers, and Goondas Act, 1982" lets the big shots lock up folks they think might wreck the calm in the neighborhood. And don't get me started on "The Uttar Pradesh Control of Goondas Act 1970" – that one pretty much gives the bosses free rein to chuck someone behind bars for a whole year if they just feel like they're up to no good⁸.

Critics say these rules give the government too much control, which could lead to abuse and random arrests. A lot of times, no judges are watching over this, which makes people worry about human rights getting trampled and fair legal procedures getting worn away. On the flip side, supporters believe these rules are essential to fight against criminal gangs and keep peace on the streets.

THE GOONDA ACT IN MAHARASHTRA:

The Maharashtra Prevention of Dangerous Activities Act known as MPDA for short, is all about stopping things that can mess up public peace. It's been around since 1981, and it gives the folks in charge the power to lock up people for a whole year even if they haven't had a trial yet. This is if they think someone is up to no good, like threatening everyone's safety⁹. They've slapped this on all kinds of bad eggs—from repeat offenders to shady landlords and those dealing in illegal drugs. But some folks are scratching their heads, 'cause parts of the law are kinda fuzzy, which might lead to it being used the wrong way.

⁶ Noorani, A. G. *Preventive Detention and the Rule of Law*. Oxford University Press, 1981.

⁷ Singh, P. M. *Emergency Powers and the Indian Constitution*. Sage Publications, 2009.

⁸ Basu, D. D. *Commentary on the Constitution of India*. LexisNexis, 2021.

⁹ Noorani, A. G. (2009). *Constitutional Questions in India: The President, Parliament, and the States*. Oxford University Press.

Concerns & Criticism;

In Maharashtra's Goonda Act, folks make a big fuss about words that don't make sense. What they mean by a "dangerous person" is super vague and wide-ranging. This lets the bigwigs lock people up just because they feel like it, without needing solid proof. This situation hands the cops a lot of wiggle room, and that's got people worried about random and unfair lock-ups. Plus, the act is all hush-hush on what exactly is a "threat to public order," so the people in charge can pretty much decide what they think it means¹⁰.

Another heated part of the law is how some say it's used against rivals in politics, folks stirring up positive change, and those standing up for what they believe in. Buzz has it that peeps who get involved in societal shake-ups and political rallies get picked up under the MPDA. Haters of the law think it's more about quieting the noise than catching actual bad guys¹¹. There've been instances where people fighting for the planet fair work conditions, and everybody's rights have gotten nabbed all because they shook up the peace. This, no doubt, puts a damper on speaking your mind and the power to take a stand.

Courts do have ways to review it, but fighting detention under the "Goonda Act" is super tricky and takes way too long. People locked up can ask the High Court or Supreme Court to help them out, but getting through all the legal stuff is a real drag and doesn't happen fast. It's pretty common that by the time a judge says "oops, our bad, you can go," the person has already been stuck in there for ages, so the whole "you're free" thing doesn't mean much anymore. Plus, laws like the MPDA kind of hang out in this shady spot where normal rules that make sure you get a fair shake, like thinking you're innocent until proven guilty, don't apply as strongly.

Maharashtra's Goonda Act is kind like walking a tightrope. Folks in favor claim it's what you need to keep the peace and stop shady stuff from happening. But then others reckon it's too easy to twist it for the wrong reasons, like hassling folks who don't agree with the powers that be or people who don't get a fair shake. This whole thing about whether it's cool or not and if it messes with what's right keeps popping up, and judges are having to figure out how to keep everyone safe without stepping on their rights. People can't stop talking about how the law needs a makeover so we're all waiting to see if Maharashtra's gonna change up the rules for locking people up before they've even done anything, to make things clearer and more on the level¹².

THE GOONDA ACT IN TAMIL NADU:

The Tamil Nadu Goondas Act of 1982 called the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, and Slum Grabbers Act, started as a law

¹⁰ Rao, S. (2013). *Criminal Law in India: Cases and Materials*. LexisNexis.

¹¹ Austin, G. (1999). *Working a Democratic Constitution: The Indian Experience*. Oxford University Press.

¹² Baxi, U. (2008). *The Future of Human Rights*. Oxford University Press.

for preventive detention to control the deeds of repeat offenders. Its range grew over time now covering folks like cybercriminals, sex offenders, and folks who copy videos illegally¹³. This Act lets the state authority lock up people for as long as one year with no court case if they seem dangerous to keeping the peace. Still, using this Act has sparked a bunch of worries about the overuse of detention without trial and the possible stepping on people's constitutional rights.

Issues with Implementation;

A big complaint folks have about the Act is how often cops use it on little fish. It's meant for tough crooks, but it looks like the police are slapping it on people who've done small-time stealing and stuff like that. Research shows a bunch of people caught by the Goondas Act are new to the crime scene or haven't done stuff that shakes up public peace. This habit of using the law too much is making people worry the bigwigs are just doing whatever they want and are playing fast and loose with the rules about locking folks up to stop crime before it happens.

The Goondas Act has this big problem where they don't let people see how they decide to lock someone up. The folks in charge just have to feel like it's the right call, and they don't always have to show they've checked everything out first. Sometimes, they toss people in jail without even doing a legit check, and good people end up behind bars because of it. Since everything's all hush-hush, a bunch of innocent folks and their families go through a lot of tough times for no reason.

Courts have been super important in tackling these issues. They keep canceling Goondas Act detention orders because officials often mess up the process or don't think it through. Like, take the *Thavasi v. State of Tamil Nadu* case from 2014 where the Madras High Court said 'nope' to detaining a guy since the crime wasn't bad enough for preventive detention. And then in *S. Rajendran v. State of Tamil Nadu* in 2016, the judge was like, "Slow down, you can lock people up before they do something if there's a real risk to everyone's peace." It's these decisions that show how judges keep an eye on the law so it doesn't get abused.

Academic studies have noted the wrong use of Tamil Nadu's Goondas Act. A.G. Noorani's book, *Preventive Detention and Personal Liberty in India*, puts a spotlight on how laws for preventive detention can be misused sparking worry about basic human rights. K. Gopal, in *Law and Order in India: Problems and Prospects*, dives into the wider effects of these laws and the Goondas Act, when thinking about our key rights. K.P. Saksena gets into this too, in *Human Rights and the Rule of Law in India* debating how to balance the country's safety with our personal freedom. He's not cool with these laws stepping over the line¹⁴.

¹³ Mehta, P. B. (2020). *Judiciary and Rights: Preventive Detention in India*. Cambridge University Press.

¹⁴ Narayan, G. (2021). *Criminal Justice in India: The Role of Preventive Detention*. Routledge.

To wrap it up, they put the Tamil Nadu Goondas Act in place to keep things nice and orderly. But how they've been laying it down has got some peeps worried. We're talking about big-time usage for small-time rule breakers secret orders about who gets the slammer, and some sloppy steps that judges keep pointing out. Time to give the Act a once-over to make sure it's playing by the rules. We've got to be sure locking folks up without trial is the last thing we do, not just because we feel like it, but to keep bad news away from the good people.

THE GOONDA ACT IN UTTARP RADESH:

The Goonda Act the Uttar Pradesh Control of Goondas Act of 1970, sparks a lot of debate because of how it detains people beforehand over in India. Aimed to keep the peace and knock down crime, the law lets district magistrates slap externment orders on folks labeled as "goondas"—and that's a term that's pretty fuzzy sparking a bunch of arguments over what's legal and what's right. People thought this thing would go after the bad eggs and the real threats out there, but the way it's been used has folks worried¹⁵. They're raising the alarm about it maybe being used the wrong way, getting enforced all -, and stepping on the basic rights that everyone's supposed to have.

Key Concerns;

People worry a bunch 'cause they think the "Goonda Act" might get misused for political or communal reasons. Seems like forever, folks have been saying that this act's been thrown at folks on the fringes, folks who disagree with the big shots, and those who stand up for stuff. The worrywarts are all, "This law's just a big stick for the powers-that-be to smack down anyone who doesn't toe the line, with any real proof needed." This kind of pick and choose with the law's got people thinking it's messing with the whole fair play and everyone being equal in the eyes of the law deal.

The Goonda Act's enforcement suffers from being way too random. There isn't a clear-cut definition of a "goonda" in the law, so it's all about how each person sees it leading to a patchwork of how it's used. The dude in charge, the district magistrate gets to call the shots on who's seen as a repeat troublemaker or a menace to society—often they do that without much solid proof or a legit trial. Thanks to this fuzziness, there's a bunch of times folks got picked up or kicked out just based on someone's opinion, not hard facts.

Moreover, people have slammed the act for allowing violations of human rights like unlawful holding and mistreatment in custody. Different accounts have pointed out instances where folks caught under the Goonda Act got roughed up, had no access to a lawyer, and were locked up for a long time without fair legal procedures.

¹⁵ Baxi, Upendra. *The Crisis of the Indian Legal System*. Vikas Publishing House, 1982.

Often there's no judge watching over things, which makes it worse and chips away at people's rights and protections that the constitution is supposed to guarantee. Human rights groups keep asking to change or get rid of parts of the law that let the government do what it wants to folks without anyone stepping in to check¹⁶.

Critics slam it, yet Uttar Pradesh's rulers keep backing the Goonda Act. They say it keeps the peace when you're talking about crime rings, gang brawls, and repeat thugs. Fans of this rule claim locking up folks before they start big trouble is a must to keep everyone safe. But, man, do folks argue about this. Lawyers and rights groups demand clearer fairer play, and better ways to handle trouble. The constant back-and-forth over the Goonda Act shows a bigger struggle between keeping the state safe and protecting personal rights in the legal scene of India. Sure, this law helps in fighting crime, but the chance that people could abuse it brings up important points about getting the mix right between stopping crime before it happens and sticking to constitutional freedoms. With worries about how people use the act popping up again and again legal experts and folks fighting for change are keeping on with their calls for the courts to take a closer look, lay down stricter rules, and shake up policies¹⁷. They want to make sure that folks use the law and it doesn't turn into a free pass for the government to do whatever it wants.

CONSTITUTIONAL & LEGAL CHALLENGES:

Conflict with Article 21 & 22;

The Supreme Court of India has consistently emphasized that preventive detention must adhere to the principles of reasonableness enshrined in Article 21¹⁸ of the Constitution, which guarantees the Right to Life and Personal Liberty. However, various state-enacted Goonda Acts allow for detention without trial, raising concerns about their compatibility with fundamental rights and the principles of natural justice.

Article 22¹⁹ of the Constitution provides a framework for preventive detention, balancing individual rights with national security. While Article 22(3)²⁰ permits preventive detention under exceptional circumstances, Article 22(4)²¹ mandates that no person can be detained for more than three months without obtaining the approval of an Advisory Board. Judicial interpretation in landmark cases has reinforced the necessity of procedural safeguards. In *A.K. Gopalan v. State of Madras* (1950), the Supreme Court initially upheld the validity of preventive detention laws. However, in *Maneka Gandhi v. Union of India*²² (1978), the Court significantly broadened the scope of personal liberty, asserting that any law restricting fundamental rights must be just, fair, and reasonable.

¹⁶ Austin, Granville. *Working a Democratic Constitution: The Indian Experience*. Oxford University Press, 1999.

¹⁷ Singh, M.P. *Constitution of India: Legal and Political Perspectives*. Eastern Book Company, 2011.

¹⁸ Constitution of India, Article 21

¹⁹ Constitution of India, Article 22

²⁰ Constitution of India, Article 22 (3)

²¹ Constitution of India, Article 22 (4)

²² *Maneka Gandhi v. Union of India*, 1978 SCR (2) 621

Judicial Intervention;

Often Indian courts dive in to make sure that when the Goonda Acts snag someone, they stick to what the constitution says. They've chucked out a bunch of times when folks got held without proper steps followed or good enough reasons. Like, in *Kartar Singh v. State of Punjab*²³ from '94, the judges at the Supreme Court were all like, "You, you got to keep these preventive lockdown laws in line with the constitution and don't just toss them around all -."

Courts insist on close examination of detention orders to prevent wrong use. They demand that authorities give detainees the reasons for their detention and let them have a say before an Advisory Board. Skipping these steps makes the detention not okay by the constitution. In the case of *Rekha v. State of Tamil Nadu* in 2011, the Supreme Court said you can't lock people up without solid believable proof; just police worries aren't enough.

While laws for stopping bad things before they happen are meant to keep the peace, they sometimes get used the wrong way, and this makes judges give warnings. The courts don't stop checking to make sure these laws stay in line with the basic rights the Constitution promises²⁴.

RECOMMENDATIONS FOR REFORM:

To ensure that preventive detention laws are applied fairly and do not infringe upon fundamental rights, the following reforms are recommended:

1. **Narrowing Definition:** A big worry about laws for keeping people locked up to prevent crimes is that they're not specific enough and too open to interpretation. So, the word "goonda" needs a clear-cut definition to make sure it includes folks who are deep into a life of crime and do it over and over. Setting sharp boundaries will keep those in power from overstepping and save innocent folks from being locked up for no good reason.
2. **Periodic Review Mechanism:** An independent review group needs to set up shop to give detention orders a regular look-see. This crew should have a mix of folks who know the law inside out, like retired judges human rights fighters, and legal whizzes. They need the power to check if keeping someone locked up is needed and on the level. This kind of check-up helps in stopping' people being locked up for too long without a good reason. It makes sure that sticking to the big rules in the constitution and the worldwide human rights standards happens.
3. **Strengthening Judicial Oversight:** You got to let courts get all up in detention orders. They need to force folks to show solid proof if they want to keep someone locked up. If the evidence doesn't stack up, the court should be able to toss the detention out and call out the bigwigs for messing up. Pumping up court surveillance is key to stopping random lock-ups and keeping things by the book.

²³ Kartar Singh v. State of Punjab, AIR 1994 SCC (3) 569

²⁴ Subramanian, K.S. *Political Violence and the Police in India*. Sage Publications

4. **Humans Rights Training for Law Enforcement:** So, the cops are the ones who slap on the cuffs, right? We need to cram them full of know-how about human rights. Stuff like fair play, the rights everyone's got, and keeping it all above board should be part of what the police learn. This way when they enforce these tricky rules about holding people without trial, they'll do it without stepping on anyone's toes.

Putting these changes into action, we can cut back on the wrongful use of laws meant to prevent issues before they happen. This makes sure these laws do their job without stepping on the toes of basic human rights.

CONCLUSION:

Laws for preventive detention, like the "Goonda Acts", are meant to help keep the peace and stop crime before it even starts. Yet when places like Maharashtra, Tamil Nadu, and Uttar Pradesh use these laws, lots of folks start worrying about peoples' freedom and human rights. Sure, the government's got to protect everyone, but the wiggle room these laws give to those in charge has often led to them being used the wrong way hitting hard against folks on the fringes and those who don't agree with the powers that be. This situation is a loud and clear call that we've got to hurry up and change the laws so they keep folks safe but also respect everyone's rights.

The Goonda Acts come with a big worry about how they can be misused because of their unclear and wide-ranging descriptions. These rules give the police power to tag lots of people as regular lawbreakers or dangers to everyone's safety, and they often do it without enough proof or the right legal steps. We've seen times when folks get locked up just because someone thinks they're sketchy or knows someone who is, not because they did anything wrong for real. This kind of random clamping down doesn't just knock down the rule of law; it also makes people lose faith in how fair the court system is.

Moreover, communities on the edges, like folks without much money and those from unique religious or cultural backgrounds get hit hardest by lockup rules meant to keep trouble at bay. Research shows these rulebooks tend to pick on people from these groups more than others making unfair social gaps even wider. Not having judges check in on a lot of these situations means people locked up don't have much of a shot at fighting their case. They pretty much get their basic freedoms yanked away. So, what we've got is a situation where locking folks up before they've done anything wrong turns into a way to hold them down, not to keep everyone else safe.

One scary thing about the Goonda Acts is they might shut down folks who disagree with the government. A bunch of times, people fighting for stuff, reporters, and rivals of the government got locked up because of these rules. That gets people worried these laws are just there to quiet folks down and stop them from speaking their minds. When rules that should be keeping us safe get used to shut up folks who don't agree with the folks in power, that's bad news for democracy. If a system lets people in charge misuse power like this, we got to change it to keep them from using "keeping people safe" as a sneaky way to mess with our freedom to say what we think.

Tackling these tough spots means we got to fix the law up good. We need stricter and tinier rules for locking folks up ahead of time so it doesn't happen just willy-. Judges got to have a stronger hand in these making sure lock-ups get a heavy-duty legal once-over. Plus, we should be able to see through how these rules get used—no fuzzy stuff that lets them target certain folks or those who don't agree with the folks in charge. And hey, if you do end up behind bars, you should have a solid shot at arguing your way out.

In the end, laws on preventive detention play a key role in keeping peace and order, but they shouldn't trample on basic rights and freedoms. A society that values democracy has got to watch out that steps taken for safety don't step on people's rights or pick on specific people . India has the chance to stick up for both keeping folks safe and respecting justice by bringing in legal changes that focus on making sure there's accountability, people watching over things, and playing fair. The real trick is to get it just right—preventive detention has to do its job without turning into some kind of heavy-handed unfairness or squashing people down.

