



## Comparative analysis of judicial review in India, USA and UK

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### Abstract

Judicial review is the constitutional mechanism through which courts ensure that the actions of the legislature and executive remain within the limits of law. It acts as a safeguard for fundamental rights, the rule of law, and the separation of powers. This paper provides a detailed comparative analysis of judicial review in India, the United States, and the United Kingdom, exploring their origins, evolution, scope, and constitutional foundations. The American model represents a strong-form, decentralized system where constitutional supremacy empowers all courts to strike down unconstitutional acts. The British model, rooted in parliamentary sovereignty and common law principles, emphasizes legality, fairness, and proportionality, later enhanced by the Human Rights Act, 1998. India's framework, with its written Constitution and expansive remedial powers under Articles 13, 32, and 226, integrates both rights protection and structural review, even extending to constitutional amendments under the Basic Structure Doctrine. The study highlights how each system balances judicial authority with democratic accountability and identifies shared techniques such as proportionality, deference, and structured reasoning. It also examines emerging challenges like judicial overreach, compliance issues, and the impact of digital governance under statutes like the Digital Personal Data Protection Act, 2023. Ultimately, the paper concludes that a principled, transparent, and proportionate judicial review is essential for maintaining constitutional order while allowing democratic institutions to evolve responsibly in response to societal and technological change.

**Keywords:** Judicial review, constitutional supremacy, rule of law, fundamental rights, separation of powers, comparative constitutional law, proportionality, democratic accountability

### Introduction

Judicial review refers to the power of courts to examine the legality of public authorities' actions in light of a higher constitutional law and to announce the legal effects of the action if it is against that law. The concept of judicial review can be traced back to the common law rules governing the actions of the administrative body and to the constitutional texts that grant and limit powers. Modern constitutional democracies use judicial review as a tool to protect fundamental rights, consolidate the rule of law, and ensure the separation of powers between the branches of government. A comparative description helps to understand the rationale and restrictions of this power. India, the United States, and the United Kingdom, provide three different models, which continue to influence the worldwide debates, respectively. The United States made it a constitutional decentralized, case led practice that is binding on all courts and levels of government. The United Kingdom structured the common law review and rights-based scrutiny around the concept of parliamentary sovereignty and later added the "Human Rights Act, 1998". India combined a written constitution with explicit remedial architecture and a purposive, rights forward interpretive stance, thereby constructing a judiciary model where constitutional courts oversee legislation and administration but still are attuned to federal design. Comparative public law can be improved by having the systems next to each other. The United States is an example of the consequences of a strong form judicial review that is part of a firm constitution and a list of rights exercised by ordinary courts. The United Kingdom is an instance of how an unwritten constitution supports legality review, natural justice, and proportionality while still acknowledging legislative supremacy, even after the

expansion of rights adjudication under "Section 3" and "Section 4" of the "Human Rights Act, 1998". India is an example of a transformative constitution with enforceable fundamental rights, explicit remedies, and structural principles that provide for a broad canvas of review, including examination of constitutional amendments by reference to the basic structure. Each framework raises inquiries regarding legitimacy, democratic accountability, institutional capacity, and compliance. Also, each of them utilizes techniques that are transferable: proportionality, structured reasonableness review, severability, remedial discretion, and dialogue with political branches. An investigation of the convergences and divergences of these three locations provides insight into the normative justifications for judicial review as well as the real-world factors that influence the extent of its jurisdiction, such as, among others, rights inflation, national security claims, and digital age governance. This analysis is based on conceptual foundations, specific jurisdiction accounts, and a synthesis that weighs institutional design against constitutional purpose in the three systems.

### Concept and Evolution of Judicial Review

Judicial review is a power that comes from the need to harmonize the delegation of governmental power with legal limits that are above ordinary politics. Judges use this power through interpretative judgment, which is their decision in a particular dispute, and quite often their remedies have the effect of changing the public policy. The doctrine has evolved through a mix of constitutional text, structural inference, and case driven development. The United States was the first to provide a model for constitutional supremacy and for courts as the interpreters of the

Constitution in real controversies. The United Kingdom developed controls over administration through ultra vires and fairness, and later it rights-based scrutiny. India combined a written charter with a purposive approach that sees the Constitution as a revolutionary instrument. In all these systems, judicial review is a means of protecting rights as well as being a guide for governance.

### Meaning and Purpose

Essentially, judicial review is a reconsideration of whether the law making or executive action is in line with a superior law. The superior law in question can be a written constitution, rights instruments secured by law, or common law principles that define basic values. The goal of the reform is double: First, it keeps constitutional supremacy alive by stopping passing majorities from violating already established commitments. Second, it shields fundamental rights by making sure that limitations are for lawful purposes, are based on legal authority, and comply with standards of reasonableness or proportionality. The review is an ex-post control that goes along with elections, legislative deliberation, and internal executive controls. Besides that, it encourages public justification: the authorities must give reasons, follow fair procedures, and respect the limits of their jurisdiction. The remedies are quite diverse and include invalidation, incompatibility declarations, or even carefully crafted relief that lessens the upheaval.

### Historical Development

The historic timeline is closely related to common law courts that regulated jurisdictional excess and procedural fairness, and later moved into constitutional courts that upheld the supremacy of higher law. In the 18th and 19th centuries in America, the courts dealt with disputes regarding the meaning of the written constitution and as a result, they declared the statutes that were in conflict with the constitution as void in the concrete cases. British courts developed more closely the concepts of ultra vires review, natural justice, and later proportionality, without thereby changing parliamentary sovereignty. Indian courts followed the methodology of the common law, were committed to the textual guarantees, and adapted review to a developmental and rights centered project. Eventually, these different routes have also come to agreement on shared techniques. Various systems have been employing structured proportionality more and more. Deference doctrines changed to mediate between expertise and legality. The remedial art has become more sophisticated to cover the suspension of invalidity, judicial directions that have a prospective effect, and declarations which facilitate dialogue.

### Theoretical Basis

Judicial review is based on several ideas that are closely related to each other. Separation of powers allocates different functions to the legislature, executive, and judiciary, but also allows checks that prevent the concentration of power. The rule of law dictates that power should be exercised under, and limited by, norms that are publicly known and stable, administered through fair procedures and decided by reason. Constitutionalism introduces the concept of hierarchy of norms in which a fundamental document allocates authority, grants rights, and

limits government by enforceable commitments. In such a system, courts are the defenders of the constitutional agreement, not the substitute policymakers. Different theories have different review intensity and style, but they all agree that there must be a forum where people can challenge illegal state actions and get principled remedies that confirm legal limits.

### Judicial Review in the United States

The American model was influential as it was one of the first models that connected constitutional supremacy with a judiciary which was accessible to ordinary litigants in ordinary courts. Both federal and state courts are the venue for the implementation of the Constitution. A culture of constitutional disputes was developed which focused on federalism and the separation of powers as well as on the rights in the Bill of Rights and in the Fourteenth Amendment. Gradually, the practice spread to various fields such as equal protection, due process, and freedom of speech. Different doctrinal tests were created to determine the level of review from strict scrutiny to rational basis. The model regards judicial review as part of the judicial function of deciding what the law is in cases and controversies, with the Constitution being the binding authority for both judges and officials.

### Constitutional Basis

However, the US Constitution does not have an explicit provision that gives courts the authority to invalidate statutes. The basis for such power is derived from the fact that the Constitution is written, the supremacy clause, and the obligation of the judiciary to resolve disputes according to the law. The most important statement was made in "Marbury v. Madison, where the Court held that a law inconsistent with the Constitution is null and void and it is the duty of courts to give effect to the superior law. The reasoning is based on the notion that the Constitution makes binding provisions, that the judicial office involves the application of law to facts, and that constitutional restrictions would be without effect if the judiciary was not willing to enforce them in cases brought by parties.

### Scope and Nature

American judicial review operates in a decentralized, incident-based manner. Any court confronted with a constitutional challenge may respond to it, and parties may assert federal claims against federal and state actions. This polycentric framework distributes constitutional enforcement and allows for iterative refinement at different levels of the judiciary. The review goes beyond the statutes to include regulations, executive orders, and administrative adjudication. Federal courts invoke justiciability limitations like standing, ripeness, and mootness, which are ways of disciplining the exercise of power without reducing constitutional supremacy. The list of remedies is annulment, severance, and injunction, in most cases, with a nationwide impact when federal rules are involved. State courts, however, have the power to interpret state constitutions which may provide for more extensive rights.

### Landmark Judgments

The reach of the American model is dramatized, among other things, through various litigation. In "Brown v. Board of Education, racial segregation in public schools was

abolished, the equal protection doctrine being even more redefined, and it was also the signal of the judicial readiness to face the practices which were deeply rooted. “Roe v. Wade, delineated privacy-based restrictions on the criminal regulation of abortion, thus sparking heated debate and subsequent doctrinal changes. “Marbury v. Madison, was the case that enshrined the essential reasoning of review. Such instances have the power to demonstrate how courts are able to interpret constitutional rights through real conflicts, thus impelling changes in public policy with the help of the solutions provided and starting ongoing conversations with the legislatures and executives at federal and state levels.

### Criticisms and Debates

In the United States, the debate frequently revolves around the question of the democratic legitimacy of judges who are not elected and who set aside statutes and the risk of courts taking over the policy branch. Opponents of the idea maintain that judicial doctrines may move away from the constitutional text and history. Some think that such review eliminates the representatives’ failures and thus, protects minority rights against the tyranny of the majority. There are also arguments regarding judicial methods: originalism, living constitutionalism, and pragmatic balancing, which yield different results and different degrees of deference. The institutional discussion also raises issues about nationwide injunctions, shadow docket orders, and the role of precedent. These conflicts mirror the extent to which constitutional adjudication is central to the American system of governance.

### Judicial Review in the United Kingdom

The British way is marked by a unique combination of parliamentary sovereignty, common law checks on administration, and statutory rights introduced later. For a long time, courts have been overseeing public decision making through various doctrines which repeal decisions that are outside the legal authority, that violate fair procedure, or that take account of irrelevant considerations. The establishment of the UK Supreme Court was part of a movement towards judicial independence and it did not change the fundamental principle that Parliament can still make or unmake any law. The “Human Rights Act, 1998” was the point where rights-based adjudication came in and it requires courts to interpret legislation in a way that is compatible with Convention rights if at all possible, and it allows for declarations of incompatibility, thus leaving the formal amendment to Parliament. The mixture is still centered on legality and is dialogic.

### Legal Basis

In the United Kingdom, judicial review is based on common law principles of ultra vires, fairness, legitimate expectation, and reasonableness, as well as duties related to statutory interpretation. The “Human Rights Act, 1998” provides the main instruments. “Section 3” requires courts to interpret and give effect to primary and subordinate legislation in a way that is compatible with the rights under the Convention, as far as possible. “Section 4” allows higher courts to bring a declaration of incompatibility when compatibility cannot be attained, thus Parliament is left to decide on the legislative response. This organization is in line with rights

adjudication through which the authority to make laws is still constitutionally distributed among different branches.

### Scope and Limitations

British courts must ensure that decisions of the administration are legal, fair in their procedures, and reasonable in their nature, with the principle of proportionality being at the center when fundamental rights are involved. Review of the judicial decisions of Parliament acts is different because of the doctrine of parliamentary sovereignty. Courts are not permitted to invalidate primary legislation; however, they still have the power to alter its use by means of a thorough interpretation under “Section 3” of the “Human Rights Act, 1998” and can indicate incompatibility under “Section 4”. The model settles the conflicts between rights and democratic enactment by giving the first place to reasoned dialogue, political remedies, and administrative law standards which require that decision making be based on evidence, be fair, and of the proper proportion, thus, this applies to the whole public sector.

### Major Cases

Judicial review in the UK has been shaped by the British courts through landmark decisions which set influential standards. The case “Council of Civil Service Unions v. Minister for the Civil Service, gave the idea of the grounds of review and, for the first time, recognized certain prerogative powers as being reviewable. “R (Miller) v. Prime Minister, dealt with the question of the extent of the prerogative in the light of the principles of the constitution and the need for the government to be accountable to the Parliament. The cases cited are examples of the courts’ intervention in support of constitutional essentials in a sovereignty centered order, thereby reinforcing the doctrines that even the highest authority is still under the law, and that constitutional principles, though not written down, regulate the exercise of power in such a way that the courts are able to identify and enforce them.

### Role of Human Rights Act, 1998

By incorporating rights from the Convention directly into local legal review, the “Human Rights Act, 1998” changed the focus of British public law. It is to be noted that public authorities are obliged to behave in accordance with the rights under “Section 6”. Also, courts are required to enhance the common law in harmony with those rights and the interpretative functions under “Section 3” change the standard towards rights respecting readings of statutes. Declarations of incompatibility under “Section 4” are signals for legislative change without giving way to direct invalidation. Thus, the set-up results in continuous institutional exchange and the use of concepts like proportionality, necessity, and justification more widely across different policy areas such as national security, criminal justice, and welfare administration.

### Judicial Review in India

The Indian Constitution provides for judicial review in the most explicit and detailed manner. At the heart of constitutional enforcement are a Supreme Court with original jurisdiction over fundamental rights and a network of High Courts with extensive writ powers. The written charter mixes justiciable rights with Directive Principles,

which guide the policy and interpretation. Indian review goes further than just legislation and executive action; it also includes constitutional amendments that violate the basic structural framework of the Constitution. The constitutional text, therefore, allows the courts to consider rights as directly enforceable against the State, to examine the laws made before and after the Constitution to check if they are in conformity with the rights guaranteed, and to design suitable remedies by means of writs that can serve both the abolition of individual and systemic wrongs. The model is extensive, purposive, and remedial.

### Constitutional Provisions

“Article 13” identifies laws that are incompatible with fundamental rights for their annulment. “Article 32” confers on the Supreme Court the power to issue writs for the enforcement of rights. “Article 226” endows High Courts with a broad authority to issue writs for the enforcement of rights and for “any other purpose”, thus, enabling the courts to exercise control over the administration in terms of legality. “Article 136” grants special leave jurisdiction, thus, allowing the Supreme Court to supervise constitutional questions that are referred to it indirectly through ordinary litigation. These provisions locate review within a federal judicial framework and make rights enforceable through adaptable remedies that can target both legislative and executive branches in the Union and State spheres.

### Nature and Scope

Indian courts are empowered to examine laws in terms of their compliance with rights and the competence of the legislature. They also examine the executive actions for legality, reasonableness, and proportionality and look into the compatibility of constitutional amendments with the basic structure. Public interest litigation has expanded access by loosening the requirement of standing and allowing representative actions that address systemic violations. Judicial review is also involved with regulatory governance, where tribunals and agencies shape markets and rights. The criminal process is included in this scope through supervisory writs and standards based on legality and fair trial, which are currently being interpreted in harmony with the new criminal codes, including the “Bharatiya Nagarik Suraksha Sanhita, 2023” and the “Bharatiya Sakshya Adhinyam, 2023”, that reorganize procedure and evidence across courts.

### Landmark Judgments

Indian constitutional jurisprudence, broadly speaking, sets several standards or points of reference on how far the legal authorities are allowed to go in exercising their power of review. The case “Kesavananda Bharati v. State of Kerala, was instrumental in defining the feature of the “basic structure” as a limitation on the power of constitutional amendment. In “Indira Nehru Gandhi v. Raj Narain, the court, among other things, looked at the structure of the constitution in a different way, it held that the structure of the constitution must be taken into account in the case of the dispute of the election and political body accountability. In “Minerva Mills v. Union of India, the court not only adjusted the interplay between fundamental rights and Directive Principles but also it was going back to the idea that there are structural limitations for the power to amend. The rulings, thus, represent a legal system that, through

logically worked out criteria, protects the settlement effected by the Constitution but, at the same time, gives the democratic branches the liberty to implement their policies within the specified limits.

### Judicial Activism and Restraint

Whether the Indian model is positive or negative heavily depends on how far the writ jurisdiction extends, how easily one can file a public interest petition, and how willing the court is to invent remedies that change the way the government works. On one hand, the language of activism and on the other, that of restraint, indicate a range from direct control to leaving the decision to democratic and technocratic authorities. The record of cases shows the court’s use of both strategies from structural orders that keep track of compliance over time to decisions refusing relief on the ground that institutional competence or democratic legitimacy require taking a different view. Ultimately, the driving idea is the closest possible adherence to constitutional rights, federal balance, and the structural principles that serve as the foundation of the constitutional order.

### Comparative Analysis

Judicial review practices are made clearer through such a comparative lens to show how institutional decisions affect them. The U.S. is a strong form, decentralized model example and based on a very strict constitution, the judicial powers are shared between the courts of the federal and the states. The UK is a law focused, rights-based model, which keeps the parliamentary supremacy intact while at the same time giving the courts the power to interpret, judge, and inform about the nonconformity. In some respects, India is like the two, but in some it even goes further: a written, transformative charter with explicit remedial powers results in a very broad scope of review, including review of structures for changes in amendment. All three countries use techniques of proportionality, deference, and remedial tailoring to a great extent, but the decision to have the authority to annul primary legislation is different in a very significant way.

### Constitutional Framework

Whether or not there is a single written constitution is a major factor that separates the different systems. The United States is governed by a codified charter with a supreme law that is binding to all the branches of the government. Similarly, a written constitution of India also proclaims its supremacy but, in addition, it has a federal structure and a comprehensive rights code that is enforced by writs. The United Kingdom depends on an uncoded constitution which is a mixture of the most important constitutional statutes, conventions, and common law principles. The “Human Rights Act, 1998” serves as a rights intermediary without changing the legislative supremacy, thus creating a unique dialogue between the courts and Parliament regarding rights conforming interpretation and legislative correction after the declarations of incompatibility.

### Scope and Limitations

The United States model gives the courts the power to declare unconstitutional laws and executive actions, this power being regulated by justiciability doctrines and review standards of different levels of intensity. The Indian

judiciary has the similar power to the US one to invalidate the legislations and executive actions, albeit they additionally possess the feature of nullification of the constitutional amendments that damage the basic structure. UK courts perform thorough scrutiny of the administration and also interpret the rights-based nature of the scrutiny under the “Human Rights Act, 1998”, however, they do not refuse to give effect to the primary legislation. The limitations of each system are due to the institutional role, the text or the tradition, and the remedial discretion. Deference doctrines and proportionality analysis are the means to be used for the adjustment of the intervention to the requirements of the case.

### **Role of Judiciary in Governance**

The courts in each of the three areas are the protectors of legality and rights. But, their role in the government is different. The American courts are the places where constitutional conflicts are most often fought in various areas, thus they are the source of a continuous flow of structural and rights adjudication that has the effect of policy changes. The British courts control the limits of power and good procedure and use rights analysis to help for justification and proportionality, at the same time, they let the final legislative change go to Parliament after a declaration of incompatibility. Indian courts, equipped with “Article 32” and “Article 226” remedies, frequently take the supervisory role and also intervene structurally in complicated governance issues. Each system is different in how it combines the law’s discipline with the democratic choice.

### **Influence of Political and Legal Culture**

How review functions are heavily dependent on political histories, legal training, and professional norms. In the US, constitutional litigation is a highly partisan issue that is at the center of public debate. The way the courts are accessed is being shaped by the mobilization of interest groups and federalism. On the other hand, the British legal culture has been able to maintain a strong administrative law tradition and a dialogue model of rights protection which is in agreement with parliamentary sovereignty. The Indian practice is said to be a participatory one which sees the courts as partners in the realization of social rights and in addressing systemic failures. It uses writs, commissions, and continuing mandamus as its sources. These different cultures have set patterns that shape people’s expectations of the courts and also determine how readily judgments are accepted and implemented.

### **Challenges and Criticisms**

These issues of legitimacy, overreach, and compliance are the main problems that have been persistently raised around systems of law, especially in the case of the authority of the courts to decide the ultimate legal questions. Advocates of legitimacy try to demonstrate that judicial methods and remedies are in harmony with democratic processes and that they do not violate the basic commitments made. Overreach issues raise the question of whether courts replace policy judgment with legal judgment. Compliance concerns originate from the places where administrative capacities limits, political resistance, or federal complexity confront the implementation of judgments. These problems have developed as the courts have become the final arbiter of new

policy areas such as technology regulation, data protection, and national security. Judicial review continues to exist because it provides a principled way to settle disputes about the limits of power, however, it has to constantly confirm its legitimacy by producing reasoned opinions, giving calibrated remedies, and showing respect towards other institutions.

### **Democratic Legitimacy**

Skeptics ask how judges who are not elected can have the power to ignore the decisions of the elected representatives. Supporters say a constitution gives the power of the review when it authorizes courts to protect rights and to maintain the structural settlement which dimeroceratid politics use as a basis to function. The controversy becomes much smaller when courts use clear tests, reason carefully, and respect the space for policy choice where the law allows reasonable disagreement. Courts’ legitimacy also increases when they take on remedial forms that reduce the upheaval, invite the legislative response, and keep the faith with the text, the structure, and the reasoned precedent. The comparative record is that public support comes after perceived fairness, doctrinal clarity, and institutional restraint.

### **Judicial Overreach**

The boundary between a principled review and overreach is controversial. A detailed scrutiny may lead to the replacement of the judgment of the elected officials or the expertise of the technocrats by that of the reviewers, however, a very weak review may keep the rights unrecognized and the legal limits empty. Calibrated standards try to resolve this conflict: proportionality is about requiring the means to be tailored to the legitimate ends; reasonableness expects administrators to confirm their choices with evidence and logic; deference doctrines recognize the competence of the decision maker while insisting on legality. In India, the wide writ jurisdiction frequently raises questions about institutional capacity and supervision. In the United States, nationwide injunctions and emergency orders are the subject of a debate. In the United Kingdom, the courts’ intense “Section 3” interpretations challenge the issue of how far the courts should go in stretching the statutory language.

### **Implementation and Compliance**

By compliance, judicial decisions become real. To implement complex policies, it is necessary to coordinate, have resources and a continuous supervision. Federal systems add stages: the state and local actors can determine the speed and the extent of the implementation. Courts answer with remedial craft which includes stays, transitional arrangements, and periodic reporting. Declarations of incompatibility in the United Kingdom depend on political will and rights culture to create a legislative revision. In India, mandamus practices that are still going on, aim at ensuring follow through in systemic cases, however, they carry administrative burdens. In the United States, powers separation and electoral cycles affect executive willingness and legislative capacity to change statutes or regulations after a defeat in court.

### **Emerging Trends and Global Influence**

Judicial review adjusts to the changes brought about by transnational rights discourse, regulatory complexity, and

digital governance. Courts use comparative materials while interpreting rights and arranging remedies. Proportionality and structured justification have become widely spread since they are suitable for rights adjudication under pressure. Data protection and informational privacy are forcing courts to consider technology design, algorithmic decision making, and cross border data flows. The relationship between domestic review and international obligations has become stronger, particularly in such areas as counterterrorism, migration, and trade. Changes in India under the “Digital Personal Data Protection Act, 2023” are a good example of how statutory privacy frameworks and constitutional rights can interrelate in a judicial review culture that not only looks at the legislature but also at the administration.”

### **Influence of International Law**

The courts of the three legal systems look at international norms as a source of background and influence to different extents. In the UK, rights under the “Human Rights Act 1998” bring Strasbourg case law into frequent interaction with local legal principles. In the US, global law has a minor role in the determination of the constitution but is a source of reference in the interpretation of statutes and in the debates regarding the powers of the executive. In India, agreements and soft law measures can be a source of guidance for the interpretation of the domestic law if it is stated that the text is in the social and economic rights sectors. Such a flow of reasons among them assists in fixing the common views of the requirements of justification, proportionality, and procedural fairness while at the same time maintaining the domestic constitutional baselines.

### **Digital Era and Administrative Decisions**

Algorithmic governance and data driven administration open up entirely new areas that need a thorough review. Questions related to explainability, bias, and accuracy arise in situations where automated systems are used for screening benefits, allocating policing resources, or moderating content. Judiciaries are molding legality and reasonableness to their requirements of giving understandable justification and responsible oversight. Privacy laws and constitutional rights are also involved in these regulations. In India, the “Digital Personal Data Protection Act, 2023” defines the standards for lawful processing and consent that public authorities are mandated to follow, thus determining the lawfulness of data practices and surveillance review by the court. The changes in criminal procedure and the law of evidence made by the “Bharatiya Nagarik Suraksha Sanhita, 2023” and the “Bharatiya Sakshya Adhinyam, 2023” also establish the criteria for the admission and trustworthiness of digital records within the framework of fair trial rights, thereby connecting administrative and judicial oversight in digital cases.

### **Findings and Discussion**

A comparative account obtains some insights. Firstly, the design of the constitution matters: a codified, supreme constitution generally supports strong form review with the invalidation of statutes, whereas an uncoded order may be inclined towards legality review and rights interpretation which allow legislative correction. Secondly, the institutional personality of the courts has an impact on the

doctrine: regular courts dealing with constitutional issues in the course of routine litigation produce a polycentric, iterative jurisprudence; supreme constitutional benches may develop structural doctrines that regulate governance. Thirdly, the rights to relief affect the authority: proportional and dialogic relief may safeguard rights while being in agreement with the democratic choice and the administrative capacity. Fourthly, cross pollination is through technique rather than transplant. Proportionality, reasoned justification, and remedial nuance are able to move much more easily than a complete institutional design change. Judicial review remains, across India, the United States, and the United Kingdom, a primary tool to bring public power into line with constitutional obligations and to control governance through law.

### **Conclusion and Suggestions**

Comparative public law gains from picturing judicial review as a family of practices that share certain ideals but are differently adapted to distinct constitutional structures. The United States is a case of a strong form, decentralized adjudication that is politically interwoven with courts but also, by a written constitution, preserves the authority of the latter. The United Kingdom is a legality focused, rights aware model that gets its strength from reasoned justification and statutory dialogue. India, on the other hand, through constitutional integration of explicit remedies with transformative aims, allows broad supervision of legislation, administration, and even constitutional amendment within the structural limits. The future development can make standards more understandable, enhance the remedial craft, and deepen the institutional dialogue that acknowledges competence and accountability. Statutory frameworks such as the “Human Rights Act, 1998”, the “Digital Personal Data Protection Act, 2023”, the “Bharatiya Nagarik Suraksha Sanhita, 2023”, and the “Bharatiya Sakshya Adhinyam, 2023” will keep intersecting with constitutional adjudication, thus courts will be required to refine proportionality, reasonableness, and evidentiary controls in digital and administrative contexts. A judicial review that is disciplined, transparent, and principled constitutes a shield for the constitutional order and at the same time, it is an enabler for democratic governance to meet new challenges.

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