

## From Red Light Theory to Green Light Theory; a Comparative Reflection on the Approaches of Judicial Review over Administrative Actions

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### Abstract:

The macro-approaches to judicial review indicate the general orientation of the courts on how to exercise judicial control over administrative actions. In the administrative judicial review literature, three general approaches can be distinguished from each other. The right-based or English approach, which is based more on the red light theory. An organizational-oriented of functionalism or American approach that is based more on green light theory and attention to the requirements of management, efficiency and new public administration. Finally, Hybrid approach or Australian-Canadian models that are more based on the yellow light theory.

The main question is, on what basis and theoretical and practical concerns have each of the aforementioned approaches been formed and developed in administrative law? The basic presumption of this article is based on, the foundations of legal systems in the macro model of judicial review is related to the philosophical foundations of law, human rights, and the separation of powers.

**Keywords:** Right-based approach; Green light theory; Red light theory; Functionalism; Yellow light theory; Hybrid approach.

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