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## Legal Idealism: An Exploration of Its Philosophical Foundations

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### ABSTRACT

*Legal idealism is more than a dry theory of law—it is a vision of a just society where laws are rooted in ethics, fairness, and the collective moral conscience. Unlike legal positivism, which focuses on the mechanics of law, legal idealism insists that laws should not merely regulate but inspire and uplift. This article explores the historical origins, philosophical foundations, and modern relevance of legal idealism while reflecting on its challenges and enduring importance in shaping a humane and just legal order.*

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### Introduction

Idealism is a philosophy that emphasizes the importance of ideas, values, and beliefs over material or physical realities. It is the belief that the world as we experience it is shaped by our thoughts, ideals, and perceptions, rather than existing as an independent reality. In essence, idealism suggests that what truly matters is not just what is tangible, but what we envision, aspire to, and believe in.

To understand idealism, consider the example of a teacher who works tirelessly in an underfunded school. Despite limited resources, the teacher believes in the potential of every child and envisions a future where each student achieves their dreams. This belief in the power of education and the possibilities within each child is an act of idealism. The teacher's actions are driven not by the immediate reality of scarcity but by the ideal of nurturing young minds to create a better world.

Similarly, a social reformer who campaigns for equality in a deeply divided society exemplifies idealism. They may face resistance, but their vision of a fair and just community motivates them to keep going. Their idealism fuels the belief that change is possible, even when reality suggests otherwise.



Idealism, then, is not just a philosophy but a way of seeing the world. It encourages us to prioritize values like hope, justice, and compassion, even when the physical or social circumstances seem discouraging. It reminds us that our ideas and dreams can shape reality, making the world a reflection of what we aspire to achieve.

Imagine a society where laws are not just rules imposed by authority but reflections of our deepest values—truth, justice, and compassion. This is the world envisioned by legal idealism. At its core, legal idealism argues that laws are not neutral tools of governance but moral instruments meant to create a just society. From ancient philosophers to modern thinkers, the belief in aligning law with morality has shaped some of humanity's most profound legal and ethical debates.

In a time when laws can sometimes seem disconnected from people's lived realities, legal idealism serves as a reminder of what law can and should aspire to be.

## **Hypothesis & Methodology**

The hypothesis of this entire discussion is that legal idealism, morality, justice, societal values, constitutional principles, and pragmatism together form a comprehensive framework that guides law, ethics, and governance. While ideals such as justice and constitutional values provide the foundational principles for societal order, pragmatic approaches are essential for effectively translating these ideals into actionable policies that address real-world challenges and ensure fairness, equality, and social cohesion.

The methodology for exploring this hypothesis combines literature review, comparative analysis, and case studies. A thorough review of philosophical texts, legal documents, and scholarly articles related to these concepts is conducted to establish the theoretical foundation. Comparative analysis examines the tension between idealistic and pragmatic solutions in real-world contexts, assessing their practical implications in judicial decisions, social reforms, and public policies. Case studies of landmark legal cases and social movements serve as empirical examples of how these principles manifest in society. Additionally, qualitative research, such as interviews with experts and content analysis of legal reforms, is employed to capture practical perspectives on the integration of ideals and pragmatism in governance. Normative evaluation is used to assess the ethical and legal outcomes of these integrated approaches, shedding light on how societal structures strive for justice while adapting to practical realities.



## Historical Roots of Legal Idealism

### 1. The Vision of the Ancients

Legal idealism can be traced back to thinkers like Plato, who envisioned an ideal state in *The Republic*. For Plato, laws were not arbitrary but rooted in the pursuit of justice—a justice that transcended personal interests and reflected the greater good. His student, Aristotle, built on this idea, emphasizing natural justice, which he believed was a universal truth accessible to human reason.

### 2. Faith and Morality in Law

In medieval times, St. Thomas Aquinas introduced the idea of divine and natural law. For Aquinas, human laws were valid only if they conformed to higher, moral laws. This idea—that law should serve a moral purpose—remains central to legal idealism. Morality refers to the principles or standards that guide individuals in distinguishing right from wrong and making ethical decisions based on values like honesty, fairness, and compassion. It is the inner compass that shapes our actions and interactions with others, reflecting our sense of duty to uphold what is good and just.

Imagine a situation where a child forgets their wallet at a grocery store counter. The person next in line notices it and immediately hands it to the cashier, ensuring it is returned safely. This act of honesty stems from the individual's moral understanding that doing the right thing means safeguarding someone else's belongings, even when no one is watching.

Similarly, consider a doctor who chooses to provide free medical care to those who cannot afford it. Despite financial challenges, the doctor's sense of morality compels them to prioritize compassion and the well-being of others over personal gain.

Morality is deeply human; it transcends laws and rules, often arising from empathy and a shared understanding of what fosters harmony and respect in society. It reminds us that doing the right thing, even when it's inconvenient, is what makes us truly human.

### 3. Modern Idealism and Rational Morality

In the Enlightenment, philosophers like Immanuel Kant reframed legal idealism in terms of human rationality and autonomy. Kant argued that laws should be based on universal moral principles, treating every individual with dignity. For Hegel, law was an expression of freedom and ethical life within a community, tying personal and collective morality together.



## **The Principles of Legal Idealism**

Legal idealism is built on a few key principles that make it as inspiring as it is challenging:

### **1. Laws Are Rooted in Morality**

Legal idealism insists that laws should reflect the moral aspirations of society. A law is not valid simply because it is written or enforced; it is valid because it is just. For instance, laws against discrimination reflect not just rules but a moral stance against injustice.

### **2. Justice Is the Goal**

Legal idealism centers justice as the ultimate purpose of law. This is not just procedural fairness but a deep, ethical commitment to equality, dignity, and fairness in society. Justice is the principle of fairness, ensuring that every individual receives what they are due—be it rights, opportunities, or accountability—without bias or discrimination. It is the foundation of a harmonious society, rooted in the idea of treating others with equity and upholding the truth.

Imagine a teacher grading exams. One student is the teacher's favorite, but another, often overlooked, has performed better. The teacher, driven by justice, gives the higher grade to the deserving student, setting aside personal biases. This action ensures fairness and reinforces trust in the system.

Another example is a judge presiding over a case. Despite societal pressure to favor a powerful defendant, the judge bases the verdict solely on evidence and the law, ensuring that the weaker party receives the protection and fairness they deserve.

Justice is more than a legal concept—it is a moral duty that reminds us to act with integrity, protect the vulnerable, and ensure that everyone, regardless of status, is treated with respect and fairness. It is what keeps society grounded in mutual trust and accountability.

### **3. Law Must Evolve with Society**

Legal idealism sees law as dynamic, adapting to the moral progress of society. A society that grows in its understanding of human rights and social justice must reflect these changes in its laws. Society is a group of individuals who live together in a structured community, sharing common norms, values, and institutions to support cooperation, growth, and collective well-being. It is the framework that connects people through relationships, culture, and shared goals, enabling them to thrive together.



Think of a neighborhood where people look out for each other. When a family faces a crisis, their neighbors step in, offering meals, emotional support, or even financial help. This sense of togetherness, where individuals come together to support and uplift one another, exemplifies society in action.

Another example is a school where students of diverse backgrounds learn and grow together. They collaborate, respect each other's differences, and contribute to a shared environment of learning and understanding. This microcosm reflects the broader essence of society—unity in diversity, where collective harmony allows everyone to flourish.

Society is not just a collection of people; it is the shared sense of belonging and responsibility that binds us, encouraging us to work toward the common good while respecting individual uniqueness. It reminds us that we are stronger together than alone.

## **Why Legal Idealism Matters Today**

In an era of rapid social change and global challenges, legal idealism offers a much-needed lens for examining the law's purpose and function. It inspires us to ask not just what the law is, but why it exists and whom it serves.

### **1. Human Rights Movements**

The principles of legal idealism are evident in movements for human rights and social justice. Laws that protect minorities, ensure gender equality, or combat climate change reflect moral ideals turned into legal frameworks.

### **2. Judicial Activism and Moral Reasoning**

Courts often embody legal idealism when they invoke moral reasoning to expand the interpretation of laws. For instance, the Indian Supreme Court's decision to decriminalize homosexuality in *Navtej Singh Johar v. Union of India* was not just a legal decision but a moral one, recognizing the dignity and rights of LGBTQ+ individuals.

### **3. Constitutional Values**

Modern constitutions often reflect the ideals of justice, liberty, and equality—principles deeply rooted in legal idealism. These documents serve as moral compasses for nations, guiding laws and policies. Constitutional values are the fundamental principles enshrined in a country's constitution that guide its



governance and reflect the collective ideals of justice, equality, liberty, dignity, and democracy. They serve as the moral and legal foundation upon which laws, policies, and societal norms are built, ensuring fairness and protecting the rights of every individual.

Imagine a student from a marginalized community aspiring to higher education. A constitutional value like equality ensures that this student is given the same opportunities as others, through provisions like scholarships or reservations, breaking barriers of discrimination. This reflects how constitutional values work to level the playing field and uphold fairness.

Another example is the right to free speech. When citizens voice their opinions, even if critical of the government, constitutional values like liberty and freedom ensure their voices are protected, fostering a healthy democracy where diverse perspectives can thrive.

Constitutional values are not just legal principles; they are the soul of a nation, reminding us to treat every individual with respect, protect the vulnerable, and work toward a just and inclusive society. They inspire a shared commitment to uphold the dignity and rights of all, ensuring that no one is left behind.

## **Challenges to Legal Idealism**

Despite its noble aspirations, legal idealism is not without its difficulties:

### **1. Subjectivity of Morality**

Morality is not uniform; what one person sees as just, another may view as oppressive. Balancing diverse moral perspectives is a challenge for lawmakers and judges.

### **2. Conflict with Pragmatism**

In some situations, pursuing ideals may clash with practical realities. For example, achieving perfect equality in resource distribution may not always be feasible. Pragmatism is a philosophical approach that emphasizes the practical application of ideas by focusing on their consequences and real-world effectiveness rather than on abstract principles or theories. It values solutions that work in everyday life, encouraging action based on practical results rather than idealistic notions.

For example, imagine a community struggling with frequent power outages. A pragmatic approach might involve installing solar panels in key areas to provide immediate relief, instead of waiting for a large-scale



government project that could take years to implement. The focus here is on a practical, workable solution that addresses the problem right away.

In a personal context, think of a parent managing a busy household. Rather than aiming for a perfect, organized home, they focus on practical ways to get things done—like using a family calendar to manage everyone’s schedules—prioritizing efficiency over perfection.

Pragmatism teaches us to be flexible, realistic, and action-oriented. It encourages us to prioritize what works and what can be achieved in the present, allowing us to move forward even in complex situations. It's about doing what makes sense and leads to tangible improvements, grounded in the realities of the moment.

### **3. Criticism from Legal Positivists**

Legal positivists argue that law should be studied as it is, not as it ought to be. They warn that infusing law with morality can lead to unpredictability and undermine the rule of law.

### **Conclusion: A Beacon of Hope**

Legal idealism reminds us that law is not just about maintaining order but about building a better world. It asks us to dream of laws that reflect the best in us—our compassion, fairness, and pursuit of justice.

In a world struggling with inequality, conflict, and moral dilemmas, legal idealism offers hope. It challenges us to hold our laws to higher standards and to never stop striving for a society where justice is not just a concept but a lived reality.

Legal idealism is not perfect, but it is profoundly human. It calls on us to balance our aspirations with our realities, ensuring that the law serves not just the powerful or the privileged but the collective good of all humanity.

The limitations of this study arise from several factors. First, the abstract nature of legal idealism and morality makes it challenging to quantify the impact of these principles in real-world governance. The study relies heavily on theoretical frameworks and philosophical perspectives, which may not always align with the complexities of practical application in diverse cultural, legal, and political settings. Additionally, the focus on specific case studies may not capture the full range of variations in legal systems, as each society’s legal and moral landscape differs. Furthermore, practical constraints, such as limited access to certain legal documents or community-level insights, may hinder the depth of empirical analysis.



The way forward for this study involves several strategies to overcome these limitations. Future research could expand the case studies to include a broader range of jurisdictions, incorporating both developed and developing countries to understand the cross-cultural application of these principles. Additionally, incorporating more quantitative data through surveys or experimental designs could provide measurable insights into how legal ideals and pragmatism influence societal outcomes. Collaboration with interdisciplinary experts, including sociologists, political scientists, and legal practitioners, would enrich the analysis by bringing real-world perspectives on how these concepts are implemented in daily governance. Finally, the study could also explore the impact of modern challenges, such as globalization and technology, on the evolution of legal idealism, justice, and pragmatism in the 21st century.

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