

## Man Made Law Vs. Law of Nature in Sophocles Plays

Bhagabat Paudel<sup>1</sup>

Article Information : Received : June 02, 2025   Revised : June 13, 2025   Accepted : July 08, 2025

---

### Abstract

Justice is forced by the state or authority in equal measures to all. This research points out the problems in ancient Greek beliefs on rationality, justice, and morality while reading Sophocles' plays from the Oedipus trilogy, Oedipus the King and Antigone. Those notions appear utilitarian, forced by the state or authority to all the people without discrimination. The entire state suffers from barrenness and famine, a punishment in Greek myths. In the cases of Oedipus and Creon, the state suffers from plague and famine due to its own fault, and all innocent Greek citizens bear its consequences without discrimination. How does this make sense as justice? Why is the individual not rewarded or punished based on the amount of good or criminal work s/he has committed? It is giving everybody the same reward or punishment without discrimination. Is it morally or rationally, correct? The Greek notions of justice and morality present several problems when considered. The issue will be analysed from the recent perspective of justice and the utilitarian thought proposed by various thinkers.

**Keywords:** *Justice, Social justice, Utilitarian, Law, Play*

---

Faculty, Department of English, Mahendra Multiple Campus, Nepalgunj, Banke

Corresponding Author: [bhagabat.paudel@gmail.com](mailto:bhagabat.paudel@gmail.com)

ISSN : 2091-2161

©The Author(s)



Published by Autar Dei Chaudharain Research Centre (ADCRC), Mahendra Multiple Campus, Nepalgunj, Banke

The open access article is distributed under a Creative Common Attribution (CC BY-NC 4.0) licence.

### **I. Introducing Man-Made Laws, Morality, and Justice**

This research points out the problem in ancient Greek beliefs on rationality, justice, and morality while reading Sophocles' plays from the Oedipus trilogy, Oedipus the King and Antigone. Those notions appear utilitarian, forced by the state or authority to all the people without discrimination. Interestingly, the entire state suffers from barrenness and famine as the punishment of God in Greek myths: the state suffers from plague and famine in Oedipus or Creon's fault, and all the innocent Greek citizens are bearing its consequences without discrimination. How does this make sense as justice? Why is the individual not rewarded or punished based on the amount of good or criminal work s/he has committed? It is giving everybody the same reward or punishment without discrimination. Is it morally or rationally, correct? The Greek notion of justice and morality shows several problems when we think about them. The justice forced by the state or authority in equal measures to all is a transcendental approach to justice; according to Amartya Sen, grounded on utilitarianism points out that the transcendental approach gains its ground on the seemingly utopian promise of a perfectly just world, but it is problematic. (49)

Sen sees a transcendental approach to justice grounded on utilitarianism and the lack of participation of people. A perfectly just society by forcing the same law, justice, and morality to all is problematic. The solution to this utilitarian justice lies in the comparative approach rather than the transcendental utilitarian approach. Discussing Sen's approach to justice, the critique of utilitarian discourses John M. Alexander writes in his book *Capabilities and Social Justice: The Political Philosophy of Amartya Sen and Martha Nussbaum*:

When we apply Sen's prior principal critique, the hedonistic species of utilitarianism turns out to be a false egalitarian doctrine, for it assumes that persons are nothing but a sum of their pleasure. However, this is, in effect, not an equal treatment because the items of worth or elements of value are not persons as such, but rather experiences of pleasure or satisfaction which persons have. (11)

Egalitarian doctrines like equal justice for all, an equally just society, and everybody is equal before the law are criticised in Sen's theory of justice. They count everybody as one person, the whole state is rewarded while few do good, and the whole state is punished when one person makes a mistake, as seen in Greek myths. John M. Alexander further writes:

Even though from a moral point of view, people's interests matter equally, it does not follow that the best way of giving form to that idea is to give the desire of each person the same weight without regard for the 'content' of those desires and the impact they are likely to have on others [ . . . ] If people get pleasure from inflicting harm on others, should that be counted? (11)

Alexander asks, if all people get pleasure from inflicting harm on others, should that be counted? For example, in Thebes, all the people might want to declare Polyneices a traitor, and out of their fanatic desire to seem patriotic, they might wish to have his burial denied. Should

that be acceptable? Along with the critique of the utilitarian notion of justice, morality grounded on the same utilitarianism also comes into question. Alexander writes, “[. . .] utilitarianism has been a prominent moral theory, particularly in the sphere of public philosophy, even though some of its defenders have advocated it as a comprehensive theory suitable both for personal and public morality. (9) Morality is also grounded in utilitarianism in the sphere of public philosophy. Only some of the defenders of morality have advocated it as a comprehensive theory suitable both for personal and public morality is evident. Amartya Sen's contention is regarded as very influential. In the "Introduction" of Amartya Sen's book *Against Injustice*, Reiko Gotoh and Paul Dumouchel summaries Amartya Sen's division of justice:

Sen compares and contrasts two types of approaches to the question of justice. He names those of the first type, which he rejects and criticizes, and he names "transcendental approaches." They aim at finding perfectly just social arrangements, and he associates them with philosophical theories of justice. The second type, "comparative approaches," concentrates on ranking alternative social arrangements. (2)

The first, the justice that comes from transcendental approaches, believes that justice comes from perfectly just social arrangements. The second, on the contrary, comes from the alternative social arrangement in which condition of justice is compared with each other; less just conditions are given priority for equality and justice. It is based on the principle of utility, as stated by John Stuart Mill. According to Mill in *Utilitarianism*, justice is "the conception of Utility or Happiness is considered as the directive rule of human conduct. But it is by no means an indispensable condition to the acceptance of the utilitarian standard". (13) Sophocles' trilogy of Oedipus tragedy is world renowned for several issues it addresses. However, among the trilogy of dramas, Oedipus Rex and Antigone evoke much thought on philosophies governing moral and man-made laws. When moral laws are divine, artificial or legislative laws are individual and vary according to national boundaries. Jonathan Howley, in "The Times of our Time", opines that when it comes to the idea of morality and justice, Sophocles is our predecessor. He adds, "Whether to abide by state-made laws or to follow the universally accepted laws of morality and ethics is quite dubious in modern times. (78)

So, it is quite confusing what an individual should abide by. This is equally true because most modern laws are merely physical and do not check the idea of morally acceptable principles. In fact, in the eye of the law, some of the morally accepted things also tend to be offences against the state. In bringing the idea that even following moral acts, people become victims of the State, Stephen Jason, in "Case of Turpitude and Legal Codes", correctly assumes "the state is merely a body of dictators who through legal notion are determined to take away the basic freedom of an individual in the name of state enacted laws. Jason brings in the example of Sophocles' Antigone, The fall of tragedy is not within the destiny of humans, as all of us condemn to errors. Moreover, when it comes to Oedipus is a classic example of how destiny ruins an individual's life. Sadly, this tragedy is inextricably linked to Antigone. (97)

As such, the notion of morality and justice based on utility principles is questionable. When the first is found to have its grounding in social norms and values, the latter is based on the universal idea of imposing punishment and sanction for the offenders. Donald Yannella, in "New Essays on Law and Morality, narrates the scenario as follows:

When justice is about equal treatment and a fair attitude or behavioural approach taken by the state towards human conduct, morality, on the other hand, is left to the individual to decide and take care of. This is not morality because anything done for instant pleasure or the betterment of mankind or living beings does not fall under its purview. (126)

Similarly, when justice is about equal treatment and a fair attitude or behavioural approach taken by the state towards human conduct, morality, on the other hand, is left to the individual to decide and manage. The implication of justice does not change from local to global. As such, murder or rape remains the same throughout the world. However, the idea of morality is local and confined. It is the ethics followed by a group of people within a society, and may not be the same from one society to another. H. L. A. Hart, in "Justice and Morality", takes morality about the public welfare at large. However, he warns that morality is a contentious issue. According to him, law and morality are necessities. He clarifies, "[. . .] contention that between law and morality, there is a connection that is in some sense 'necessary' and that it is this which deserves to be taken as central in any attempt to analyze or elucidate the notion of law". (156) There is a connection between morality and justice; however, it is a complex issue shrouded in the veil of ignorance. Hart claims the issue is 'necessary' but 'the matter in concern is of subordinate importance. It means anything suitable for a larger number of people is morally acceptable. These conflicting ideas on morality and justice have existed for ages. As such, the present research critically observes the demarcation of morality and justice.

## **II: Social Justice, State and Conflict in Oedipus Rex and Antigone**

Justice is one of the important facets of social and political life to determine if a state is accountable and liable to its citizens. Hence, there is a constant conflict between the individual and the state. The fall of Oedipus in Oedipus and the conflict in Antigone are part and partial of the conflict between the state machinery and the desires of the common people. Felix Baudelmann's book *The Language of Sophocles: Communality, Communication and Involvement* discussed the values of three terms in Sophocles' tragedies. They are kept as the subtitle of his book. The ways in which Sophoclean language communicates, I will suggest, can often engage many spectators (and readers), different as they all are (communality). In particular, I have argued that Sophoclean language can get different spectators (and readers) involved because it does not straightforwardly communicate a straightforward message [. . .]. (16) Felix Baudelmann has given priority to the aspect of communality in his reading of Sophocles. A sense of community is important. Sophocles' language wants the audience or readers involved to generate the meaning of his play. It is called involvement. The whole state

suffers due to it. R. P. Winnington, in his book *Sophocles: An Interpretation*, describes the scene in which Creon penalises Antigone.

Creon now speaks, and it is on her isolation that he insists, but her isolation in the living tomb. When he says that she shall be deprived of community with the upper world, we are bound to remember that once she saw burial alive as deprivation of community with both worlds, but also that she had sung of going to dwell with her father and mother among the dead. (144) Creon evokes the community in his punishment of Antigone. He passes the verdict that she will be isolated from the community. By community, he refers to the Theban community and the community of dead ancestors above heaven. However, he is passing the verdict himself. This law forced from the state and dictating the terms of community does not do good to anybody – all the concerned parties, the community, Creon and Antigone will suffer. This notion of justice is utilitarian. Amartya Sen and Bernard Williams point out the two different issues utilitarianism addresses wrongfully, “[. . .] is discussed in this collection in two different roles: on the one hand, as a theory of personal morality, and on the other, as a theory of public choice or of the criteria applicable to public policy”. (2) Utilitarianism has significantly influenced the overall theory of personal morality, and it is essential to understand that public choice extends to the subjective reach of the community. To get the opportunity to perform the funeral rites of her brother, Polyneices, is a moral question for Antigone.

In his essay "Ethical Theory and Utilitarianism", he points out that utilitarianism does not care about equal and unequal distribution; it only focuses on the total utility that is the same in both equal and unequal distributions. "The utilitarian is sometimes said to be indifferent between equal and unequal distributions, provided that total utility is equal". (27) Here points out that utilitarianism can have its benefits because of the high degree of equality of goods and considers moderate inequalities. Laurence Hamilton points out utilitarianism does not allow for social choice based on individual needs and preferences. There needs to be a social theory that supports collective decision-making. Social choice theory is the study of how decisions are made collectively. It examines the idea that, for a given society, the preferences of individuals can be directly aggregated to reflect a 'social preference.' Social choice theory is thus primarily concerned with the connection or relation between individual preferences and social outcomes. (24)

There is no collective decision-making in Sophocles' plays. This hampers the relationship between individual preferences and social outcomes. As the preference is not addressed, society has to bear its consequences. Wiebke Kuklys writes that justice is only possible when individual welfare levels are considered before the distribution of goods or decisions. (1)

Since the individual welfare level is not considered, justice becomes utilitarian for the Theban people and their specific needs are not measured empirically or considered; the man-made law or decision-making fails in Sophocles' plays. Dhongdeshatakshee and Prasanta K. Pattanaik write, "Sen interprets choice here in terms of a single act of picking exactly one

alternative from a given set of feasible alternatives. Given this interpretation, even indifference can be problematic" (28). Indifference to the choice of community with public participation causes problems for society rather than doing good. This critique of utilitarianism is grounded on Amartya Sen's critique of Rawlian utilitarianism in his book *The Idea of Justice*:

Rawls's specification of the demands of impartiality is based on his constructive idea of the 'original position,' which is central to his theory of 'justice as fairness.' The original position is an imagined situation of primordial equality when the parties involved have no knowledge of their personal identities or their respective vested interests within the group as a whole. (54)

Sen criticizes Rawl's use of terms like 'original position' and examines his notion of 'justice of fairness.' For him, the original position specified in Rawl's utilitarian theory signifies the imaginary primordial position of the man in which s/he has no knowledge of their identities or will not have their personal interest. Since there is a problem with the utilitarian distribution, Sen has proposed a solution for maximizing the good or promoting justice in society. Melanie Walker and Elaine Unterhalter clarify Sen's position, "workable solution is possible without complete social unanimity. He argues that all the members of any collective or society "should be able to be active in the decisions regarding what to preserve and what to let go" (242). A workable solution or justice for society is possible with social unanimity. For this, Sen expects a social condition in which the members of society can actively participate.

It is as definite in Sophocles as in Aeschylus that the world is governed by divine laws whose duration is everlasting. "Not today or yesterday" were they created, "but from all time, and no man knows when first they were brought forth" (34). The idea of society is that they were begotten in the serene heights of heaven; no mortal race of men gave birth to them, nor shall forgetfulness ever lay them to sleep. These laws are synonymous with justice and reverent purity in every word and deed. Sometimes, this omnipotent being appears to be represented by Zeus, though as a rule, the Zeus of Sophocles is merely the God of Greek mythology and the son of Earth and Cronus. But not infrequently, he is addressed in language that shadows forth the poet's conception of the nature of the supreme ruler. He is "the sole dispenser of the future" who "abides in heaven forever, overseeing and guiding all things." His power is everlasting, and "neither all-subduing sleep nor the unwearied months of heaven can overmaster it." In his hands is placed the administration of these eternal laws to which the whole universe is subject, and "Justice, proclaimed from old, sits with Zeus by everlasting decree." The signs and proofs of this divine order in the world are to be seen in the retribution which inevitably falls upon guilt and injustice. On this point, Sophocles is no less emphatic than Aeschylus. Wickedness, according to his teachings, can never prosper. "If a man walks proudly in word or deed, with no fear of Justice, and follows unrighteous gains, how shall he escape the arrows of the gods?" Sometimes, evil-doers are cut off in triumph by the "swift-footed vengeance of heaven"; at other times, punishment appears to be delayed, but "the gods, though slow, are sure in visiting crime, where men abandon godliness and turn to evil." (67)

So far, the ideas of Sophocles coincide mainly with those of Aeschylus. But he is less optimistic in his view of man's destiny. He cannot shut his eyes to the fact that, while crime is punished, innocence is not always protected, and suffering and misfortune often overtake the guiltless. This truth is exemplified in most of his extant dramas. Antigone is put to death because she obeys the laws of God rather than the laws of man, and Oedipus is plunged into overwhelming disasters by a cause external to himself. This misery is the result of ancient crimes, in which the victims have had no share but of which they feel the effects. For "when a house is once shaken from heaven, the curse ceases nevermore, but passes on from generation to generation," bringing forth pain and sorrow, even as the surge, when driven by fierce Thracian blasts, "rolls up the black sand from the depths of the sea" (63). In his treatment of this matter, Sophocles diverges widely from Aeschylus. It is the constant aim is to show that misfortune is connected with sin and never entirely undeserved and that even when an ancestor's crimes are being expiated, there is always some contributory guilt on the part. Sophocles has no such conviction. He admits the existence of unmerited evil and does not attempt to reconcile the fact with the justice of the eternal laws. These deviations from strict equity must be accepted and recognised as part of the order of the universe, though their reason is inexplicable to human wisdom. They are mysteries that, if God conceals, no man can discover, however long he searches.

Yet the conclusion from these reflections is not altogether despondent or fatalistic; it is the old Greek moral of moderation and self-distrust. All human fortune is uncertain, and mankind is but "phantoms and airy shadows" whose prosperity "passes away as swiftly as the leaves of the slender poplar." Hence, it is foolishness "to reckon on the morrow or the days beyond." But at the same time, the world is governed by divine laws, though their workings are often challenging to explain. Veneration for these laws is the truest wisdom and the best safeguard against misfortune. "Revere the gods," says Hercules, "all things else are of less account in the eyes of Zeus." Reverence, moderation, and humility are the qualities that make a man best in the long run. The sum of his teaching is contained in the words of warning which Athene addresses to Odysseus after showing him the results of impiety and presumption in the case of Ajax. "Wherefore," she adds, "speak no words of insolence against the gods, nor boast thyself, if thou excellent in strength of hand or store of riches. One day suffices to cast down and rise all human prosperity, and the gods love the sober-minded and hate evil-doers." Too much has been made of the supposed pessimism of Sophocles. It is true that in several passages, human life is described in gloomy language. In his despair, he exclaims that "every day only brings us nearer to death," and the chorus laments that "life is but a shadow, and that a man no sooner seems to be happy than he falls away." Elsewhere, they declare that "it is best not to be born, and that after birth, the next best by far is that a man with all speed should go to the place from whence he came." These and similar reflections, however, can have a dramatic significance. In the places where they occur, they are the natural utterances of sorrow in the face of great calamity. But it is a mistake to remove them from their context and quote them

in succession to represent the philosophy of Sophocles. His plays are not of this despondent character; despite their tragic contents, they are distinguished by a certain brightness of tone. [More] modern tragedies on the same subject, such as the Oedipus of Voltaire and the Oreste of Alfieri, are far more somber and depressing.

Sophocles, as we know, was cheerful and tranquil in life, and the tendency of his dramas is in the same direction and suggests a natural and healthy delight in human existence and the outward facts of nature. Antigone lays down her life, not as a burden from which she is glad to be released, but as a bright and joyful possession, and gazes with sorrow on "the sacred light of the sun", which she is never to behold anymore. Even Ajax, in his state of desperation, parts with regret from the splendor of the shining day," and from the "rivers and plains of Ilion which have given him nourishment" (29).

Antigone speaks to the moral and social issues of the day. Antigone and her sister Ismene are aware that their father's legal violation has resulted in severe repercussions. King Creon established the rule that people who disagree with the government should not be buried. Antigone is horrified by this idea since she feels that her warrior brother should be buried in a sacred place. Creon's law is disregarded by Antigone. She sincerely believes in the greater laws of the gods. For all humans, the conflict between a higher power and man-made authority never ends. Antigone thinks she will benefit most from acting in accordance with her moral convictions as dictated by a higher authority than Creon. To put it another way, Antigone represents a sense of justice that transcends Creon's power. The quote from the drama that best illustrates this is when Antigone informs Ismene, "I know I please where I must please the most" (Sophocles 64). It illustrates that Antigone believes that burying her brother is a higher form of justice than the law made by Creon. Antigone believes her moral sense of right and wrong overrides Creon's dictate that her brother does not deserve a consecrated burial. By burying her brother, Antigone has acted first to satisfy her own sense of justice, one she believes is in greater accordance with higher law than Creon's law, which she views as unjust. Antigone knows she will lose her life as a result of transgressing Creon's law, but she is content to know that she will die, having lived up to her own moral code. As she tells Ismene, "I will suffer nothing as great as death without glory" (66)

The unfair part of justice, for he considers one part of social and political life but ignores the other. He hardly understands that there is an upper justice that is above political concerns. In being politically correct, he imposes harsh laws that are not moral and do not concern the feelings of the common public—the decision to prevent the decent burial of the deceased, whether a patriot or a treason. No laws bar an individual from getting a burial as per his faith or belief. However, Creon goes up to the extent of challenging this very natural right.

There is no guarantee that everything justice might be good and acceptable to the person to whom the justice is pronounced. When Creon orders that anyone who is found burying the sons of Oedipus, he is being justifiable, at least in terms of law. But, when it comes to moral



justice, it is unacceptable for any dead one to refrain him/her from a decent burial. The idea of decent burial for the dead is one of the fundamental aspects of human society. There is no denying that no individual should be refrained from his/her cultural and religious last rites, despite whatever crime he/she has been associated with. This practical philosophy takes utility at the centre of all human events. As such, society and nation are bound under larger utility for the maximum number of people is guaranteed as justice. Sophocles echoes the popular belief that humans maintain physical characteristics after death, with Oedipus, who becomes blind in Hades, leading a gloomy life and pursuing vengeance, influencing the living to do so. The ancient Greeks recognized justice as a reality outside the individual, shaping human life. In modern times, justice has evolved into a legislative form. In the past, justice was revealed by the oracle at Delphi, offering incomplete, evasive answers. Based on his plays, Sophocles adopted a conservative stance towards prophecy. The Oedipus Trilogy's oracles speak authentically, however indirectly, as an infallible authority. In fact, throughout the Oedipus Trilogy, this voice of the gods—the manifestation of their divine will—represents a strong, invisible force. Oedipus, as a character, displays his characteristic brilliance and overconfidence in what he regards as his heroic search for the murderer of Laius. He pursues the mystery relentlessly, confident that its solution will yield him the same glory he enjoyed when he answered the riddle of the Sphinx. Oedipus' self-assurance that he has taken care of the Divine Law blinds him to it and begins the fall that will end in his literal blindness. As such, Oedipus assumes self as the conqueror upon the natural law. On the other side, Creon also exhibits blind spots, disregards the laws of the gods, and needs Tiresias to remind him of the will of the gods. Creon's last-ditch effort to appease the gods only serves to highlight his inevitable fate, which is the dissolution of his family and the end of his reign. Antigone attributes all of the tragedies in her family to Zeus's will because she is keenly aware of the divine's power. When she takes decisive action and decides to follow the laws of the gods instead of the state's laws, she nearly seems like a modern heroine—a role model for personal bravery and accountability within the strict bounds of natural justice. The quote from the drama best illustrates when Antigone informs Ismene, "I know I please where I must please the most" (Sophocles 64). Antigone believes her moral sense of right and wrong overrides Creon's dictate that her brother does not deserve a consecrated burial. By burying her brother, Antigone has acted first to satisfy her own sense of justice, one she believes is in greater accordance with higher law than Creon's law, which she views as unjust. Antigone knows she will lose her life as a result of transgressing Creon's law, but she is content to know that she will die, having lived up to her own moral code. As she tells Ismene, "I will suffer nothing as great as death without glory" (64). Thus, Antigone decides to resist Creon and insists on burying Polyneices. The act brings her into a sharp conflict between familial duty based on divine law and the commands. Leaving Polyneices unburied means he becomes part of nature, as vultures and wild dogs will feed on him. The play Antigone focuses on the sacrificial death of Antigone and the melancholic survival of Creon, highlighting the patriarchal values of Greek tragedy. Dramatic irony is used to convey disillusionment, while Oedipus is portrayed as a socially conscious character.

In his analysis of *Oedipus the King*, D.W. Myatt articulates, "The essence of this particular Greek tragedy lies in the realm of the gods and their relationship among individuals, communities, and the gods. Regarding Oedipus' morality, Myatt expands: "The tragedy lies in the fact that Oedipus was not initially disrespectful of the gods - he tried to avoid killing his father and sleeping with his mother; and when he learns that the oracle at Delphi has said that the plague which is killing the people of Thebes is the result of a defilement [ . . . ]". (5) Greek mythology was clarified by this analysis, which is fascinating and thrilling. Therefore, Oedipus's bravery in seeking the truth about his actions and his acceptance of his fate after discovering the truth are both considered acts of heroism. According to J. Michael Walton's psychological theory, the irony of Sophocles' *Oedipus the King* played to Freud himself because it used myth to illustrate the most fundamental of all relationships: that between a child and his parents. Antigone believes that human laws are imperfect and only God's laws are perfect. She is motivated to bury her brother's corpse, even at her death. Creon's tyranny increases Antigone's stubbornness. Harman, Creon's son, supports her, realizing religious laws are for humans. Principles of justice and fairness are central to procedural, retributive, and restorative justice, ensuring unbiased, consistent, and reliable decisions. Fair procedures are essential for individuals' acceptance of decisions.

The murder of Oedipus' father is the clearest illustration of how power produces justice in this play. Oedipus's deeds on the journey to Thebes are still justified and appropriate as long as he has power. The murderer becomes a criminal when he loses his position of authority. Looking back, we can see that the only notion of justice in relation to this incident was Oedipus's power. When Oedipus was travelling to Thebes years ago, he came across another man. Oedipus refused to give way to this other guy, and he refused to give way to him. In the end, Oedipus was able to use his overwhelming power to drive the man off the road. "O three paths and hidden groves and the narrow oak coppice at the triple crossroads, which drank my blood from my father from my own hands" (Comley 120). This act was not deemed a crime, while the man was still not known to be Oedipus' father. According to Antigone, the law of God is more important than the law of the state. Like Creon, we suffer when we disobey God's commands. He opposes heavenly law for the sake of state or human law prior to acknowledgement. She would rather have a noble death.

#### **IV: Conclusion: Decline of Morality and Laws**

The discussion of law, morality, and justice in Sophocles's plays *Oedipus the King* and *Antigone* centered on utilitarian and non-utilitarian debates. J. S. Mill's utilitarian doctrine comes into rigorous criticism in Amartya Sen's non-utilitarian justice. An egalitarian society, characterized by equal justice for all, is the transcendental approach, as imposed by governments and authorities, to create an equally just society. It needs to be more effective to create a society in which all members' desires are met, resulting in overall happiness. The utilitarian approach has weakened morality and justice, imposing them equally, even on those who want them less.

The system of justice in ancient Greece is utilitarian. God and the state impose equal measures on all as if everyone were the same. All are punished if the kings make mistakes or commit sins. There should be a non-utilitarian ground of evaluation, and the justice issue must be addressed per the individual's needs. Forcing justice even when it is not needed is injustice. So, to solve the problem seen with the utilitarian approach to justice, Amartya Sen has proposed comparative justice. The state and policymakers make artificial laws. They are imposed by them equally for all with the hope of creating an equally just society for all. Thus, they are utilitarian. Oedipus and Creon, as well as Lord Apollo, impart knowledge about the various mysteries, rewards, and punishments of God's rule, all of which appear to be utilitarian.

### References

- Alexander, John M. *Capabilities and Social Justice: The Political Philosophy of Amartya Sen and Martha Nussbaum*. Routledge, 2008.
- Baudelmann, Felix. *The Language of Sophocles: Communitality, Communication and Involvement*. Cambridge UP, 2000.
- Dhongdeshatakshee and Prasanta K. Pattanaik. "Preference, Choice, and Rationality: Amartya Sen's Critique of the Theory of Rational Choice in Economics." *Amartya Sen. Ed. Christopher W. Morris. Cambridge UP, 2010*, pp. 13–39.
- Gotoh, Reiko and Paul Dumouchel. "Introduction." *Against Injustice. Cambridge UP, 2009*, pp. 1–34.
- Hamilton, Lawrence. *Amartya Sen. Polity*, 2019.
- Hare R. M. "Ethical theory and utilitarianism." *Utilitarianism and Beyond. Eds. Amartya Sen and Bernard Williams. Cambridge University Press, 1982*, pp. 23–38.
- Hart, H. L. A. "Justice and Morality." *The Concept of Law*. 2nd ed. New Delhi: Oxford University Press, 2002: 155–80.
- \_\_\_\_\_. "The Morality of Law." *Harvard Law Review* 78 (1965), pp. 1278-83.
- Howley, Jonathan. "The Times of our Time." *Tragedy of Justice*. London: Oxford, 1986.
- Jason, Stephen. "Case of Turpitude and Legal Codes." *The Sunday Times Review* 123.45 August 1993, pp. 96–99.
- Klaus, Carl H. *Elements of Literature*. Edited by Nancy R. Comley, Fourth ed., New Delhi, Oxford University Press, 2010, p. 1425.
- Kuklys, Wiebke. "Introduction." *Amartya Sen's Capability Approach. Springer, 2005*, pp. 2–8.
- Mill, John Stuart. "Utilitarianism." *Exploring Justice, Equality, Democracy*.

61 | Paudel, B.

pp. 141-47. <http://www.academicjournals.org/ERR>

Rawls, John. A Theory of Justice. Harvard University Press, 1971.

Sen, Amartya, and Bernard Williams. "Introduction: Utilitarianism and beyond." *Utilitarianism and Beyond*. Eds. Amartya Sen and Bernard Williams, Cambridge University Press, 1982, pp. 1–22.

Sen, Amartya. Against Injustice. Cambridge UP, 2009.

\_\_\_\_\_. The Idea of Justice. Harvard UP, 2009.

Simon, Stephen A. "The Issue of Identity: Redefined." Herald 23.78 July, 1978, pp. 41–44.

Uwasomba, Chijioke. "A Socio-psychological Exploration of Fyodor Dostoyevsky's Crime and Punishment." Educational Research and Review Vol. 4. No. 4 April, 2009

Walker, Melanie, and Elaine Unterhalter. "The Capability Approach: Its Potential for Work in Education." *Amartya Sen's Capability Approach and Social Justice in Education*, edited by Melanie Walker and Elaine Unterhalter, Palgrave Macmillan, 2007 pp. 1–18.

Winnington, R. P. Sophocles: An Interpretation. Cambridge UP, 1980.

Yannella, Donald. New Essays on Law and Morality. Cambridge: Cambridge, 2002.