

HOLISTIC JUSTICE:

Using the Work of T. F. Torrance and J. B. Torrance to Reframe Responses for Christian Women Experiencing Domestic and Family Violence

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Abstract: *Church leaders may struggle to incorporate considerations of justice within their responses to domestic and family violence against Christian women. Thomas F. Torrance's unitary theological method, i.e. his integration of ontology and epistemology, his rejection of dualism, and his 'onto-relational' understanding of personhood, can all be valuably applied to bring clarity to this discussion. Beyond informing pastoral church responses, this work can conceptualize justice in a way that holds its theological and legal meanings together and reframes understandings of and responses to the impacts of violence. When considered alongside James B. Torrance's concepts of theological covenant and theological justice, the result is a unitary approach which theorizes theological justice holistically and theorizes domestic and family violence against Christian women onto-relationally. Crucially for an issue replete with interdisciplinary, intersecting and deeply personal aspects, this enables the reframing and integration of relevant faith and legal components. Further, the Torrances' profoundly dignifying understandings of human personhood can be brought to bear on the damage to the victim/survivor's sense of self,*

opening space for a deeply integrated, 'embodied' form of justice to be experienced as a response to the violence.¹

1. Issues of Justice in the Context of Pastoral Domestic and Family Violence Responses

A discussion of justice is largely missing from the current global conversations about faith-based responses to domestic and family violence against Christian women, despite the significant amount of work being done internationally with churches and in social work and human-service related sectors now in researching and responding to religious domestic and family violence.² This is not meant to imply that no one working in religious domestic and family violence is thinking about justice or bringing theological meanings of justice to bear in their pastoral work with women. Some certainly are. Rather, the gap is in connecting theological meanings of justice with secular legal meanings in such a way that discussions of concepts such as forgiveness and theological justice are inclusive of the broader criminal justice system. Without alignment of those elements at a conceptual level,

*With thanks to Kate Tyler for perceptive comments on an earlier draft.

¹ Some sections of this article were published in Jenny Richards, "'Love, Justice and Freedom for All': Using the Work of T.F. Torrance and J.B. Torrance to Address Domestic and Family Violence' in *Torrance and Evangelical Theology: A Critical Analysis*, eds. Myk Habets and R. Lucas Stamps (Bellingham, WA: Lexham Academic, 2023) 261–281, and are used by permission.

² This article focuses on domestic and family violence committed against married Christian women by their husbands, and references to the gender of perpetrators is attributed accordingly. I acknowledge that such violence is also committed against Christian men by their wives and can also involve spiritual and emotional abuse by twisting teachings about marriage in a parallel way to the dynamics discussed in this essay. Nonetheless, this essay focuses on domestic and family violence against Christian women because it remains largely an issue in which patriarchal norms are reinforced and turned against women, and almost all of the existing research considers such abuse as it relates to women. Having said that, many of the principles discussed in this essay — and importantly, all of the potential benefits of reconceptualizing domestic and family violence experiences using the work of the Torrances — would also apply to free and restore dignity and safety to men who suffer such violence from their Christian wives. They, too, are seen in this space.

it becomes difficult to approach responses to domestic and family violence in a way that does not implicitly preference a faith response to a criminal justice response.

Research on domestic and family violence³ against Christian women has identified two main theological issues: how to improve pastoral responses by addressing harmful theological beliefs, and how churches can work collaboratively with human services.⁴ Improvement of pastoral responses tends to focus on addressing theological teachings which either condone or enable domestic and family violence. These beliefs include oppressive teachings about female submission in marriage, male entitlement and headship, patriarchal attitudes towards gender equality, the characterization of domestic and family violence as a spiritual issue requiring prayer and other spiritual solutions, and imperatives of forgiveness and

³ See discussion in Richards, "Seeking Love, Justice and Freedom," 262-264.

⁴ Nancy Nason-Clark and Catherine Holtmann, "Naming the Abuse, Establishing Networks and Forging Negotiations: Contemporary Christian Women and the Ugly Subject of Domestic Violence," in *Contemporary Issues in the Worldwide Anglican Communion: Powers and Pieties*, ed. Abby Day (London: Taylor & Francis Group, 2017), 75-93; Elisabet le Roux and Nadine Bowers-Du Toit, "Men and Women in Partnership: Mobilizing Faith Communities to Address Gender-Based Violence," *Diaconia* 8, no. 1 (2017): 23-37; Anna Perkins, "Christian Norms and Intimate Male Partner Violence: Lessons from a Jamaica Women's Health Survey," in *The Holy Spirit and Social Justice Interdisciplinary Global Perspectives: History, Race & Culture*, ed. Antipas Harris and Michael Palmer (Lanham: Seymour Press, 2019), 240-267; Leonie Westenberg, "When She Calls for Help: Domestic Violence in Christian Families," *Social Sciences* 6, no. 3 (2017): 71; Shoshana Ringel and Juyoung Park, "Intimate Partner Violence in the Evangelical Community: Faith-Based Interventions and Implications for Practice," *Journal of Religion and Spirituality in Social Work: Social Thought* 27, no. 4 (2008): 341-60.

continuation of the marriage due to its indissolubility.⁵ Collaboration with human service organizations is naturally concerned with maximizing safety and assisting in violence prevention.

This essay sits alongside those efforts, expanding the conversation into a parallel area by bringing law and justice explicitly within the consideration of how that 'faith response' to domestic and family violence is conceptualized. It will focus on the question of criminal justice system involvement but is relevant for broader questions of law and justice. Drawing on the theological work of Thomas F Torrance and James B. Torrance for its theological content, it analyzes ways in which faith and law considerations can promote a deeper restoration and a form of justice for women experiencing domestic and family violence by being held together in what can be referred to as a faith-law response. This kind of response would enable women to engage more readily with the criminal justice system if that were an

⁵ On these issues, see Stephen R. Tracy, "Patriarchy and Domestic Violence: Challenging Common Misconceptions," *Journal of the Evangelical Theological Society* 50, no. 3 (2007): 573; Irene Sevcik et al., eds., *Overcoming Conflicting Loyalties: Intimate Partner Violence, Community Resources, and Faith* (Edmonton: University of Alberta Press, 2015); Nancy Nason-Clark et al., *Religion and Intimate Partner Violence: Understanding the Challenges and Proposing Solutions* (Oxford: Oxford University Press, 2017), <https://doi.org/10.1093/oso/9780190607210.001.0001>; Romina Istratii and Parveen Ali, "A Scoping Review on the Role of Religion in the Experience of IPV and Faith-Based Responses in Community and Counseling Settings," *Journal of Psychology and Theology* 51, no. 2 (2023): 141–173, <https://doi.org/10.1177/00916471221143440>; Jaclyn D Houston-Kolnik, Nathan R Todd, and Megan R Greeson, "Overcoming the 'Holy Hush': A Qualitative Examination of Protestant Christian Leaders' Responses to Intimate Partner Violence," *American Journal of Community Psychology* 63 (2019): 135, <https://doi.org/10.1002/ajcp.12278>; Rebecca Barnes and Kristin Aune, "Gender and Domestic Abuse Victimization Among Churchgoers in Northwest England: Breaking the Church's Gendered Silence," *Journal of Gender-Based Violence* 5, no. 2 (2021): 271–228; Beth Crisp, "Faith Communities as a Setting for the Prevention of Gender-Based Violence," in *Eliminating Gender-Based Violence*, ed. Ann Taket and Beth Crisp (London: Routledge, 2018), 124; Mandy Truong et al., "Attitudes and Beliefs About Family and Domestic Violence in Faith-Based Communities: An Exploratory Qualitative Study," *Australian Journal of Social Issues* 57 (2022): 880–897.

option they wished to pursue.⁶ Importantly, it would ensure that involvement of the criminal justice system was *not* viewed as being somehow contrary to a 'faith response.' To put it more simply, it is not unchristian or any kind of concession or lesser option to involve the police in a situation of domestic and family violence. If that is something that is sought or desired, it forms *part of* a Christian response.

2. Three Conceptual Issues Complicating Help-Seeking for Domestic and Family Violence

The reason for the place of the Torrances' work to inform an integrated conceptualization of faith and law responses for women may seem deceptively simple: the main barriers to help seeking — including criminal justice system engagement — by Christian women experiencing domestic and family violence are steeped in forms of dualisms, and compounded by issues of language slippage between legal and theological meanings relating to justice, and these are areas specifically addressed by the Torrances. The most common examples of such issues which operate dualistically are the perceived sacred/secular divide, which locates the criminal justice system as a 'secular' response and thus distinct from a faith response, and a characterization of domestic and family violence as a private matter, with justice responses being viewed as part of the public realm.

A further issue which flows from these two dichotomies is a tendency to apply some Christian teachings in a way which disconnects them from other teachings and gives them primacy. An example of this is a tendency to view forgiveness as the central requirement of a Christian response to violence and a criminal justice response as involving punishment and, therefore, being inconsistent

⁶ I do not take the position that criminal justice system involvement should occur in every case of domestic and family violence. Many women choose not to do so for a variety of reasons including concerns about privacy, what it may mean for the relationship, and very real fears for safety. The system itself can also be fraught and traumatizing in a myriad of ways and may not deliver an outcome that the survivor considers to be 'just.' For those reasons, this article does not suggest that justice system engagement should be championed as the one and only appropriate Christian response. Rather, it seeks to ensure that the justice system is not conceptualized as being outside of or inconsistent with a Christian response, but instead as *being part of* such a Christian response. In this way, the aspects of justice present in the nature of the law itself will be able to speak into that situation irrespective of the extent to which the formal system is engaged.

with a Christian response. For example, a Christian woman may not be comfortable calling the police and possibly having her husband imprisoned if she believes this would essentially be punishing him, or making it difficult to continue the marriage, and would therefore not be consistent with forgiving him. These three conceptualizations complicate women's help-seeking, and effectively locate criminal justice system engagement as a lesser or alternative response, which should only be used as a last resort.

These are issues on which the Torrances' work provides crucial theoretical and practical clarity. As such, it can be drawn from to bridge the perceived divide between a justice response and a faith response, illuminate areas of congruence between legal justice and theological justice, and, in doing so, conceptualize theological justice in a way which enables dignity and personhood to be centered as a corrective to forms of damage caused by the violence itself. In this way, a *faith-law* understanding of justice can be developed, which can be experienced to some degree by women irrespective of what specific involvement they may choose in relation to formal justice system responses.

The emphases of both J. B. and T. F. Torrance on holism and covenant can be brought to bear in addressing these conceptual barriers, particularly because these emphases flow from and are grounded in their understanding of God as Trinity and their consequent Christology. T. F. Torrance's theological method and commitment to holism, as well as his exposition of the mediation of Christ as it relates to theological covenant would all assist here in overcoming the dualistic components of the three barriers to help seeking. J. B. Torrance's work is salient in three key respects. First, assisting us to understand the concept of theological covenant in a way that is profoundly dignifying and protective of the persons in it, rather than supporting a view of marriage that elevates it as an institution over the value of the persons within it. Second, in dealing with language slippage over terms such as law, justice and righteousness which have complicated understandings of covenant and the place of religious obligations towards one another. These first two contributions

are seen in his work on covenant and contract.⁷ Third, his perhaps lesser-known work on socio-political reconciliation in South Africa and Northern Ireland illuminates an understanding of how justice operates theologically within a covenantal framework where one party has wronged another.⁸ This can be adapted to a situation of domestic and family violence.

All of these features of the Torrance's work can be brought together to ground a faith-law understanding of responses which operate for the women affected and enable a form of justice to be experienced which incorporates faith norms and is congruent with the potential operation of the criminal justice system.

3. Sacred vs Secular, Public vs Private: How Dualistic Thinking Polarizes Domestic and Family Violence Responses.

The primary theological barriers identified by research on responses to domestic and family violence are conceptual or theoretical ones, and all of them involve the presence of dichotomies which develop from various dualist frames of thinking. 'Dualism' as a term has a variety of meanings. Useful definitions for our purposes are "[t]he condition or state of being dual or consisting of two parts; twofold division; duality;" or "[a] theory or system of thought which recognizes two independent principles."⁹ Greek philosophical thought is replete with dualist conceptualizations, which have been inherited in many 'western' societies and may be so embedded within them that they are not questioned. Dualisms, by definition, tend to create dichotomous thinking and can lead to the concepts involved being viewed as unconnected elements which are inconsistent with each other. The

⁷ James B. Torrance, "Covenant or Contract?: A Study of The Theological Background of Worship in Seventeenth Century Scotland," *Scottish Journal of Theology* 23, no. 1 (1970): 51-76.

⁸ James B. Torrance, "The Ministry of Reconciliation Today: The Realism of Grace," in *Incarnational Ministry: The Presence of Christ in Church, Society, and Family: Essays in Honor of Ray S. Anderson*, ed. Christian D Kettler and Todd H Speidell (Helmets & Howard, 1990), 130-139; James B. Torrance, "Reconciliation, Sectarianism and Civil Religion in South Africa and Northern Ireland" (Unpublished, Undated) available online <https://tftorrance.org/u-jbt-2>.

⁹ "Dualism," in *Oxford English Dictionary* (Oxford: Oxford University Press, 2023), <https://www.oed.com/search/advanced/Meanings>.

public/private and mind/body dualisms are some of the better-known examples. One particularly familiar for religious people, and directly relevant to domestic and family violence responses, is a perceived dualism which distinguishes between the realms of the sacred and the secular. This is the main form of dualism influencing understandings of domestic and family violence and how to conceptualize responses to it.¹⁰ It does this by locating a faith response as something distinct from and operating separately to whatever the (secular) justice system response may be.

The sacred/secular dualism views a faith or Christian response to domestic and family violence as something separate from whatever the justice system (or other secular agencies) might do. It creates a law/faith binary or dualist understanding of options for responding to domestic and family violence, which *distinguishes* a justice response from a faith response and can view them as inconsistent with each other. Accordingly, it presents them as disconnected, unrelated alternatives between which the woman must choose. It can also characterize domestic and family violence itself as a spiritual problem to resolve with spiritual solutions, rather than being first and foremost a crime. Implicit within that kind of conceptualization is an awareness that the most important thing for a Christian woman to consider when responding to the violence against her is to respond in a way that is consistent with relevant religious teachings or norms. A further complication is that if the violence is characterized by churches and by women as a private and religious issue, the appropriate response or solution to the

¹⁰ Excellent Chireshe, "Barriers to the Utilisation of Provisions of the Zimbabwean Domestic Violence Act among Abused Christian Women in Zimbabwe," *Journal of International Women's Studies* 16, no. 2 (2015): 262–264; le Roux, "A Scoping Study on the Role of Faith Communities and Organisations in Prevention and Response to Sexual and Gender-Based Violence: Implications for Policy and Practice," 55; Andrew Behnke, Natalie Ames, and Tina Hancock, "What Would They Do? Latino Church Leaders and Domestic Violence," *Journal of Interpersonal Violence* 27, no. 7 (2012): 1259–1275; Kim Beecheno, "Conservative Christianity and Intimate Partner Violence in Brazil: Using Feminism to Question Patriarchal Interpretations of Religion," *Religion and Gender* 11 (2021): 254–255; Istratii and Ali, "A Scoping Review on the Role of Religion in the Experience of IPV and Faith-Based Responses in Community and Counseling Settings"; le Roux and Bowers-Du Toit, "Men and Women in Partnership: Mobilizing Faith Communities to Address Gender-Based Violence," 33.

violence is likewise characterized as private and spiritual.¹¹ This may lead to justice system involvement potentially being viewed as off the table; or instead as a last resort reserved for the most severe cases, or perhaps those involving children.

This kind of polarized characterization may be more likely to occur if the faith response is viewed as one which gives primacy to forgiveness and emphasizes grace. Such a response may be viewed as being at odds with a justice response, particularly if justice is believed to be synonymous with punishment.¹² What we see here is a further dualism in operation, which flows out of the first two, particularly the sacred/secular divide. That further dualism is a tendency to separate out particular teachings and doctrines from one another and give primacy to some of them — particularly forgiveness — rather than holding all teachings together when considering a faith response. This kind of response would hold forgiveness out as the preeminent personal response which is required for domestic and family violence. It is this kind of understanding which may then struggle to find a place for justice, *especially* if justice is viewed as a secular response. This can lead to the

¹¹ Barbara Zust et al., "10-Year Study of Christian Church Support for Domestic Violence Victims: 2005-2015," *Journal of Interpersonal Violence* 36, no. 3-4 (2018): 1-27, <https://doi.org/10.1177/0886260518754473>; Truong et al., "Attitudes and Beliefs About Family and Domestic Violence in Faith-Based Communities: An Exploratory Qualitative Study"; Westenberg, "When She Calls for Help: Domestic Violence in Christian Families"; Y Joon Choi and Elizabeth Cramer, "An Exploratory Study of Female Korean American Church Leaders' Views on Domestic Violence," *Social Work and Christianity* 43, no. 4 (2016): 3-32; Bernadine Waller, Jalana Harris, and Camille R Quinn, "Caught in the Crossroad: An Intersectional Examination of African American Women Intimate Partner Violence Survivors' Help Seeking," *Trauma, Violence & Abuse* 23, no. 4 (October 2022): 1245, <https://doi.org/10.1177/1524838021991303>; Perkins, "Christian Norms and Intimate Male Partner Violence: Lessons from a Jamaica Women's Health Survey," 253.

¹² As Tyler helpfully noted when reading an earlier draft: this kind of characterization can occur in theories of atonement which emphasize punishment. I consider that language slippage, which emphasizes the punitive nature of Roman law, lends itself to this kind of characterization also. That issue is discussed below.

ambivalence mentioned in the introduction: how, one might ask, can a Christian woman have her husband *arrested* if she is meant to be *forgiving* him?¹³

4. T. F. Torrance: Rejecting False Dichotomies and Calling for Holism

T. F. Torrance's work is tailor-made to address the kinds of false dichotomies replete in religious domestic and family violence for two main reasons.¹⁴ The first is that a central component of his theological work involved deconstructing dualist frames of knowledge in a range of fields, including law and theology. In its place, he advocated holistic theological method, realism in law, and holism not only in theological teachings but also in legal theory.¹⁵ This holism involves an integration of epistemology and ontology alongside a rejection of dualist modes of thinking, such as sacred/secular and mind/body, which have impacted ways in which domestic and family violence is conceptualized and responded to. As such, his work provides a direct conceptual corrective to the three false dichotomies which constitute barriers to help-seeking: a tendency to conceptualize a faith response as separate or preferable to a justice response; viewing domestic and family violence as private and therefore the responsibility of the woman to resolve; and the separating out of doctrines like forgiveness from within the context of related teachings such as justice, repentance and restoration.

¹³ This kind of thinking can be pervasive. It is worth noting that it smacks of something akin to victim-blaming, as it locates the responsibility for responding to the violence at the feet of the woman. It also wrongly implies that she is the one responsible if her husband is arrested, rather than viewing that as a consequence of the violence he has chosen, and thus his responsibility. One's view of women and their role in marriage might be directly influential here as noted above.

¹⁴ See also Richards, "Seeking Love, Justice and Freedom", 265-266.

¹⁵ Thomas F. Torrance, *Juridical Law and Physical Law: Toward a Realist Foundation for Human Law* (Eugene: Wipf and Stock, 1997) Chapter 1.

T. F. Torrance was committed to a profound integration of ontology and epistemology in how both reality and theology are understood.¹⁶ His theological method is reflective of the implications of the self-revelation of God to humanity in Jesus Christ for Christians' knowledge of God.¹⁷ Torrance rejects dualistic frames of knowledge and dualisms more generally as being inconsistent with his realist theological method. He uses a general concept of dualism which views things as separate and unrelated, rather than as involving inherent connection as part of a greater whole. This kind of unrelatedness is implicit in the sacred/secular and public/private dualisms.

Tyler explains¹⁸ that Torrance applied a *kataphysic* method of inquiry in which the nature of the thing studied determines the appropriate method with which it is to be studied or known. In this method, "how we know and what we know are to be dictated by the object of our inquiry."¹⁹ It requires a dynamic and ever-deepening form of knowledge that rejects dualisms and involves a theological knowledge that is personal.²⁰ Of specific relevance to law and justice in situations of interpersonal violence are those forms of dualism which relate to epistemology and ontology generally — as that is a focus of Torrance's — and by implication, those which lead to a fragmented conception of human existence and personhood, such as mind/body, or indeed viewing human being as first and foremost as individuals, rather than persons in relationship to God and others. In law, these dualisms are seen in the Lockean concept of personhood reflected in his social contract, in which

¹⁶ Thomas F. Torrance, *The Christian Doctrine of God: One Being, Three Persons* (Edinburgh: T&T Clark, 1996); Thomas F. Torrance, *The Trinitarian Faith: The Evangelical Theology of the Ancient Catholic Church* (London: T&T Clark, 1995); Thomas F. Torrance, *The Christian Frame of Mind* (Edinburgh: Handsel Press, 1985). He also takes this approach to his analysis of law in *Juridical Law and Physical Law*.

¹⁷ Torrance, *The Christian Doctrine of God: One Being, Three Persons*, 21ff.

¹⁸ For a helpful explanation of the connections between Torrance's work on theology and science, his theological method, rejection of dualisms and recognition of the place of personal knowledge, see Kate Tyler, *The Ecclesiology of Thomas F. Torrance: Koinonia and the Church* (Lanham: Lexington Books/Fortress Academic, 2019), 8–15.

¹⁹ *Ibid.*, 10.

²⁰ *Ibid.*, 13. Tyler notes the influence of Polanyi on Torrance's approach to personal knowledge, here.

individual persons organize relationships between others externally, and indeed created deliberately by the persons themselves, rather than inherently present as a part of who those persons *are*.

Torrance's particular realist epistemology, inclusive of his onto-relational framework for human relationships and law suits an interdisciplinary consideration (and theorization) of the ways in which the justice system could better dialogue with and take into account such variables and intangibles as personal spiritual beliefs held by Christian women experiencing domestic and family violence. It would also assist church, domestic and family violence, and justice system workers address them in a way that is faithful to both law and personal belief/faith norms.²¹

5. Onto-relationality and its Utility in Reframing Justice

T. F. Torrance's well-known concept of onto-relations outworks his holistic understanding of being and knowing to recognize interrelationship, which is a consequence of the integration of epistemology and ontology. It articulates "the kind of relation subsisting between things which is an essential constituent of their being, and without which they would not be what they are."²² It also reflects a knowledge of oneself which begins in relationship to others, rather than as an individual who forges connections with others as a second and external feature. This latter aspect reflects its basis in holistic, rather than dualistic, frames of knowledge. Colyer explains it refers to:

The dynamic inter-relationality of reality (ontology — form inherent in being) and the kind of inquiry required in order to grasp and articulate this interrelatedness (epistemology — the integration of form in knowing). These interrelations, or "onto-relations" as Torrance calls them, are relations so basic that they are inseparable from, and characteristic of, what realities *are*. If we are to really understand realities, Torrance argues, we must investigate them in the nexus of their interconnections, rather than in isolation, for they are what they

²¹ For this section, see also Richards, 'Seeking Love, Justice and Freedom', 267-269.

²² Thomas F. Torrance, *Reality and Evangelical Theology: The Realism of Christian Revelation* (Eugene: Wipf and Stock, 1982), 42-43.

are by virtue of the relations in which they are embedded.²³

Conceptualizing something onto-relationally, then, looks beyond the facts about that experience or reality, and also encounters it in the context of the relationships which someone holds with others, and with themselves. It becomes a truth which impacts and takes into account the core of who they are and how they encounter their world — integrating ontology and epistemology — and is lived out by the person. There is utility in employing T. F. Torrance's particular concept of onto-relationality as a typology²⁴ in theorizing and understanding relevant concepts in domestic and family violence against Christian women, as well as the effects of the violence itself. It is holistic in that it integrates ontology and epistemology, but this specific application is further grounded in a trinitarian and covenantal understanding of reality and personhood, which centers the Christological emphases of T. F. Torrance in his theological method and of J. B. Torrance in his work on theological covenant.

The concept of onto-relations, particularly when viewed within its Christological and trinitarian context, is of crucial importance in both understanding the wrong of all forms of violence and providing a conceptual framework within which to approach the vast range of theological, personal, and pastoral issues that arise.²⁵ For T. F. Torrance, a realist approach to Christian theology requires a focus on the self-revelation of God in Jesus Christ as the incarnate Son of the Father, for what it means to be a human person made in the image of God.²⁶ It is *in Christ* that God has 'personalized' humanity, with such personalization and relationality being

²³ Elmer Colyer, *How to Read T.F. Torrance Understanding His Trinitarian and Scientific Theology* (Eugene: Wipf and Stock, 2007), 55–56.

²⁴ I am grateful to Andrew Torrance for this suggestion.

²⁵ See also Richards, "Seeking Love, Justice and Freedom", 267-269.

²⁶ Colyer, 55–56.

constitutive of a human being's reality.²⁷ Human being is therefore understood as onto-relational, rather than primarily individual: "there is an inherent relatedness in human being which is a creaturely reflection of a transcendent relatedness in Divine Being. This is the personal or inter-personal structure of humanity in which there is imaged the ineffable personal relations of the Holy Trinity."²⁸

The onto-relational structure of the Trinity has implications for human relating and also requires relevant Christian teachings to be understood and interpreted onto-relationally and holistically. This kind of onto-relational theorization of domestic and family violence requires consideration of the effect of the violence on one's knowledge of self, knowledge of self in relation to others, and knowledge of self in relation to the Trinity. When domestic and family violence is viewed in this way, it requires consideration of the internal/epistemological effects of the violence: what that violence says or implies about the person and the effect it has upon their sense of self and what they believe as a result, as well as their external relations.

At its core, violence depersonalizes, as it objectifies and devalues the person against whom it is perpetrated. In short, it has an onto-epistemological effect. The realm of the personal, particularly in the context of a trinitarian understanding of theological covenant, does not allow for abuse, and any form of domestic and family violence is a fundamental breach of that relationship. For both of the Torrances, the person and work of Christ cannot be separated,²⁹ and the dignifying impact of the incarnation of Christ on the Christian understanding of personhood is central here. Theologically, covenant includes a commitment to upholding the

²⁷ See Thomas F. Torrance, "The Soul and Person, in Theological Perspective," in *Religion, Reason and the Self: Essays in Honour of Hywel*, ed. D Lewis, Stewart Sutherland, and T A Roberts (Cardiff: University of Wales Press, 1989), 114, citing A. Seth Pringle-Pattison, *The Idea of God in the Light of Recent Philosophy* (London: Oxford University Press, 1920). See also Marty Folsom, "Thomas F. Torrance and Personalism: Distinctions, Clarifications and Paths Forward for Christian Anthropology," *Participatio* 9 (2021): 82–84; Gary Deddo, "The Importance of the Personal in the Onto-Relational Theology of Thomas F. Torrance," in *T & T Clark Handbook of Thomas F. Torrance*, ed. Paul Molnar and Myk Habets (London: T&T Clark, 2020), 143.

²⁸ Torrance, "The Soul and Person, in Theological Perspective," 109–110.

²⁹ James B. Torrance, *Worship, Community and the Triune God of Grace* (Downers Grove: InterVarsity Press, 1996), 52–53; Thomas F. Torrance, *The Mediation of Christ* (Edinburgh: T&T Clark, 1992), 9.

fundamental dignity of human beings as being made in the image of God and participating in the life of God through the incarnate Person of Jesus. This is one reason why J. B. Torrance's work, discussed below, emphasizes that this kind of trinitarian, covenantal relating involves giving one's humanity back to each other. An onto-relational law-faith typology would conceptualize justice in a way that centers personhood, dignity, freedom, and safety.

6. James B. Torrance: Covenantal, Holistic Relating

In much of his academic and pastoral work, J. B. Torrance distinguished between a theological *covenant* and a legal *contract*.³⁰ His central contention was that the conflation of covenant with contract lends itself to an erroneous contractual, legalistic understanding of theological covenant and, therefore, of the Christian Gospel itself. This would, in turn, have various consequences for the content of doctrinal teachings and the way in which individual Christians may approach their own discipleship and faith decisions, particularly in how they live out their relationships within their church communities and how they understand God's love toward them.³¹

J. B. Torrance outlines an ontologically grounded theological understanding of covenant involving a divine basis in unconditional love. Relational obligations — such as forgiving one another and repenting from wrongs done — arise from this understanding, which are also unconditional.³²

A trinitarian, covenantal understanding of marriage condemns domestic and family violence in the strongest terms. It is unthinkable, given that both parties are committed to loving each other unconditionally. Violent behavior is the literal opposite of covenantal behavior, so to speak. The theological position taken by the Torrances cannot in any way be seen to condone it, and the concept of

³⁰ See Torrance, "Covenant or Contract?: A Study of The Theological Background of Worship in Seventeenth Century Scotland"; Torrance, *Worship, Community and the Triune God of Grace*; James B. Torrance, "The Contribution of McLeod Campbell to Scottish Theology," *Scottish Journal of Theology* 26 (1973): 295.

³¹ Ibid. See also Richards, "Seeking Love, Justice and Freedom for All", 269.

unconditional love (and unconditional forgiveness) that it involves should, therefore, never be used to justify a demand for performative forgiveness from the victim and ongoing exposure to danger.

The dignifying of humanity and personhood inherent in the work of the Torrances through their teachings about the nature of the Christian God as Trinity requires the persons in a marriage to be valued above marriage as an institution in and of itself. T. F. Torrance's work on marriage viewed it as a relationship which is lived out within the church community rather than disconnected from it.³³ This, too, opens space for violence occurring behind closed doors to be viewed as the business of the church community rather than a private matter, and for church leadership to then stand with victims of domestic and family violence and prioritize their wellbeing.³⁴

7. Theological Meanings of Justice and Covenant

In exploring the implications of covenantal obligations for how Christians should relate to God and to one another, J. B. Torrance was acutely aware of the influence of Greek or Western philosophy and translations of relevant terminology, especially from Latin and Hebrew. Both J. B. Torrance and Alan Torrance³⁵ have noted the doctrinal confusion that results from conflating the Hebrew word for law, *torah* with its Latin word *lex*.³⁶ There are also crucial inconsistencies in meaning between the original Hebrew for covenant (*berith*) and equivalent words in Latin and in English. This conflation can be linked with the fact that the Latin word *foedus*, means both covenant and contract.³⁷ I would add that this slippage is compounded within

³³ Thomas F. Torrance, "The Christian Doctrine of Marriage," *Theology: A Monthly Journal of Historic Christianity* 56 (1953): 166.

³⁴ *Ibid.*

³⁵ Much of the rest of this section is taken from Richards, "Seeking Love, Justice and Freedom", 270-271.

³⁶ See Alan J. Torrance, "Forgiveness and Christian Character: Reconciliation, Exemplarism and the Shape of Moral Theology," *Studies in Christian Ethics* 30, no. 3 (2017): 301-302.

³⁷ Torrance, "Covenant or Contract?: A Study of The Theological Background of Worship in Seventeenth Century Scotland"; Torrance, "Forgiveness and Christian Character: Reconciliation, Exemplarism and the Shape of Moral Theology."

contemporary usage of 'covenant' and 'contract' because as a legal term there is no real difference in meaning between covenant and contract.

This slippage in language has ramifications for how theological concepts are understood. In particular, it affects understanding of the way in which God relates to humanity, and how people (notably husbands and wives) relate to each other, according to Christian teaching.³⁸ It also affects understandings of concepts such as forgiveness, repentance, and justice. It leads to conditional, uncertain, and legalistic understandings of those issues. For example, in lecture notes on concepts of grace and law in Judaism, and implications for interpreting the New Testament writings of St Paul, J. B. Torrance describes law in Judaism as being unconditional, but notes "this stress on Law is not legalism. Such fundamental law, enshrined in covenant, is not the Western 'law of contract'."³⁹ As Alan Torrance notes, when combined with a juxtaposition of the Hebrew word for righteousness (*tzedakah*) with the Latin *iusticia*:

[the effect ... has been to translate thinking about God from essentially filial and koinonial categories [i.e. which emphasise communion/fellowship and relationality] into legal categories — from categories that are 'second personal' in character to impersonal, 'third person' modes of interpretation.⁴⁰

In contrast to such legalistic and detached interpretations, J. B. Torrance notes that due to those filial emphases, Hebraic understandings of righteousness incorporate

³⁸ Ibid. See Torrance, 'Covenant or Contract?' 52–56; 62; see also discussion in *The Doctrine of God and Theological Ethics*, ed. Alan J. Torrance and Michael Banner (London: T&T Clark International, 2006) 172–174; *Trinity and Transformation*, ed. Todd Speidel (Eugene: Wipf and Stock, 2016) ; Alexandra S. Radcliff *The Claim of Humanity in Christ* (Downers Grove: Intervarsity Press, 2016), 6–7; Myk Habets, "'To Err Is Human, to Forgive Is Divine": The Ontological Foundations of Forgiveness' in *The Art of Forgiveness*, ed. Philip Halstead and Myk Habets (Lanham: Lexington Books/Fortress Academic, 2018) 3–16.

³⁹ James B. Torrance, "Grace and Law in Paul and Rabbinic Judaism" (Seminar Paper, Fuller Seminary, no date) 2.

⁴⁰ See Torrance, "Forgiveness and Christian Character," 303.

both love *and* justice into the word *tzedakah*.⁴¹ The implications of these different meanings of justice for responding to domestic and family violence will be explored further below. J. B. Torrance insisted on a thoroughly onto-relational concept of theological covenant, and focused on what it discloses about the heart and motivation of the Trinity and the effectiveness of the reconciling person and work of Christ as Mediator through his vicarious humanity.⁴²

All of these doctrinal positions have dignifying ramifications for how Christians are to view their personal identities. While not doing so explicitly, in rejecting a contractual view of God, J. B. Torrance implicitly shared T. F. Torrance's rejection of dualism in the Christian understanding of God or of God and human relations in the covenant.⁴³ Theological covenants are ontologically grounded. As such, J. B. Torrance's work on covenant and contract utilizes the same theological positions as T. F. Torrance's work on theological method, an onto-relational realist epistemology, and his rejection of dualism. His teachings on covenant, therefore, ground important correctives for faith responses to domestic and family violence.

8. Developing Holistic Understandings of Justice for a Faith-Law Response: Congruence Between Faith and Law

If we are seeking to take a holistic and integrated approach to domestic and family violence which holds congruent understandings of theological and legal concepts of justice together, how might Christians consider afresh the Gospel response to domestic and family violence? It is important to bear in mind that within the legal

⁴¹ James B. Torrance, "Individual & Person, Society & Community." *The Trinity, the Human Person, and Community with James B Torrance and James Houston* (Vancouver: Regent Audio, 1999) Disc 2, Part 3 ("Individual & Person, Society & Community").

⁴² James B. Torrance, "Towards a Theology of Response" (Seminar Paper, Fuller Seminary, no date) 1.

⁴³ Although he does not refer to it as a dualism, because of his rejection of the contract God, J. B. Torrance does reject the separation or dichotomy between nature and grace that is a feature of Federal Theology. See, for example, Torrance, "Covenant or Contract?" 67–68, where he notes that this would constitute a "departure from the great emphasis of the Reformation that nothing is prior to grace." Newtonian and Cartesian dualism between subject and object are precisely what we see in the requirement of contract that the two parties be equal and independent.

system, 'law' and 'punishment,' 'judgement' and 'justice' are not synonymous. It is here that J. B. Torrance's cautions against contractualism and language-slippage regarding legal terminology — and T. F. Torrance's cautions against dualism — must not be taken as applying as broad-brush cautions about our current legal system. Law, after all, has a theological meaning, as well as a legal meaning.

In his work on covenant and contract, J. B. Torrance was focused on the former, and on dualist concepts of law. As J. B. notes, the nature vs grace model seen in Federal Theology separates law from grace, rather than incorporating an understanding of law that is covenantal and redemptive in its operation.⁴⁴ Furthermore, while T. F. Torrance is correct in his critiques of the dualist tendencies of western thought, and its influences on legal theory,⁴⁵ more recent jurisprudence is developing holistically, and moving away from dualisms.

Perhaps ironically, then, secular law is *not* merely abstract or legalistic in any shallow and transactional sense, nor is it separate from any consideration of relationality. Instead, its operation is closer to concepts such as *tzedakah*, *misphat*, and *torah* than we might think when drawing on our lay understanding of how contracts work and what crime and punishment involve. The punitive, externally applied 'lex' no longer adequately captures the nature or operation of law. Law *can* be viewed as increasingly onto-relational in its operation, and increasingly in its foundation. Non-dualist theories of law are gaining traction in the West, partly as we recognize and learn from the holism inherent in other cultures and systems of law.⁴⁶ T. F. Torrance's theological method views law in this holistic and relational

⁴⁴ See James B. Torrance, "Nature-Grace Model of Federal Theology" (Unpublished lecture notes, undated); "Covenant or Contract", 67-68.

⁴⁵ T. F. Torrance, *Juridical Law and Physical Law*; See Patrick Parkinson, *Tradition and Change in Australian Law*, 5th edn. (Sydney: Thomson Reuters, 2012); for discussion of Aquinas's influence on natural law theory, see Margaret Davies, *Asking the Law Question*, 4th ed. (Pymont NSW: Lawbook Co., 2017), 85-89.

⁴⁶ For example, in Australia, First Nations law-ways have always operated holistically, where law is part of being, of identity, of land, of place, and of spirituality (see for example, Irene Watson, "Buried Alive", *Law and Critique* 13, 253-269 (2002)). The holism of socio-legal and legal theory developments don't tend to incorporate spirituality.

way,⁴⁷ and he would also apply this approach to the resolution of violence.⁴⁸ Legal and socio-legal theories are increasingly being conceptualized in a way which holds ontology and epistemology together,⁴⁹ and recognizes the place of religious norms and their impact on personal decision-making.⁵⁰

Even where it is not overtly underpinned by holistic legal theory, ontorelational holistic concepts are outworked in the content of many elements of the justice system, which are congruent with relevant Christian faith teachings. Restorative justice, therapeutic jurisprudence, and relational justice are increasingly drawn from to inform both the structure and content of legal responses to crime, including some violent crime.⁵¹ While those processes and concepts are less readily applicable to domestic and family violence, the mainstream sentencing process for

⁴⁷ Torrance, *Juridical Law and Physical Law: Toward a Realist Foundation for Human Law*.

⁴⁸ Thomas F. Torrance, "Violence in Society Today: An Examination of the Destructive Forces Inherent in Modern Day Society," *Independent Broadcasting* 13 (1977), 15-18.

⁴⁹ See, for example, Karen Barad, *Meeting the Universe Halfway: Quantum Physics and the Entanglement of Matter and Meaning* (Durham: Duke University Press, 2007); Jennifer Nedelsky, *Law's Relations: A Relational Theory of Self, Autonomy and Law* (Oxford: Oxford University Press, 2011); Rhys Aston, "Inviting New Worlds: Jurisgenesis, Anarchism, and Prefigurative Social Change" (PhD Thesis, Adelaide: Flinders University, 2020).

⁵⁰ Margaret Davies, "Legal Theory and Law Reform: Some Mainstream and Critical Approaches," *Alternative Law Journal* 28, no. 4 (2003): 168-171; Margaret Davies, *Law Unlimited: Materialism, Pluralism, and Legal Theory* (London: Routledge, Taylor & Francis Group, 2018); Margaret Davies, *EcoLaw: Legality, Life, and the Normativity of Nature* (London: Routledge, 2022).

⁵¹ Myra Blyth, "Reimagining Restorative Justice — The Value of Forgiveness," *Oxford Journal of Law and Religion* 5, no. 1 (2016): 66; Myra Blyth, Matthew Mills, and Michael Taylor, *Forgiveness and Restorative Justice: Perspectives from Christian Theology* (Cham, Switzerland: Palgrave MacMillan, 2021); Marilyn Petersen Armour and Mark Umbreit, "Victim Forgiveness in Restorative Justice Dialogue," *Victims and Offenders* 1, no. 2 (2006): 123; Shirley Jülich et al., "Project Restore: An Exploratory Study of Restorative Justice and Sexual Violence," Report (Auckland: AUT University, May 2010); Barbara Hudson, "Restorative Justice and Gendered Violence: Diversion or Effective Justice?," *The British Journal of Criminology* 42, no. 3 (2002): 616-634, <https://doi.org/10.1093/bjc/42.3.616>; Phillip Birch, Conor Murray, and Andrew McInnes, eds., *Crime, Criminal Justice and Religion: A Critical Appraisal* (London: Routledge, 2022); Pamela Anderson, "When Justice and Forgiveness Comes Apart: A Feminist Perspective on Restorative Justice and Intimate Violence," *Oxford Journal of Law and Religion* 5, no. 1 (2016): 113; Barbara Hudson, *Justice in the Risk Society: Challenging and Reaffirming "Justice" in Late Modernity* (Sage Publishing, 2003).

all offences already involves consideration of mitigating factors, rehabilitation, reparations, remorse, and the need to consider ongoing relationships between offenders and victims.⁵² Where a victim of crime has forgiven the perpetrator, this, too, can be taken into account. These features of the system are an important part of any justice response which a victim/survivor may find to be restorative as well as protective. The criminalization of many forms of domestic and family violence is itself an expression of denunciation of that conduct which speaks powerfully of the worth of the woman in a way that may be obscured by religious teachings which focus on the indissolubility of the marriage. On this understanding of justice, considerations of personhood, worth and dignity are foregrounded and emphasized, rather than centering legalistic and abstracted demands to forgive in response to wrongdoing.

Consequently, justice is *not* synonymous with vengeance or punishment either in a legal sense *or* in a Christian sense. Reducing our understanding of 'justice' as meaning that someone is vengefully being sent to jail does a disservice both to the reality of the nuances within the justice system and the fullness of the Christian Gospel message, which incorporates justice for victims/survivors. The Gospel emphasizes the person and work of Christ as all-sufficient in establishing and maintaining covenant, and the importance of evangelical, unconditional repentance and forgiveness operating together in order to facilitate justice, restoration and freedom. There is no place in the covenantal Gospel for a shallow, transactional response to the profound wrong of domestic and family violence, which emphasizes legalism (through an abstracted legalistic imperative to forgive) and deemphasizes the worth of the victim of injustice.

⁵² David Palmer, ed., *Crime and Justice: A Guide to Criminology*, 5th ed. (Pymont: Thomson Reuters, 2016); Penny Crofts, *Criminal Law Elements*, 6th ed. (Chatswood: LexisNexis Butterworths, 2018).

9. Faith-Law Responses to Domestic and Family Violence Against Christian Women: Conceptualizing Christian Teachings Holistically

A faith-law response to domestic and family violence eschews the sacred/secular and public/private divides discussed above and draws on the congruence of legal and faith norms in its conceptualization of justice. Crucially, it would also deal with the third barrier that flows from those conceptualizations, by bringing holistic, ontologically grounded understandings of faith teachings which are applied to the violence. Particularly relevant here are teachings on forgiveness, repentance, and justice.

A highly legalistic abstracted understanding of faith teachings that are relevant to domestic and family violence ironically risks emptying them of the redemptive content, which is most valuable in a theological context. Instead, it presents a parody of forgiveness, repentance and theological justice, which denies the personhood of the victim/survivor (and the perpetrator) and ultimately works against the capacity of the church to respond strongly within the church congregation in these situations. A covenantal understanding of forgiveness guards against it being disconnected from other Christian teachings, and effectively weaponized against women to keep them trapped within their marriage.

This kind of disconnected, legalistic understanding of covenantal obligations is cautioned against in J. B. Torrance's model of socio-political reconciliation, set out below.⁵³ In a holistic approach, those teachings would be viewed as connected and interrelated, rather than separate or disconnected. Habets has posited this kind of ontological grounding for trinitarian understandings of forgiveness.⁵⁴ We see this same kind of holism operating within the nature of a theological covenant in the work of J. B. Torrance, which provides an integrated basis for theological concepts of justice and its interrelatedness with forgiveness and repentance.

⁵³ Torrance, "The Ministry of Reconciliation Today: The Realism of Grace;" Torrance, "Reconciliation, Sectarianism and Civil Religion in South Africa and Northern Ireland."

⁵⁴ Habets, "'To Err Is Human, to Forgive Is Divine,'" 3–16.

10. Theological Covenant as a Basis for Holistic Responses to Domestic and Family Violence

J. B. Torrance's understanding of theological covenant grounds what I am referring to as his principles (or model) of socio-political reconciliation.⁵⁵ He does not discuss domestic and family violence in that work, and nor does he discuss actions of individuals, but churches as they engage their communities and attempt to bring reconciliation in the wake of apartheid. Torrance sets out several key principles which would apply to individuals as they attempt to repair the damage done by apartheid. These principles involve understandings of love, forgiveness, freedom, and justice which are Christological, trinitarian and thus covenantal and onto-relational in their operation. I suggest they can be drawn from in developing relevant understandings of the theological issues involved in responding to domestic and family violence. In particular, we see an interrelated movement of how covenantal love and repentance on the part of the perpetrator would operate together in order to constitute one expression of justice.

These principles of justice and reconciliation⁵⁶ operate in a way that is integrated and holistic, being an application of Torrance's understanding of theological covenant and his holistic theological method, which is in common with that of T. F. Torrance. As such, J. B. Torrance can be seen here to reject a sacred/secular and public/private divide, and utilizes an onto-relational understanding of justice itself. These features apply a conceptual holism, which requires teachings to be first, held together and second, expressed relationally. Thus, this work does not divorce considerations of relevant theological teachings from one another but applies them holistically at its practical level. Given this lack of separation between

⁵⁵ Torrance, "The Ministry of Reconciliation Today: The Realism of Grace."

⁵⁶ The reconciliation J. B. Torrance speaks of here is racial reconciliation. The conditions in which it may be safe to reconcile an interpersonal relationship such as a marriage would be vastly different to those needed for socio-political reconciliation of people who merely live within the same community. In my view his work should not be taken to imply that the Christian response to domestic and family violence mandates that if a husband repents, the marriage must be maintained. That may simply not be safe, possible, or desired. Rather, the personal restoration of each of the spouses should be pursued, and the question of what this may or may not leave open and safe in relation to the marriage should be addressed as a separate issue with qualified professionals.

teachings, for J. B. Torrance, the theological concept of justice is *not* one that is in opposition to notions of love or forgiveness, nor more important than it. He notes, "love without justice is sentimentality."⁵⁷ Instead, justice sits alongside the responsibility of unconditional repentance.⁵⁸

A holistic, onto-relational understanding of domestic and family violence and of justice aims to make visible the violence done to the victim, and to provide a conceptual way out, as it were, by enabling her dignity, personhood and freedom from the violence to be actioned as part of the various human service, religious and legal responses to it. Where these responses occur in an integrated way, it would allow for these individual responses to form part of one overarching response which better accommodates all relevant considerations. Importantly for such a framework, Torrance's understanding holds 'love, justice and freedom' together, and views them as interdependent.⁵⁹

A key theological barrier to both pastoral and criminal justice system responses is the potential characterization of domestic and family violence as a private problem of the wife's to solve or take responsibility for, by praying for her husband, modifying her own behavior, or similar.⁶⁰ A fundamental and far-reaching corrective to this from within Torrance's work is that he views justice as the responsibility of the perpetrator to bring forward for the victim, and the perpetrator cannot insist on forgiveness being granted to obviate that accountability.⁶¹ This

⁵⁷ Torrance, "The Ministry of Reconciliation Today: The Realism of Grace," 136.

⁵⁸ Ibid.

⁵⁹ Ibid. See also Richards, "Seeking Love, Justice and Freedom", 275-276.

⁶⁰ Tompson Makahamadze, Anthony Isacco, and Excellent Chireshe, "Examining the Perceptions of Zimbabwean Women About the Domestic Violence Act," *Journal of Interpersonal Violence* 27, no. 4 (2012): 721, <https://doi.org/10.1177/0886260511423239>; Jennifer Beste, "Recovery from Sexual Violence and Socially Mediated Dimensions of God's Grace: Implications for Christian Communities," *Studies in Christian Ethics* 18, no. 2 (2005): 89-112, <https://doi.org/10.1177/0953946805054806>; Norman Giesbrecht and Irene Sevcik, "The Process of Recovery and Rebuilding among Abused Women in the Conservative Evangelical Subculture," *Journal of Family Violence* 15, no. 3 (2000): 229; le Roux and Bowers-Du Toit, "Men and Women in Partnership: Mobilizing Faith Communities to Address Gender-Based Violence," 33.

⁶¹ Torrance, "The Ministry of Reconciliation Today: The Realism of Grace," 137.

removes the emotional and logistical burden from the victim of not only ending the violence, or bearing the emotional load of determining responses to it, but also of bringing about behavioral change in the perpetrator in order to continue the marriage.

11. Forgiveness, Repentance, and Justice⁶²

Far from being a disconnected and overemphasized teaching, forgiveness does not have its own place in this model. It functions alongside the unconditional repentance which covenant relationship requires of a person who has wronged another. Repentance, and particularly a preparedness to provide reparation, is a *part of justice*. It follows that the provision of justice is the responsibility of the perpetrator. It is not for the wronged party to have to carry the burden of enacting justice. Instead, the perpetrator should commit to seeing that justice is done as part of their commitment to making the situation right. The perpetrator's 'repentance' here is not apology or remorse, and neither is it legalistic or performative. Instead, it involves complete acknowledgement of responsibility, a commitment to change, and to actively supporting the restoration of the victim.

Translated into a situation of domestic and family violence, it may be, for example, that rather than simply apologize for his conduct and perhaps agree to counselling, an unconditionally repentant husband would be obligated to comprehensively acknowledge his violent conduct and commit to doing whatever was necessary to promote his wife's safety and recovery. If they have separated this might include agreeing to attend a different church so that she could be the one who is able to continue to worship in and be supported by her church community. It could include admitting his conduct within the church community so as to safeguard her reputation and avoid her wearing any stigma of appearing to be the spouse who "left" the relationship. If the violence takes the form of a criminal offence and his wife does choose to involve the criminal justice system, I suggest that the repentance and commitment to see justice done, which is required of someone acting in accordance with covenantal obligations, could also extend to the

⁶² Much of this section is taken from Richards, "Seeking Love, Justice and Freedom", 275-278.

husband's submission to any requirements of the criminal justice system. This may include adhering to a violence intervention order⁶³ or pleading guilty to criminal offences to save his wife the stress of giving evidence at trial.

For Torrance, while a Christian person has a responsibility to unconditionally forgive wrongs done to them, and that forgiveness is not contingent on anything else, it nonetheless does not operate in isolation from the repentance and reparations which are brought forward by the person who has wronged them. It is unthinkable that a person in a covenant would fail to ensure that they right any wrong they do against another person because a covenantal obligation of repentance is itself an unconditional one.⁶⁴ Torrance notes that the Church must not have vested interests as they listen to victims of oppression.⁶⁵ Forgiveness, when improperly emphasized or viewed in isolation from other teachings, cripples the church's 'ministry of reconciliation' by presenting an incomplete parody which perpetuates and indeed amplifies harm and injustice. It must, instead, remain committed to the restoration of the 'full humanity' of both parties: something that a shallow parody of forgiveness profoundly denies.⁶⁶

12. Embodied Justice: A Faith-Law, Holistic Concept of Justice

A staple among scholars and advocates in the domestic and family violence space is the awareness that most solutions to it are outside the criminal justice system. It is understood that justice, when expected from that system, is an elusive concept,

⁶³ Violence intervention orders, however named, are usually civil orders and not commonly viewed as part of the criminal justice system. They are included here as they are commonly sought by police on behalf of victim/survivors, and are thus associated with criminal justice system engagement.

⁶⁴ *Ibid.*, 137.

⁶⁵ *Ibid.*; Torrance, "Reconciliation, Sectarianism and Civil Religion in South Africa and Northern Ireland."

⁶⁶ *Ibid.*

rarely experienced.⁶⁷ Two questions, then, remain on the table. First, how might Christian women who are experiencing domestic and family violence be supported to frame their perception and decision making such as to recognize that the criminal justice system can legitimately form part of their response to the violence in a way that is not inconsistent with their faith imperatives, in order to experience both safety and justice?⁶⁸ Second, is it possible for justice to occur for Christian women who are experiencing domestic and family violence, even if they do not wish to engage with the criminal justice system formally?

Theorizing domestic and family violence in a holistic onto-relational way enables the presence of key features of justice already within the criminal justice system to be seen. This would enable *their decision-making process itself* to be one which is cognizant of their rights, dignity and need for protection — that is, their worth and personhood as made in the image of God — and profoundly integrative of legal considerations with their faith norms.⁶⁹ This would ensure that justice

⁶⁷ Perhaps the best example of dissatisfaction with court outcomes is seen in the area of sexual offending, with hidden incidence, low reporting rates and low conviction rates operating in combination. See Mary Heath, "Lack of Conviction: A Proposal to Make Rape Illegal in South Australia," *Australian Feminist Law Journal* 27, no. 1 (2007): 175–192; Denise Lievore, *Non-Reporting and Hidden Recording of Sexual Assault: An International Literature Review* (Barton, A.C.T.: Commonwealth Office of the Status of Women, 2003); Cassia Spohn, "Sexual Assault Case Processing: The More Things Change, the More They Stay the Same," *International Journal for Crime, Justice and Social Democracy* 9, no. 1 (February 25, 2020): 86–94, <https://doi.org/10.5204/ijcjsd.v9i1.1454>.

⁶⁸ Though I would argue that the provision of safety from violence, as a response to it, is itself a form of justice where 'justice' is itself defined holistically: ie as the *right response* to that violent conduct. The connection between justice and right-relating or doing what is right is also reflected in theological understandings of justice in the language used for those terms in the Old Testament. This is a key outcome sought by victims also, according to research on victim's perceptions of justice. See Robyn Holder, "Catch-22: Exploring Victim Interests in a Specialist Family Violence Jurisdiction," *International Journal of Comparative and Applied Criminal Justice* 32, no. 2 (2008): 265–90; Robyn Holder and Kathleen Daly, "Sequencing Justice: A Longitudinal Study of Justice Goals of Domestic Violence Victims," *British Journal of Criminology* 58 (2018): 787; Leslie Tutty et al., "The Justice Response to Domestic Violence: A Literature Review," Report, November 2008.

⁶⁹ The principle that justice is 'rights regarding' is an element identified by Hudson. She describes this as having the rights of individuals (and communities) defended. See Hudson, *Justice in the Risk Society: Challenging and Reaffirming "Justice" in Late Modernity*, 206.

considerations could be brought to bear in a structured way, rather than piecemeal, depending on the qualifications of individual social workers or ministers.

In a holistic faith-law response, the women's faith beliefs and the criminal justice system can *together* be seen to profoundly affirm their dignity and personhood and be oriented towards an end goal of ensuring their freedom from violence and its damaging effects. As a corrective to the effects of the violence, bringing these elements explicitly to the fore — particularly denunciation — makes her visibility to and place within the criminal justice system apparent to her. This vindication, too, provides a felt experience of justice — an embodied justice.

What I am referring to as embodied justice here, then, means justice which is genuinely experienced rather than existing as an abstract expectation or potentiality which is imposed externally through the legal system operating in isolation and in a way that is dualist (i.e., conceptualized as separated from faith responses). It involves a holistic encounter of justice rather than viewing justice as a possible criminal verdict which may or may not be sought, and which may or may not be something that can add to the individual's restoration and healing. Further, because the impact of the violence is experienced bodily in the person of the woman, so too is this corrective of justice — it is holistic and onto-relational in its theory and in its specific theological and congruent legal understandings of justice. Where the church leadership and broader community recognize the need for justice, and not only its congruence with other theological imperatives but *its embedded status within those* in an onto-relational conceptualization, they will be better placed to engage with the women in the process of their decision making in a way that further empowers them.

13. Conclusion

The work of the Torrances offers an opportunity to think differently about the relationship between theological responses and legal responses and between theological justice and legal justice. This enables issues of injustice to be approached in a way that aligns theological and legal justice. One of the key strengths of the work of both Torrances, which has been outlined above, is the conceptualization of theological method as requiring an integrated, holistic

approach to theological and pastoral issues. This is seen in T. F. Torrance's adherence to a realist epistemology and his consequential rejection of all forms of philosophical dualism in his methodology. It is implicit in his concept of onto-relations. It is reflected in J.B Torrance's commitment to a vision of the triune God as relating out of theological covenant rather than legal contract, and his work illustrating the capacity of covenantal relating to bring love, justice and freedom.

I suggest the work of the Torrances can be applied to reframe legal and faith understandings of 'justice' as being holistic and integrated, rather than operating separately, and at best parallel to one another. This reframing can be done at a theoretical level, by eschewing dualist understandings of faith teachings and the sacred/secular or law/faith divide itself. It can also be done at a practical level, by providing correctives to various faith teachings which have been identified as potentially constituting obstacles to justice system engagement. I suggest that in this way, an onto-relational conceptualization of justice and domestic and family violence itself can be meaningfully applied to ground responses not merely 'to' the violence, but 'for' the women affected. This shift would further assist in recognizing and meeting the deeply personal effects of the violence, and the devaluation in worth that the experience of such violence implies. It would enable church leaders to engage in an integrated, covenantal, onto-relational faith-law response to domestic and family violence, with deeply restorative potential.