



RS.TD10 The Just War Theory and the Treatment of Prisoners

AQA 8062 · Calculators not allowed · about 50 minutes

Total Marks

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Name: _____ Date: ____ / ____ / ____

Answer ALL questions. Show all your working.

- 1** Which one of the following best describes the jus in bello principle of discrimination, in the context of the treatment of prisoners and civilians during armed conflict?
- ☐ A. Treat all captured people the same regardless of whether they were combatants or civilians
 - ☐ B. Use weapons that cause maximum damage to enemy infrastructure
 - ☐ C. Distinguish between combatants and non-combatants and avoid intentionally targeting civilians
 - ☐ D. Require prisoners to give military information under threat

(Total for Question 1 is 1 mark)

- 2** Give two ways, in the context of jus in bello for Theme D, that combatants captured in war should be treated humanely.

(Total for Question 2 is 2 marks)

- 3** Explain two jus in bello principles relating to the treatment of prisoners of war, in the context of Theme D: religion, peace and conflict.

(Total for Question 3 is 4 marks)

- 4 Explain two contrasting Christian and Muslim teachings about the treatment of prisoners of war. Refer to a sacred writing or another source of religious belief in your answer.

(Total for Question 4 is 5 marks)

- 5 Give three actions that would be forbidden under jus in bello when handling prisoners of war, in the Theme D context.

(Total for Question 5 is 3 marks)

- 6 Explain two reasons why proportionality is important for the humane treatment of prisoners during war, in Theme D.

(Total for Question 6 is 4 marks)

- 7 Explain two ways in which discrimination between combatants and non-combatants affects how captured people are treated, in Theme D.

(Total for Question 7 is 4 marks)

- 8** State one international body often involved in monitoring the treatment of prisoners of war, in the context of Theme D.

(Total for Question 8 is 1 mark)

- 9** Give two Christian teachings or practices, other than Matthew 25:36, that a Christian might cite to support humane treatment of prisoners, in Theme D.

(Total for Question 9 is 2 marks)

- 10** Give three ways a Muslim community or state might act to ensure prisoners of war are treated according to Islamic teaching, in the Theme D context.

(Total for Question 10 is 3 marks)

- 11** Explain the role of international law and religious teaching in shaping how prisoners of war should be treated.

(Total for Question 11 is 6 marks)

- 12** 'Just war rules, including those about the treatment of prisoners, can never be fully followed in practice.' Evaluate this statement. In your answer you should give reasoned arguments to support this statement, give reasoned arguments to support a different point of view, refer to religious arguments and reach a justified conclusion.

(Total for Question 12 is 15 marks)

- 13** Give three practical steps a military unit could take to improve compliance with jus in bello rules about prisoners, in the Theme D context.

(Total for Question 13 is 3 marks)

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Question 1

- **B1** selecting option C, discrimination means distinguishing between combatants and non-combatants and avoiding intentional attack on civilians, cao
- **Answer: C**

Question 2

- **B1** they should not be tortured while detained, oe
- **B1** they should be given food, shelter and medical care, oe
- **Answer: Do not torture prisoners; provide food, shelter and medical care.**

Question 3

- **B1** point 1: proportionality requires that force used must be proportionate and prisoners should not be subjected to excessive violence, oe
- **B1** development: this means harm to prisoners must not exceed what is necessary for security or military advantage, oe
- **B1** point 2: discrimination requires distinguishing between combatants and non-combatants, including not punishing captured non-combatants as if they were fighters, oe
- **B1** development: discrimination also means captured fighters who are hors de combat should be protected from attack and detained humanely, oe
- **Answer: Proportionality limits violence against prisoners to what is necessary for security; discrimination requires not treating civilians or hors de combat combatants as legitimate targets and ensuring humane detention.**

Question 4

- **B1** belief 1: many Christians teach that prisoners should be treated with mercy and helped, based on Jesus teaching to care for prisoners, oe
- **B1** development: reference to Matthew 25:36, 'I was in prison and you came to visit me', as a basis for treating prisoners with compassion, oe
- **B1** belief 2: Islamic teaching emphasises humane treatment of captives and offers options such as ransom, release, or kind treatment, oe
- **B1** development: reference to Qur'an 47:4 which discusses captives and the treatment of prisoners after battle, oe
- **B1** reference to a sacred writing or source of authority made accurately and linked to the belief, oe
- **Answer: Christianity often stresses mercy and visiting prisoners (Matthew 25:36); Islam instructs humane treatment and regulated options for captives after battle (Qur'an 47:4).**

Question 5

- **B1** torture or cruel, inhuman treatment, oe
- **B1** summary execution of captives, oe
- **B1** forcing prisoners to take part in military operations, oe
- **Answer: Torture; summary execution; forcing prisoners to fight.**

Question 6

- **B1** point 1: proportionality prevents unnecessary suffering of prisoners by limiting force to what is needed, oe
- **B1** development: this reduces long term harm and supports post-war reconciliation, oe
- **B1** point 2: proportionality helps maintain moral standards and the legitimacy of military action, oe
- **B1** development: showing restraint can protect a state from accusations of war crimes and uphold international law, oe
- **Answer: Proportionality limits prisoner's suffering and aids reconciliation; it preserves moral and legal legitimacy and reduces risk of war crimes charges.**

Question 7

- **B1** point 1: discrimination means civilians who are detained should not be treated as enemy combatants and must be released or protected, oe
- **B1** development: this avoids wrongful punishment and protects non-combatant rights, oe
- **B1** point 2: combatants who are hors de combat should not be attacked and should be given prisoner rights, oe
- **B1** development: this includes protections such as humane detention and contact with neutral organisations like the Red Cross, oe
- **Answer: Discrimination protects civilians from being punished as fighters and ensures hors de combat combatants receive rights like humane detention and Red Cross access.**

Question 8

- **B1** the International Committee of the Red Cross (ICRC), oe
- **Answer: The International Committee of the Red Cross (ICRC).**

Question 9

- **B1** the teaching to love your neighbour as yourself (Mark 12:31), oe
- **B1** the example of Jesus showing mercy and forgiving enemies, as in Luke 23:34, oe
- **Answer: Love your neighbour (Mark 12:31); Jesus showing mercy and forgiveness (Luke 23:34).**

Question 10

- **B1** release prisoners for ransom or kindness as allowed in early Islamic practice, oe
- **B1** feed and clothe prisoners and give them medical care, oe
- **B1** treat prisoners with dignity and avoid torture, reflecting prophetic example, oe
- **Answer: Release prisoners for ransom or kindness; provide food, clothing and medical care; treat prisoners with dignity and avoid torture.**

Question 11

- **Level 3** (5-6): A detailed answer that explains how international law and religious teaching both provide rules and moral reasons for humane treatment of prisoners, with clear examples and developed links.
- **Level 2** (3-4): A sound answer that explains some ways international law and religion influence treatment of prisoners, with limited development or examples.
- **Level 1** (1-2): A simple answer with one or two relevant points about law or religion, with little explanation.
- **Level 0** (0): No relevant content.
- **Indicative content:**
 - International law such as the Geneva Conventions sets legal standards for humane treatment and forbids torture, summary execution and ill treatment.
 - Religious teachings give moral and theological reasons to treat prisoners compassionately, for example Matthew 25:36 and Qur'an 47:4.
 - States may be motivated by legal obligations and by a desire to act in accordance with religious values, which can overlap.
 - Religious leaders and communities can influence public opinion and pressure states to respect international law.
 - There can be tensions where religious or cultural interpretations seem to conflict with international law, or where law is ignored for security reasons.
 - Examples: Red Cross monitoring of Geneva Conventions; religious charities providing aid to detainees.

Question 12

- **Level 4** (10-12): A well-structured, balanced evaluation with several developed reasons on both sides, clear reference to religious arguments, and a justified conclusion that addresses the statement directly.
- **Level 3** (7-9): A competent evaluation with developed arguments for and against, some reference to religious perspectives, and a supported conclusion.
- **Level 2** (4-6): A limited evaluation giving reasons for and against, with some relevance to religion but limited development and an implicit or basic conclusion.
- **Level 1** (1-3): Basic, undeveloped points that are relevant to the question but do not form a coherent evaluation, with no clear conclusion.
- **Level 0** (0): No relevant content.
- **Indicative content:**
 - Arguments supporting the statement: in the chaos of war, emotional stress, fear and revenge can lead soldiers and commanders to breach rules, making full compliance unlikely.
 - Practical difficulties include lack of training, poor command control, ambiguous situations on the battlefield and intelligence failures that make discrimination and proportionality hard to apply.
 - States or groups may deliberately ignore rules for perceived security gains, engage in torture for information, or disguise mistreatment, showing rules are not always followed.
 - Religious arguments supporting the statement might note human fallibility and the reality of sin or moral weakness, making perfect adherence unrealistic; Christian teachings on human imperfection could be cited.
 - Arguments opposing the statement: international law, monitoring bodies like the ICRC, and military training make compliance possible and sometimes successful, with many examples of humane treatment.
 - Religious teachings provide strong moral reasons to follow the rules: Christianity calls for mercy and justice (Matthew 25:36), Islam gives instructions on humane treatment of captives (Qur'an 47:4), motivating believers and leaders to uphold standards.
 - Some militaries and states integrate jus in bello into doctrine and discipline, successfully protecting prisoners and minimising civilian harm in many conflicts.
 - Conclusion: a balanced judgement could argue that while perfect compliance may be unattainable in every situation, the rules are valuable and can be largely followed when there is political will, training and moral commitment, so the statement is too absolute if taken to mean total impossibility.

Question 13

- **B1** provide regular training on international humanitarian law and rules of engagement, oe
- **B1** establish clear command accountability and monitoring during operations, oe
- **B1** allow neutral organisations access to detainees and set up independent investigation procedures, oe
- **Answer: Train troops in humanitarian law; set clear command accountability and monitoring; allow neutral organisation access and independent investigations.**