

## POSITION 3 (Set 1)

### Analysis: History - Uganda

#### ABSTRACT/SUMMARY:

While the thesis statement is strong and clear, it is not clarified in scope and cannot earn a 4. If the thesis statement articulated *why* the bill was *ultimately* a violation of the UNDHR, it would be clarified in its scope. While the thesis statement is clear, defensible, and even fairly precise, the scope is the major issue.

The issue in scope affects the entire paper and is hugely problematic in what is otherwise a strong paper for its level. At no point does the writer articulate the *hierarchy* of the two claims and one counterclaim; that is, he or she never explains why the points that the bill infringes on equal rights and the language makes it illegal trumps the fact that it represents the majority. The third assertion is never fully proved and the author does not ultimately prove his or her position. (More analysis on this in *Ideas*.)

Additionally, the third assertion is not “clarified in scope when necessary.”

#### CRITERION 1: THESIS

The thesis statement reads as follows:

The proposed Anti-Homosexual bill in Uganda, which is a bill to eradicate homosexuals, is a violation of the UNDHR because it infringes on the freedom of expression of homosexuals. However, the proposed bill abides by the will of the majority of citizens in Uganda. Although that may be the case, the proposed bill is ultimately a violation of the UNDHR.

While the thesis statement has several strengths that are articulated in the abstract (extremely clear, fairly precise, defensible), there are two central problems. One, the thesis statement is not clarified in its scope. The reader does not know *why* the proposed bill is ultimately a violation of the UNDHR, and why the counterclaim is ultimately negated. Second, the thesis statement is just a repeat of the three assertions. A better thesis statement would encompass the three individually rather than repeating them nearly verbatim. As written, the argument stands as three small arguments, as opposed to one universal argument.

A better thesis statement might read as follows (taking some liberty in the writer’s intended meaning):

While the Anti-Homosexuality bill impinges on the freedom of opinion and expression, the proposal of the law is theoretically legal because it reflects the will of the majority of the people. Ultimately, however, *passing* (and thereby voting on) the law is a violation of the UNDHR-- and therefore illegal-- because it does not protect the rights of all its citizens equally.

This rewritten thesis statement clearly articulates the hierarchical relationship between the differing analyses and clarifies the scope of the argument-- namely, that the passing of such a law would be illegal because it does not protect the UNDHR of all people, no matter the legal intention that goes into proposing it.

#### CRITERION 2: ASSERTIONS

The assertions read as follows:

To begin, the Anti- homosexual bill proposed in Uganda violates the Universal Declaration of Human

Rights because it restricts the freedom of homosexuals.

Many proponents of the Anti-homosexuality bill claim that it does not violate the Universal Declaration of Human Rights because the law meets the rule of the majority.

Ultimately, the proposed Anti-Homosexuality bill is a violation of the UNDHR.

All assertions support the thesis statement and are intentionally ordered; however, they do not effectively advance the argument. Although the assertions are ordered in such a way to build the argument, the absence of a rationale for the order of the assertions makes the order itself less effective. For example, the third assertion does not explain why the rationale behind the second one doesn't matter.

This is closely tied to the fact that not all assertions are "clarified in scope when necessary." The first two are clarified in scope; the third one is not because it does not explain why the bill is a violation of the UNDHR, or why the will of the majority ultimately does not legitimize the bill.

If the third assertion was clarified in scope, then there would be a clear purpose behind the sequence of assertions as well.

## Essay: History - Uganda

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### Anchor Paper PBA # 6

As stated in the United Nations Declaration of Human Rights (UNDHR), “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” The purpose of the UNDHR is to outline the rights that all humans are entitled to. The proposed Anti-Homosexual bill in Uganda, which is a bill to eradicate homosexuals, is a violation of the UNDHR because it infringes on the freedom of expression of homosexuals. However, the proposed bill abides by the will of the majority of citizens in Uganda. Although that may be the case, the proposed bill is ultimately a violation of the UNDHR.

To begin, the Anti-homosexual bill proposed in Uganda violates the Universal Declaration of Human Rights because it restricts the freedom of homosexuals. In Uganda, 4% of the population approve of homosexuality. If the bill is passed, that 4% will be prosecuted and imprisoned along with homosexuals. Article 19 of the UDHR states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference...” This right is repressed by the bill, thus labeling it a violation of the UDHR. Without the Anti-homosexual bill, opponents to homosexuality have the right to voice their outcries against the practice while proponents for it have the right to voice their support. The use of the phrase, “freedom of opinion” proposes the idea that no one can be forced to have a certain opinion. The government or members of the majority in a society cannot compel an individual to think the same as them. Also, the use of the phrase “freedom of expression” reveals that people have the right to express themselves in a homosexual manner without fearing persecution. To conclude, the purpose of the bill is to eradicate the homosexual expression.

Many proponents of the Anti-homosexuality bill claim that it does not violate the Universal Declaration of Human Rights because the law meets the rule of the majority. In Uganda, 96% of the population disprove of the practice of homosexuality, therefore the government must abide by the democratic vote of the majority. In article 21 of the UNDHR it states, “The will of the people shall be the basis of the authority of the government; this will shall be expressed in patriotic and genuine elections which shall be universal...” The Declaration specifies that the majority vote shall elect a government by the “will of the people”. The use of this phrase suggests that the will of the people is related to the majority vote which would be 96% of Uganda in support for the bill. The use of the phrase “genuine elections” reveals that if the people of Uganda vote on the Bill, it should be passed into a law. To disregard the vote of the majority in order to appease the acts of the minority is undemocratic. To conclude, the Anti-Homosexuality Bill is not a violation of the UNDHR since it was proposed by the will of the people.

Ultimately, the proposed Anti-Homosexuality bill is a violation of the UNDHR. Although it offers an election by a democratic process, the subject of the Anti-Homosexual bill, which is the persecution of homosexuals, cannot be voted on. In article 2 of the UNDHR it states, “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind...Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country...” This statement reveals that the Anti-Homosexuality bill in Uganda is in fact a violation of the UNDHR because

it revokes the rights of homosexuals living in Uganda. The use of the phrase “Everyone is entitled to all the rights and freedoms...” reveals that even if 96% of Uganda is against homosexuality, the 4% are still protected by this declaration. If the bill passes and the 4% are persecuted, that will render the bill/law as a violation of the UNDHR. Also, the use of the phrase “...no distinction shall be made on the basis of the political, jurisdictional, or international status of the economy...” reveals that even if Uganda is seeking national sovereignty, their proposed bill is still a violation of the UNDHR. To conclude, the Anti-Homosexual bill proposed in Uganda is ultimately a violation of the UNDHR.

To conclude, the proposed Anti-Homosexual bill in Uganda, is a violation of the UNDHR because it infringes on the freedom of expression of homosexuals. However, the proposed bill abides by the will of the majority of citizens in Uganda. Although that may be the case, the proposed bill is ultimately a violation of the UNDHR.