

The model of establishing the civil state in Tunisia and its applicability to the Palestinian situation

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Abstract

Speaking of a state that preserves all of its citizens' rights and freedoms is essential, it has been addressed by many studies and researchers. The Palestinians have suffered from the absence and marginalization of those rights under the Israeli occupation. As the pursuit of a Palestinian state is considered a priority for the Palestinian people at this stage, there is nothing less than thinking of an overarching framework through which to preserve those rights and to safeguard the achievements. Newly emerging states face different challenges at all levels; political, economic, demographic, security, external and other, however, its severity is mitigated if the state can build its foundations on an inclusive system that preserves, at the very least, the citizens' rights, so it can have its society as a supporter in coping with those challenges. Therefore, the idea of the study came up through which the civil state is addressed as a framework within which a modern Palestinian state can be built.

The study aimed at addressing the civil state by setting a number of objectives that should be taken up to cover as much as possible the subject under study, it aimed at being guided by an actual situation that has embraced the civil state, which is the Tunisian experience, and worked to compare it with the Palestinian case from various angles, such as the stages of establishment, problems and obstacles that stood against adopting the civil state option, eventually seeking to arrive at a description of the basic elements of the future shape of the Palestinian civil state. To achieve this, the study used the systemic method (systems analysis) to analyze inputs, subject them to analysis and reach sound outputs in addition to the comparative methodology. The importance of the study comes from the fact that it addresses a subject that is vital and important, besides scarcity of studies that have dealt with it. Additionally, the subject deserves to be examined at the theoretical level and the level of practice in the light of the political and societal transformations in the Palestinian case, that require to establish the rules and shape of the desired future state.

The study was divided into four chapters; the first of which dealt with the introduction, the problem and the objectives, while the second contained the conceptual and theoretical framework of the civil state, and the third chapter of the study discussed the status of the civil state in Tunisia, and in the last chapter took up the model of the civil state in Palestine and the steps taken to achieve this and the problematic issues that may prevent the adoption of the civil state.

The study concludes at the end with a number of findings, the most important of which are: The future Palestinian civilian state is the safe Palestinian haven through which their rights are obtained and their freedoms are preserved, and the Tunisian case has similarities with the Palestinian case, so there is a model that can be learned from and built upon as it supports gearing towards a civil state. The study came up with a number of conclusions, most notably: the need to speed up the adoption of the civil state explicitly in the provisions of the basic law of the State of Palestine, and to work towards harmonizing the laws and legislations with the requirements of achieving the civil state as well as adopting educational curricula to back up that.