Political Organization in Multicultural Societies Based on Religious Democracy

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Abstract

Multicultural societies have special conditions that do not reply to any political system. Therefore, a special structure of democracy should be designed to bring security and progress to these societies. The common version of religious democracy based on a majority vote is unsuitable for multicultural societies. Therefore, the mentioned societies need a special version of religious democracy that can provide justice and security in these societies. The question raised here is what political structure is suitable for multicultural societies? Using descriptive and prescriptive methods and based on the main principles and components of religious democracy such as social justice, political pluralism, popular acceptance, sovereignty of religious laws, and its supervision over power, the current research proposes a special structure in four territorials, legislative, administrative and judicial domains for these societies. The results of the research show that the federal system, with its two-pillar administrative structure composed of the president elected by the people and the prime minister elected by the parliament and the proportional distribution of power and benefits at different levels, along with a unicameral structure based on a proportional electoral system in which religious laws prevail, along with a religious supervisory body on the legislative process and judicial structure based on judicial independence in personal status, the use of independent courts, strengthening human rights institutions and the use of accepted laws of human rights and Islamic human rights is the most appropriate structure in multicultural societies.

Keywords: *Political Organization; Religious Democracy; Multicultural Societies; Multi-Ethnic Democracy; Distributing Power*

Introduction

Those multicultural societies where identity and ethnic conflicts are active have special conditions that do not support any kind of political structure. Therefore, a structure must be designed to ensure peace and security in these societies at the same time. Experts of political science do not consider democracy to be a suitable structure for these societies. But there is no better alternative for it. Therefore, we have to design the proposed structure based on democracy. It is natural that such a structure in societies based on religious and Islamic values will be in the form of religious democracy. Democracy, as a form of political system in which people participate directly or indirectly in decision-making and administration of their country, has a long history in human political history; but its history in the Islamic world goes back to the period of constitutionalism in Islamic countries. The simple definition of democracy is "the sovereignty of the people" This word is derived from the Greek word "democratia", which itself consists of two words demos (people) and cratos (power or government) (Bayat, 1997, p.

270). This definition is considered as a dictionary definition for democracy and various terminological definitions of democracy (Schumpeter, 1996, p. 310; Huntington, 1994, p. 8) and religious democracy (Misbah Yazdi and Norouzi, 2008, p. 52; Vahidi Menesh, 2005, p. 45) which we refrain from mentioning due to briefness and the lack of agreement among experts on a single definition. But what we mean by religious democracy is a form of political system in which the people are effective in their destiny within the framework of divine decrees and Sharia laws, and its ruling body is elected by the people according to religious laws (Misbah-Yazdi, 2006, Vol. 1, p. 44).

One of the characteristics of democracy as a governance method is its flexibility and adaptability to different intellectual approaches and ideologies; So that it can be gathered with various concepts. This feature has made Muslim thinkers find democracy a suitable vessel for their political system and base the structure of the political system of their time (while maintaining religious values) on that basis or propose this structure for their political system. These changes, on the other hand, are the product of the characteristics of the Muslim knowledge system, which is based on religious texts; but it uses appropriate human structures and formats. In any case, this model has been accepted and supported by the majority of Muslim thinkers, with modifications and adjustments, and is popular with the general public.

However, democracy in general and religious democracy in particular faces various challenges in the implementation phase in different societies. One of the challenges in the implementation of democracy is cultural diversity. In some societies where cultural differences are the main criterion of loyalties and the only way to achieve political demands and participating in political power and there are active social gaps in them, democracy may not only not cause participation, equality and security, but also cause structural and sustainable discrimination, inequality and injustice and as a result cause conflicts and ethnic and sectarian militancy.

According to the mentioned contents and the lack of necessary literature in this field, it is necessary to design a suitable model of the political system for such societies to prevent discrimination, injustice and insecurity and to provide grounds for ensuring justice and security in these societies. Now, what is the basic solution for this problem and what is the appropriate political structure that can overcome this problem? The current research tries to find a suitable solution for it in the framework of religious democracy by using religious sources and human experiences and based on the main principles and components of religious democracy

Components of Religious Democracy

Since the current research is about a specific model of democracy, i.e. religious democracy in multicultural societies, first, it is necessary to introduce the components of religious democracy and then to plan the appropriate structure of the mentioned societies based on these components. From elements such as the sovereignty of religious laws, centered justice, legality, pluralism, supervision of power, acceptance of leadership with special conditions, independence and freedom (Misbah-Yazdi and Nowrozi, 2017, p. 59-69; Javadi Amoli, 2013, p. 211; Kamali-Ardakani, 2018, p. 258) as the components of religious democracy, we continue the discussion by mentioning some of these components that are more related to multicultural societies.

1- Sovereignty of Religious Laws

According to religious ontology, all beings in the world, including humans, take their existence from God. The existence of God in monotheistic religions, including Islam, is associated with monotheism; because of this, religion is considered the first principle. Monotheism has levels such as inherent monotheism, monotheism in creation, monotheism in creational lordship, monotheism in legislative lordship, and monotheism in divinity. The issues of government and religious democracy are placed in the rank of monotheism in legislative lordship. From a theoretical point of view, we believe that

the first right that a person should observe in life is the right of God, and the highest right of God over humans is the right of legislative sovereignty. Legislative Lordship means that whatever God orders is obligatory for man, and disobeying the divine rules and laws is a violation of the right of God's Lordship, and denying it and not recognizing it as valid is a form of polytheism. Therefore, the rule of religious laws (or at least not opposing them) is one of the basic principles of religious democracy, and without it, one cannot claim that the government is religious (Mesbah Yazdi, 1999: p. 49; 2009: p. 181-182).

2- Justice and Equality

Justice has a special place in the value system of Islam and it has been mentioned in religious literature in many cases with different titles such as Adl, Qest, (Hadid: 25) Haq (p. 26) and Insaf. Different meanings and definitions of justice have been presented, but in religious sources and among Islamic thinkers, two important definitions of justice are more famous to society. These two definitions are: First: "Giving every rightful owner his right" (Koleini, 1407 AH, 542) and fulfilling eligibility and respecting entitlements and negating discrimination and not being synonymous with absolute equality. Second: "putting everything in its place" (Nahj al-Balaghe, Qesar, p. 437). These two definitions, which are taken from the hadiths of the Imams of the Infallibles (AS), refer to eligibility and entitlement (Mesbah Yazdi, 2008, Vol. 2, p. 184; Omid Zanjani, 2009, p. 13-14). However, the definition of justice in the sense of equality in common charities has not escaped the eyes of Islamic thinkers and some, like Farabi and Khaja Nasir, have considered the equal distribution of public common charities as the main condition of justice (Farabi, 2012, p. 62; Toosi, 2017, p. 307). A comprehensive review of the meaning of justice in the thought of Muslim thinkers shows that they paid attention to different aspects of justice. Islam, while paying general attention to the category of justice (Hadid: 25), has also paid attention to multicultural justice in different ways. Equality of people "People are equal like the teeth of the comb" (Ibn Babawei Qomi, 1413 AH, Vol. 4, p. 379) and the people (Hujorat: 13), condemnation of discrimination and injustice towards ethnic groups, social minorities and the distribution of benefits based on ethnic diversity (Aaraf: 160) are some of the issues that Islam has paid attention to in this area.

3- Political Pluralism and Peaceful Coexistence

Diversity and pluralism are important in different epistemological, religious and political fields. Apart from the considerations that exist in the field of epistemic and religious pluralism, which some Islamic thinkers have opposed, in the social and political field, pluralism is accepted (Mesbah Yazdi, 1997, p. 5). According to the verses of the Qur'an, pluralism, in the three spheres of internal "believers are one another's brothers" (Hujorat: 10), inter-religious "Say: O People of the Book! Come to the word that is the same between us and you" (Al-Imran, 64) and international "God does not forbid you from doing good and observing justice towards those who did not fight with you in the way of religion and did not drive you out of your homes and lands (Momtahennah, 8) is acceptable. Therefore, every human being can claim his universal rights with other human beings and has a safe life and away from tension and challenges under the umbrella of justice and equality before the comprehensive law (Javadi Amoli, 2013: p. 211).

In terms of the type of plural, there are also types of gender plural "We created you from one male and female" (Hujorat, 13), linguistic and racial "and from His signs is the creation of the heavens and the earth, and the difference of your languages and colors" (Rum, 22) and ethnic and tribal "And then We divided you into groups and tribes" (Hujorat, 13), are accepted by Islam. Therefore, while accepting pluralism in different areas of gender, language, ethnicity, and tribe, Islam accepts peaceful coexistence at three levels, intra-religious, inter-religious, extra-religious, and global, and recommends solidarity and unity while maintaining diversity and pluralism. Therefore, while accepting pluralism in different areas of gender, language, ethnicity, and tribe, Islam accepts peaceful coexistence at three levels, intra-religious, inter-religious, extra-religious, and global, and recommends solidarity and unity while maintaining diversity and pluralism. Therefore, pluralism is one of the main components of religious democracy.

4- Political Legitimacy

One of the important components of democracy is the role of the people in the political decision-making process. The importance of this matter is such that some have considered it the main pillar of the definition of democracy (Cohen, 1994, p. 21-22). However, there is an important difference between the role of people in non-religious democracy and religious democracy. In democratic systems, people are considered as the basis of the legitimacy of the political system. But at least in some readings of religious democracy (appointment theory), the people do not have the role of legitimizing the system, and the legitimacy of the system originates from divine orders (Mesbah Yazdi, 2007, p. 65-66; Khomeini, 1423 AH, p. 44-45).

The question that arises here is that if the people do not play a role in the legitimacy of the system, does this mean ignoring the role of the people in the government? If this question remains unanswered, it means that the concept of religious democracy has a conceptual paradox because a democracy in which the people do not participate will not be a democracy.

The answer to this question is that although the role of the people in two types of government seems different in theory, there is not much difference in practice. Because the assumption of religious democracy is about the satisfaction of the people and its acceptance by the people, and the actuality of the religious government depends on the existence of this category. And without the opinion of the people, sovereignty will not be realized; Even about the rule of Imam Masoom (AS) (Mesbah Yazdi, 2007, 56-62). Therefore, popular acceptance is considered one of the main components of religious democracy.

5- Supervision Over Power

Abusing power has always existed. For this reason, power needs supervision. In addition to subjecting the ruler to specific conditions and internal control of power, Islam has also considered various institutional and public ways for external control of power. Officially, in Islam, there is the institution of Hasba and Velayat Muzalem, whose duty, in addition to the general supervision of the society, is to supervise high-level institutions and officials, including the judiciary or officials that the judge does not have the power to deal with (Mavardi, n. d., p. 246; Rafiei, 2001, p. 178; Sarami, 1998, p. 31) and in terms of public supervision, there is "the doctrine of enjoining what is good and forbidding what is evil" that people can control power individually and in groups. The Holy Qur'an says: "Why were there no people in the past centuries and before you to prevent corruption on earth" (Hud: 116). In another verse, it says: "There must be a group among you to invite people to good deeds, to command them to do good deeds, and to forbid them from doing bad deeds." (Al-Imran: 104). Hazrat Ali (pbuh) also says about the supervision of the people over their government: Do not stay away from me,... and don't make listening to the truth a burden on me,... even if it is difficult for him to listen to the truth and doing justice is difficult for him. He, it is more difficult to do justice to him." (Nahj al-Balagha, sermon 216). Therefore, monitoring the power is considered one of the important principles of religious democracy. Now, considering the existing components in religious democracy and using human experiences about multicultural societies, we are going to engineer the political structure in these societies.

Engineering Political Structure in Multicultural Societies

They consider the multiculturalism of societies to be caused by two major factors: The coexistence of different nationalities in a single land and the migration of social groups to other countries (Kamilica, 2015, p. 31-40). Due to these two factors, justice-seeking demands are raised in these societies in different ways, such as having the right to citizenship, exemption from some laws, the right to political participation, the right to autonomy, etc. (Faber, 2010, 114-115). Usually, the demands of immigrants are of the type of having the right to citizenship, exemption from some laws and political participation, while the demands of national groups, in addition to citizenship rights, are often of the type of autonomy or

greater participation in political power. Our discussion in this article is about national groups whose demands are of the second type and require the design of a specific political structure. From a religious point of view, Islam has not prescribed a specific political structure and has limited itself to mentioning general criteria (Mesbah Yazdi, 2009, p. 146). Therefore, in changeable affairs, man can plan to optimize his life based on the principles of will, authority, responsibility and wisdom and pay attention to the rules, criteria, values and religious rulings. In cases where there is no verdict, we are free to act with the help of collective reason and consultation. The only condition is that it does not conflict with the rulings of Sharia (Seyd Bagheri, 2018, p. 227-228). Considering this, we can use historical experiences and experiences of other societies in designing our political system and design a structure that will bring justice and security in multicultural societies. However, as we have already discussed, religious democracy has principles and components that should be considered in the design of the political system in multicultural societies. Considering these components, in the following we examine the political structure of religious democracy in multicultural societies in four territorials, legislative, executive and judicial domains.

1- Territorial Structure

Territorial divisions of power, in addition to the simple transfer of power, have important effects on the peace process, distribution of resources and prevention of separatism in multicultural societies. Among the various patterns of territorial division, federalism has been the most widely analyzed because of its potential restraining effects on ethnic conflicts. Federalism can be considered as a set of ways of thinking, values and worldviews, which expresses a philosophy based on maintaining diversity while maintaining unity (Khubroipak, 2017, p. 24). Therefore, the federal structure has been adopted for multicultural societies in order to preserve diversity while maintaining unity.

In terms of territorial divisions, supporters of democracy in multicultural societies have presented various proposals; the associative approach emphasizes ethnic federalism; while the convergence approach suggests a centralized system in small countries and non-ethnic federalism in large countries (Lijfart, 2013, p. 682). It seems that the federal structure manages the flow of power distribution in multicultural societies better than the centralized structure, but provided that the ethnic groups do not have cultural affiliations outside their borders because in this case there is a risk of disintegration and foreign interference in the affairs of the country. Therefore, based on the principle of distributive justice and political pluralism, the federal system is more suitable than alternative systems in multicultural societies because while it minimizes cultural differences and prevents the country from being divided; It also facilitates the distribution of power and benefits.

2- Legislative Structure

We examine the debate on the legislative structure in multicultural societies in three areas, namely, the source of the law, the legislative body, and the electoral system.

A. The Source of Law

One of the main components of democracy in general and religious democracy in particular is the sovereignty of law. This matter is important to the extent that some people like Jean-Jacques Rousseau consider democracy to be the rule of law (Rousseau, 1990, p. 46). Most advocates of democracy have given the right to legislate to the people. But since humans are always biased in legislation, solutions for impartial legislation have been considered. John Rawls has considered the hypothetical legislation behind the curtain of ignorance, in which the legislators are unaware of their fate, as a solution for impartiality in legislation (Rawls, 2017, p. 217-217). But Rousseau considers the lawgiver to be a kind of hypothetical god. In his opinion, a legislator is not a ruler, and he should not be a member of the governing body. Legislator is a special and supreme authority that has no relation with the material realm of humans. Therefore, only gods can provide law to people as they should. According to Rousseau, public interest

and public will are different from the will of all and the will of each individual. He believes that the general public does not pay attention to public interests, which are required by good laws, and pay attention to personal interests. The legislator cannot use the power of reasoning to distinguish between laws and good governance. Therefore, in order to convince people, he must either create a kind of devotional faith in them, or he must have a great spirit that can prove the truth of his heavenly mission for the people (Rousseau, 1990, p. 49-51). These statements show that impartiality is the main condition in determining the principles of justice and legislation.

As it can be seen from the statements of these two prominent Western philosophers, if impartiality is the main condition in legislation, this condition is best found in religious laws and there is no need to imagine a hypothetical god because in divine religions, including Islam, the existence of a true God is the main assumption of religious people, and according to the opinion of all Islamic scholars, the Islamic system is governed by religious laws. Many verses indicate this, some of which we mention here. The Holy Qur'an says: "Judgment and command belong to God alone" (An'am, 57). In another verse, he says: "No believing man or woman has the right to have an option (against God's command) when God and His Messenger deem it necessary" (Ahzab, 36).

There is no disagreement between Islamic scholars and theorists of religious democracy regarding the rule of religious laws. All those who believe in religious government have accepted the rule of Islamic laws. From the point of view of all Muslim thinkers, the source of legislation in Islam is God, and the Islamic ruler is actually the executor of divine laws.

Considering what we said about the impartiality of the legislator and considering that God is the creator of man and he knows his expediency better than himself, the rule of divine laws is the best option for all societies, especially multicultural societies because impartiality in legislation is more important in multicultural societies. However, legislation is not without human factors and we need a human legislator to discover religious laws. What is important in legislation in multicultural societies is to pay attention to cultural pluralism in these societies. The law should be formulated in such a way that the power and benefits are distributed based on the cultural diversity of the society and no oppression of any cultural group is permitted. The practical effect of this distribution is manifested in two areas of power and benefits. In the field of power, power should be regulated legally in a way that guarantees the participation of all ethnic groups in the body of power, and in the field of benefits, public policies should be adjusted in such a way that all ethnic groups achieve their cultural rights.

The practical effect of public policies in the economic field is mostly done in the form of depriving deprived areas and allocating resources for these areas by the government. Creating employment, building economic infrastructure and some other measures for positive discrimination in favor of disadvantaged groups are among these measures. Culturally, measures such as legal protection of group rights, multiple official languages, providing education in the special language of each group, freedom of religious rituals and special customs, access to radio and television and other media give this encouragement to ethnic groups whose cultural identity is guaranteed within the framework of multicultural order. The practical solution to achieve these rights is the establishment of institutions and social associations that are managed by the ethnic groups themselves and in fact, it creates a kind of cultural and communal autonomy or federalism in contrast to territorial federalism (Sisk, 2000, p. 135). The legislative structure in different societies should take into account the above-mentioned matters in the legislation.

But regarding the rule of divine laws, a few points should be noted: First, the divine laws have dealt with generalities and in most cases, they have not entered into the details of the rulings. Second, some new issues do not exist in religious laws and need to be deduced. Third, laws need to be adjusted to be executive. Therefore, we need a legislative body that is responsible for discovering Sharia laws and legislating in cases of legal vacuum.

B. Legislative Body

In the case of legislation, the assumption of democratic systems is the representation of the House of Representatives. In this system, the separation of powers is a principle and the legislative body is independent from the executive and judicial bodies (Mesbah Yazdi, 2009, Vol. 2, p. 130). In terms of composition, the legislative body is common in two ways; bicameral systems composed of the House of Representatives and the Senate and unicameral systems where there is only the House of Representatives. Members of the House of Representatives are primarily elected, while most or part of the members of the Senate are appointed. The question that arises is which of these two structures is more suitable for multicultural societies?

Since there are some appointed representatives in the Senate and they are chosen by the president or his alike, and there is a possibility that the selection of these people was done with ethnic or sectarian considerations, the unicameral system is preferable to the bicameral structure because the composition of the House of Representatives is determined by the votes of the people, not the president. But since in the religious democratic system religious laws rule, recognizing the agreement or non-agreement of laws with religion requires religious experts to supervise the legislative process because MPs are generally not religious experts. Therefore, based on the principle of supervision, it is necessary to be a small body of legal and religious experts to supervise the legislative process and its legitimacy. However, based on the principle of political pluralism and the principle of social justice, it is necessary to observe the religious and ethnic composition in the composition of this council in multicultural societies so that different religious considerations and theories are taken into consideration and socially, the suspicion of favoring a particular nation or religion is eliminated. This helps the public trust in the legislative process and thus peace and security in these societies.

C. Electoral System

Choosing the type of electoral system in different societies plays a major role in preventing or restraining sectarian conflicts and enforcing justice. A suitable electoral system in these societies is the most important mechanism through which the conflicting groups can accept an orderly process of conflict resolution. The main issue in multicultural and diverse societies is that which is the best electoral system; Majority system or proportional representation? This has a great influence on the choice of the type of party system too. Pluralist systems usually prefer two-party systems, while proportional representation leads to distinct multi-party systems. A simple majority system is not suitable for multicultural societies because it leads to the dictatorship of the majority and does not provide the rights and demands of ethnic and religious minorities. Because of this, conflict organizing theories in different societies have supported proportional representation systems. As a result, they have different suggestions on how to have a proportional electoral system. Proponents of associationism, such asLijfar and Sisk, support simple systems of proportional representation that allow all parties to be represented in government in proportion to their electoral share. Proportional representation systems provide incentives so that minority parties can also be present in the parliament (Lijfart, 2013, p. 682-683). Proponents of the convergence approach, such as Horowitz, also support the proportional representation system with some conditions; but the goals that they have in mind for proportional representation are different from the goals that advocates of the associative approach have in mind. From their point of view, the electoral system, in addition to achieving proportionality and reducing the disproportionate ratio of votes to seats, should also pursue other goals; Goals such as establishing equal support for ethnic parties, establishing the moderate behavior of ethnic groups, especially the majority ethnic group, flexibility and balance of multi-polar society in order to prevent the monopoly of power and to encourage the coalitions of different ethnic parties or the formation of multi-ethnic parties before the elections. They have two proposals to achieve these goals; one is the formation of large multi-ethnic parties that will root compromise between ethnic groups and ethnic leaders and cause greater convergence between them and the other, aggregation of votes in the elections, according to which the president must have votes from different regions of the country in addition to the

majority of votes (Sisk, 2000, p. 122-123). In their opinion, the formation of big parties and coalitions before the elections and consolidation of votes for the sake of attracting the votes of minority groups has caused moderation in the society and over time, ideological competitions will replace ethnic and sectarian competitions.

In the author's opinion, in terms of the type of electoral system, although it is not possible to give a decisive verdict on the superiority of a particular system and each country wants a model that fits its own political and social conditions but in general, it can be said that the proportional representation system is more compatible with the social structure of most multicultural countries, especially countries that are in severe political crisis because according to this system, different cultural groups can send representatives to parliament and participate in political power according to their population. This is more compatible with the principle of multicultural justice and political pluralism, which is one of the main components of democracy and it prevents discrimination and injustice in the mentioned societies and prevents the spread of ethnic conflicts. However, among the two approaches of the proportional electoral system, perhaps it can be said that the simple proportional electoral system is more compatible with the conditions of conflict and after that. For this reason, it is less possible to form large and comprehensive parties in the form of large coalitions. But the proportional system in the form of large coalitions is more appropriate for societies that have overcome ethnic conflicts but have not reached national solidarity because in these societies, social acceptance and flexibility increases, and big and trans-ethnic parties and party coalitions before the elections create the grounds for the formation of a single nation and it leads the society towards more convergence.

1- Executive Structure

One of the important issues in any country, especially multicultural societies, is its executive structure. In multicultural societies, the distribution of power and participation of ethnic groups in political power is of particular importance. Therefore, based on the principle of political pluralism at the same time as unity and the principle of social justice, we need a structure that distributes power in a fair manner and brings us to the principle of popular legitimacy, which is the foundation of stability and security in these countries. It is true that the will of people and political leaders plays a decisive role in creating security and implementing justice, but without establishing a scientific structure, it is not possible to achieve this goal. In addition, the structural solution does not rely on people and is more stable. In terms of structure, democratic systems can have three types; Parliamentary systems, presidential systems and mixed systems (Qazi, 2010, p. 354-357; Danesh, 2010, p. 192-195). Now, among these three types of systems common in democratic systems, which structure is suitable for multicultural societies?

Among the various theories about multicultural societies, the approach known as the associational approach, including Lijfart, emphasizes more on the parliamentary system although they do not consider the presidential system impossible. While the proponents of the convergence approach, including Horowitz, the main innovator of this approach, propose a presidential structure. Associationists believe that the parliamentary system structurally can facilitate the presence of many groups, including minorities, at high levels of government, for example, membership in the government cabinet. In their opinion, the parliamentary government is more flexible and the presidential system is more exclusive than the parliamentary systems, especially if the president is clearly known as a member of one of the partied or groups (Lijfart, 2013, p. 681-682). On the other hand, supporters of the convergence approach believe that an elected president with wide national support, compared to his parliamentary counterpart, has a more effective role in reducing conflicts in a divided society due to his compromise stance (Sisk, 2000, p. 144). The question that can be asked from the supporters of the convergence theory is whether the president, who defines himself as a leader who wants reconciliation, acts as such a leader after coming to power or does he support a certain group?

Practical experiences prove both cases. The first example is Nelson Mandela, the late president of South Africa, and the second example was the presidents of the Republic of Afghanistan, who supported the interests of a certain race, and this caused their downfall. Therefore, this system cannot be trusted much because it defers the implementation of justice and security to the will of individuals; It is not clear whether neutrality and impartiality will be respected or not, and whether political leaders stand beyond conflicts and group interests or not? And it is not reasonable to stop the administration of the country for an unknown matter. Considering that in the presidential system, power is concentrated in the hands of the president and the structural distribution of power, which guarantees political pluralism and as a result, public satisfaction and popular acceptance of the government, is not guaranteed. And there is a possibility of political dissatisfaction and ethnic tensions in it, it is not suitable for multicultural societies.

But the parliamentary system seems more suitable at first sight because it facilitates the distribution of power in such societies; But since the executive process is more slow in the parliamentary system and the assumption of multicultural societies is the absence of political stability, a two-pillar mixed system can help both the distribution of power and the administration of justice and political stability.

But since the president, in such a system, is also considered the political leader of the country, he must have the conditions of leadership that are agreed upon by different Islamic religions, such as knowledge, piety, courage and management (Maverdi, n. d. p. 6; Ibn Sina, 1404 AH, p. 251-252). And the institution that supervises the elections should verify the existence of these conditions during the registration of the presidential candidates.

Based on the principle of distributive justice and the principle of pluralism in unity, what is very important in multicultural societies is the proportional distribution of power at different levels, which must be observed in such societies. The political structure must be designed in such a way as to ensure the distribution of power at different levels. But since there is no possibility of structural distribution of power, the basic laws should be set in such a way that requires political authorities to distribute power based on cultural differences. And important posts should be distributed in such a way that two high-ranking officials should not be chosen from the same cultural group. The mechanism of this distribution of power is determined by the amount of votes of different factions in the parliament; in such a way that except for the president who is elected by direct vote of the people, other officials are elected from among the groups that have the majority in the parliament.

2- Judicial Structure

One of the institutions that is very important in any society, including multicultural societies, is the judicial institution of a country. According to the principle of judicial justice, the observance of impartiality is the main condition of judgment, and this is more important in multicultural societies, because in these societies, ethnic nervousness strongly affects the judgment of judicial institutions and threatens the principle of impartiality in judgment. Therefore, judicial institutions in these countries have a dual function; they can be a strong judicial arm against authoritarian and monopolistic governments, and they can be a powerful weapon in the hands of monopolistic ethnic regimes. Therefore, the independence of these institutions will be a basic condition for their success. The judicial structure of religious democracy in these societies can have different modes according to the type of social gap:

1- The type of social gap is non-religious. In this case, from a structural point of view, the structure of the judicial unit will rule over it because Islam does not make any difference between different tribes, castes and races; However, based on the principle of distributive justice, it is necessary to observe cultural suitability in hiring people in the judicial system, while respecting meritocracy, because this prevents ethnic and sectarian conflicts.

2- The type of social gap is religious and the country has religious minorities. In this case, the proceeding is between the followers of the same religion or between the followers of two different religions. In the first case, religious minorities will have judicial independence in their personal status and internal proceedings because the rights of minorities are accepted in the Islamic system, and Islam has accepted the judicial independence of religious minorities from the very beginning.

In this regard, the Holy Quran addresses the Prophet of Islam and says: "Whenever (the people of the book) come to you for a lawsuit, judge between them or leave it to themself and avoid" (Ma'idah: 42). The Holy Qur'an also explains the cause of this avoidance and says: "How do they ask you to judge?! While the Torah is with them and there is God's judgment in that." (Ma'idah: 43). The Qur'an recognizes the scriptures of the past as long as they have not been falsified and distorted, and considers it to be the decree of God. If the difference is religious, it is suggested to use judicial independence in personal status like religious minorities because if religious minorities have judicial independence, faith minorities must have judicial independence in the better way because their differences are very small and minor and they have the right to act according to their faith. In addition, the lack of judicial independence may cause religious conflicts and cause irreparable damage to the society.

In the second case, when the proceedings are between followers of different religions, judicial independence is not possible and it is necessary to have a single judicial procedure; But structurally, Islam dictates the implementation of justice. The Holy Qur'an says in this regard: "When you judge between people, judge with justice" (Nisa': 58). "And if you judge between them (people of the book), judge with justice." (Ma'ida: 42). In another verse, he says: "Enmity with the people, do not lead you to sin and abandon justice!" Do justice, which is closer to piety" (Ma'ida: 8). Since religious laws rule from a legal point of view and religious laws are the most neutral possible state in legislation regarding cultural diversity, and on the other hand, religion commands fair judgment towards minorities, the possibility of oppression towards minorities is greatly reduced. In addition, Islam considers justice in the person of the judge as a condition, which is a kind of internal control of people to prevent oppression. However, the implementation of justice and non-discrimination needs more guarantees because innocent people are infallible and religious prejudices, etc. may make them oppress. Therefore, they need external control and supervision.

For this type of supervision, Islam proposes an institution called Hasbah to supervise the performance of government officials. In addition to that, he also recommends public supervision under the title of "enjoining good and forbidding evil" (Shabania, 2013, P. 2015). In general, in terms of theory and practice, religion has considered many ways to control power and monitor it in support of minority rights. But the practical effects of these institutions today, based on the doctrine of enjoining good and forbidding evil and the institution of Hesbah in Islam, can be the use of independent judicial institutions and judicial procedures such as the use of people's complaint handling agents from government organizations, which can lead to the dispersion of power on the one hand. , and on the other hand, help support the rights of minorities and respond to complaints.

From a legal point of view, one of the measures that can prevent organized discrimination and thus stability and security in these societies is paying attention to the accepted principles of human rights and strengthening human rights institutions and establishing independent judicial institutions. Since this structure is based on religious democracy, the use of the accepted principles of Islamic human rights, which are accepted by the majority of Muslims, greatly contributes to the judicial structure of these countries. Of course, it should be noted that the rights of cultural minorities cannot be completely extracted from the category of human rights. Traditional theories of human rights do not answer the problems of multicultural societies. Therefore, to solve the problems of these societies, it is necessary to add the theory of minority rights to the principles of traditional human rights

Conclusion

The conclusion we get from this discussion is that due to their special conditions, multicultural societies require a special structure of the political system. According to the theory of political experts, although these societies are not a suitable platform for the implementation of democracy, there is no suitable alternative for it either. For this reason, the proposed system in such societies is multi-ethnic democracy, and in Islamic societies, it is religious multicultural democracy.

In this research, by identifying the components of religious democracy, we examined political structure of the mentioned societies based on five components of the components of religious democracy namely the rule of religious laws, elected leadership with specific religious conditions, social justice, political pluralism and the principle of monitoring power, which was more related to these societies and we discussed its political structure in four territorial, legislative, executive and judicial domains.

The results of this research showed that in terms of territorial structure, the most appropriate possible structure, in those multicultural societies where there is no possibility of disintegration, is the federal structure. Because based on the principle of distributive justice and the principle of pluralism in unity, it provides grounds for fair distribution of power and benefits between ethnic groups and religions more than other structures and helps peace and security in these societies. In the field of legislation, based on the principle of the rule of religious laws and the principle of social justice, the most appropriate structure is a unicameral structure with a proportional electoral system in which religious laws rule and a small board of legal and religious experts supervise the legislative process and public policies should be established based on the principle of multiculturalism. Because in a unicameral system, the will of the people is drawn more than in a bicameral system and because religious laws originate from the divine will, they consider the public interest more than human laws.

In the administrative field, based on the principle of distributive justice and political pluralism, we proposed a mixed semi-presidential-semi-parliamentary structure in which the president is elected by the direct vote of the people and the prime minister is elected by the parliament. Important government positions are distributed among different groups in proportion to the votes of the parliamentary factions; in such a way that two senior government officials from the same ethnic group should not be elected. The judicial structure of multicultural societies should be based on cultural pluralism and recognize judicial independence in personal status. The use of independent courts, the strengthening of human rights institutions and the use of accepted laws of human rights and Islamic human rights will help a lot to solve judicial disputes and prevent judicial injustice in these societies.

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