



A COMPARATIVE ANALYSIS OF CIVIL LAWS IN IRAN, TURKEY, AND GERMANY WITH A FOCUS ON NATIONALITY ISSUES

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ABSTRACT

This study offers a comparative analysis of citizenship laws in the legal systems of Iran, Turkey, and Germany. The findings indicate that Iran, relying on the principle of *jus sanguinis* and influenced by religious-cultural factors, adopts a restrictive approach to granting citizenship, with stringent conditions for renunciation and dual nationality. In contrast, Turkey, through a secular and economically driven perspective, has implemented more flexible policies aimed at attracting foreign investors and labor. Germany combines *jus sanguinis* with modern European standards and has established precise mechanisms for establishing lineage—particularly in the case of illegitimate children—and preventing legal abuse. The study concludes that differences in the citizenship systems of these three countries are rooted in their historical backgrounds, national identities, and political-economic priorities.

Keywords: Citizenship, *Jus Sanguinis*, Comparative Law, Iran, Turkey, Germany.

INTRODUCTION

Citizenship, as a fundamental concept of public international law, is a legal and political bond that defines an individual's relationship with a state. The International Court of Justice, in the landmark *Nottebohm* case, described citizenship as “a legal bond based on a social fact of attachment, accompanied by mutual rights and duties.” In today's context of intensified migration and multicultural challenges, comparative studies of citizenship systems have become increasingly important. At the international level, three core principles regarding citizenship have been widely recognized:

- The principle of the prevention of statelessness (every individual must possess a nationality)
- The principle of the prevention of dual nationality (no individual should hold more than one nationality)
- The principle of changeability (the right to change nationality)

This research provides a comparative study of the citizenship systems of three countries with differing legal traditions:

- **Iran:** A system based primarily on *jus sanguinis*, shaped by religious influences and strict requirements. According to Articles 976 to 991 of Iran's Civil Code, nationality is mainly transferred through the father.
- **Germany:** A modern system combining *jus sanguinis* and *jus soli* since 2000, aligned with European Union standards. German nationality law has evolved through multiple reforms toward greater flexibility.
- **Turkey:** A secular model serving both legal and ideological functions, aiming to attract foreign capital while preserving national unity.

This descriptive-analytical study, based on library sources, seeks to answer the following research questions:

- What are the structural differences in the legal foundations of citizenship in these three countries?
- To what extent do religious and cultural factors influence their citizenship systems?
- Which system is best equipped to address contemporary migration challenges?

Subsequent sections address the nationality systems of Iran, Germany, and Turkey, respectively, followed by a comparative conclusion. The findings may assist legislators in revising nationality laws, inform international courts in citizenship disputes, and enrich academic discourse in private international law. This comparative study of citizenship systems in Iran, Germany, and Turkey reveals that national approaches to citizenship reflect each country's unique historical, cultural, and socio-political context. The core findings can be summarized as follows:

1. Shared Principles, Divergent Approaches

Although all three countries recognize key citizenship principles—including the prevention of statelessness, prohibition of dual nationality, and the right to change nationality—their application varies significantly:

- **Iran** maintains the most rigid system, emphasizing *jus sanguinis* and religious considerations.
- **Germany** balances national sovereignty with European standards through a blend of *jus sanguinis* and *jus soli*.
- **Turkey** adopts a pragmatic approach that promotes foreign investment while safeguarding national identity.

2. Common Legal Challenges

- Managing conflicts arising from dual nationality
- Balancing national security with migrants' rights
- Responding to labor market needs and demographic shifts
- Ensuring the fundamental rights of stateless individuals

3. Theoretical and Practical Contributions

Theoretical Level:

- Explains how historical and cultural factors shape citizenship laws
- Provides a comparative framework of naturalization mechanisms
- Analyzes the intersection of citizenship and civil rights

Practical Level:

- Offers a model for evaluating citizenship systems
- Identifies strengths and weaknesses in each system
- Suggests areas for legal reform

4. Policy Recommendations

For Iran:

- Reforming nationality laws for second-generation immigrants
- Easing conditions for nationality change in specific cases
- Addressing the issue of statelessness more proactively

For Germany:

- Enhancing integration programs for immigrants
- Clarifying dual nationality regulations
- Strengthening oversight mechanisms

For Turkey:

- Balancing investor attraction with national security concerns
- Reducing bureaucratic barriers in the naturalization process
- Improving legal conditions for foreign workers

This study confirms that there is no universal model for an ideal citizenship regime. Countries must tailor their systems to local realities, though comparative learning can inform better policymaking. The findings provide a foundation for future research on the relationship between citizenship and economic development, integration of migrants, and the evolution of international citizenship law.

A dynamic citizenship regime must pursue three essential objectives simultaneously: safeguarding national sovereignty, upholding human rights standards, and responding to societal needs.

THEORETICAL FOUNDATIONS OF THE STUDY

Nationality

At the international level, three fundamental principles regarding nationality have been widely recognized and accepted by most countries. These principles serve as the foundation upon which many nations have developed their nationality laws. The first principle affirms that every individual must possess a nationality—the principle of avoiding statelessness. According to this principle, every person should hold the nationality of at least one state, typically acquired automatically at birth. The absence of nationality gives rise to numerous legal and social difficulties. In legal disputes or matters involving state obligations, it becomes unclear under which jurisdiction such individuals fall, as states generally do not grant rights or assume

responsibilities for stateless persons. The second principle holds that no individual should possess more than one nationality—the principle of avoiding multiple nationalities. Individuals with dual or multiple citizenships may encounter complications similar to those faced by stateless persons on the international stage. While dual citizenship can occasionally provide certain advantages, it also imposes additional legal obligations on each country of citizenship, including military service, taxation, and other responsibilities. The third principle emphasizes that individuals must have the right to change their nationality—the principle of nationality transferability. This principle is grounded in the ideals of free will and personal autonomy. It affirms that individuals should be free to voluntarily renounce the nationality of one country and acquire that of another.

Nationality in Iranian Law

The concept of nationality in Iranian law is a relatively modern development, introduced into the legal system over the past few centuries. Although similar notions existed in earlier periods, the formalization of nationality as a legal category is primarily rooted in principles of international law. The emergence of multiple independent states made the concept of nationality necessary, as it would hold little relevance in a world governed by a single sovereign authority. In Iran, nationality has traditionally been addressed in the context of individual rights and the distinctions between Iranian citizens and foreign nationals. Historically, the term “*ra'aya*” was used instead of “citizen,” and it remained prevalent until the modern era. In earlier times, there was no clearly defined standard for distinguishing Iranians from foreigners. However, factors such as place of birth, residence, loyalty to the monarch, and adherence to the official religion likely played a significant role in determining an individual’s nationality.

For instance, in ancient times, before the institutionalization of Zoroastrianism as the official religion, the king’s will be the primary determinant of allegiance and status. Obedience to the monarch signified a form of political affiliation. However, once Zoroastrianism became the state religion, adherence to the faith emerged as the principal criterion for national belonging. Even non-Iranians who converted to Zoroastrianism were considered affiliated with the Iranian state. During these periods, the effects of nationality were most evident in times of war or matters of taxation. In terms of legislation, the Constitutional Revolution of 1906 did not explicitly address the issue of nationality in the constitution. However, in 1929², Iran adopted its first nationality law, establishing a legal framework for various aspects of citizenship. In 1930³, two supplementary articles were added, forming the foundation of Iran’s nationality principles. This was followed by the enactment of the Civil Code in 1934⁴, which included Articles 976 to 991, providing a comprehensive treatment of nationality-related matters.

Following the 1979 Islamic Revolution, amendments were made in 1991⁵ to Articles 980, 982, 987, and 991 of the Civil Code. Additionally, Article 981 was repealed by the Judicial Affairs Commission of the Islamic Consultative Assembly. The post-revolutionary constitution also underscores the importance of nationality: Articles 41 and 42 of the Constitution of the Islamic Republic of Iran affirm that Iranian nationality is an inalienable right of every Iranian citizen.

Iran predominantly adopts the *jus sanguinis*⁶ principle in determining nationality. However, the choice between *jus sanguinis* and *jus soli*⁷ varies depending on the geographical, political, and economic conditions of each country. For example, the United States has expanded its population rapidly by embracing *jus soli*, while countries like Switzerland have preferred *jus*

sanguinis to maintain demographic stability. Ultimately, the approach to nationality is shaped by each country's unique context, and different systems may lead to legal complexities in specific cases. In Iranian law, other concepts such as “citizen” or “resident” may be used in international treaties or agreements; however, in the end, these terms in Iran carry only nationality-related meanings. For example, according to the Iranian Civil Code, an Iranian national is someone who resides in Iran and does not hold foreign nationality.

The Iranian Civil Code also states that all residents of Iran, whether Iranian or non-Iranian, must abide by Iranian laws. In French law, to determine the rights of individuals who have a specific connection to the country or live there under various conditions, several terms such as *citoyen* and *citoyenneté* are used. These are similar to the concepts of nationality in Iranian law. These terms specifically refer to the legal relationship between an individual and the state and are less frequently used in international contexts.

Article 976 states that individuals in the following situations hold Iranian nationality: 1. All individuals living in Iran, except those whose foreign nationality has been established, with foreign nationality being considered established when their documents are not contested by the Iranian government. 2. Individuals whose father is Iranian, regardless of whether they were born in Iran or abroad. 3. Individuals born in Iran whose parentage is unknown. 4. Individuals born in Iran to foreign parents, provided that one of the parents was born in Iran. 5. Individuals born in Iran to a foreign father who has lived in Iran for at least one year after reaching the age of 18. Otherwise, their acceptance of Iranian nationality will be subject to specific conditions. 6. Any foreign woman who marries an Iranian man. 7. Any foreign individual who acquires Iranian nationality.

Citizenship in Germany

Citizenship – the demand for all individuals to have equal rights under one country – is fundamentally a normative and contested concept. In Aristotelian political thought, citizenship is defined as full membership in a constituted political community, signifying that individuals are both rulers and the ruled. It is essential to distinguish between the legal and political dimensions of citizenship. Legally, this concept refers to affiliation or membership in a state. The principle of “second reserve” applies here, as states possess sovereign rights to decide on full membership. One important criterion in international law is the principle of genuine connection, meaning that an individual must have continuous ties with the relevant state(s). These principles are outlined in the German Constitution, particularly in Article 16 and Article 116, Paragraph 1. Even when Germany was divided, the Federal Republic of Germany only recognized one German nationality, which resulted in the inclusion of citizens from the German Democratic Republic based on their citizenship in that country (1967-1990).

Legally, at least three methods are distinguished for acquiring German citizenship. Eligibility through parents⁸: This principle means that children inherit the citizenship of their parents, which is recognized in almost all countries around the world. Right of the soil⁹: In many countries, children born within the territory of a state can acquire its citizenship. This principle was introduced in Germany in 2000, particularly benefiting the children of immigrants.

Citizenship granted through naturalization¹⁰ involves criteria such as the duration of legal residence, proficiency in the country's language, and economic conditions. The general conditions for acquiring German citizenship were established in the *Nationality and Citizenship Act* of 1913, which underwent extensive reforms in 2000 and was renamed the *Citizenship Act*.

The three main trends in the development of the concept of citizenship in the last century include expansion, erosion, and transnational expansion, all of which have contributed to fundamental changes in the notion of citizenship.

The expansion of citizenship can be explained from two perspectives: gradual inclusion and the conflict perspective. A prominent example of gradual inclusion is the reform of the German Citizenship Act in 2001, which implemented the principle of *jus soli*¹¹. According to this law, children of foreign parents born in Germany become eligible for German citizenship if one of the parents has legally resided in Germany for at least six years. This law led to significant changes in the acceptance of various groups into German citizenship, achieving greater inclusivity by reducing ethnic distinctions in citizenship laws.

Until the early 19th century, the principle of *jus soli*¹² was the valid basis for granting citizenship in Germany. However, with the introduction of the first citizenship laws in Prussia in 1842, the principle of *jus sanguinis*¹³ became the primary criterion for acquiring citizenship. Later, the Reich Citizenship Law of 1913 made *jus sanguinis* the sole legal standard for citizenship. Following the reform of the Citizenship Law in 2000, *jus soli* was extended to the second generation of migrants. The reason why Germany's approach to citizenship is more restrictive than many neighboring countries in Europe can be traced back to the strong influence of the concept of "nation," particularly the ideas of republicanism or ethnic nationhood, in German citizenship laws until recent years. According to Brubaker (1992), "nation-state" countries like France, which view the nation from a republican perspective, have citizenship laws that are naturally more inclusive and accessible. In contrast, "cultural nations" like Germany, with their ethnic understanding of the nation, implement stricter citizenship policies. In the republican model, an individual's affiliation with a state is primarily based on their will and desire to be part of that state and nation. In contrast, in the ethnic-cultural model, an individual's affiliation with the state is determined by descent from a specific ethnic group, culture, or language. As a result, in ethnic nation-states, access to citizenship is often directly influenced by an individual's ethnic and cultural background. In Germany, the 1913 Citizenship Law, based on *jus sanguinis*, made it difficult for many individuals, particularly migrants, to acquire citizenship. These policies persisted until the late 20th century, with many restrictions placed on migrants, especially guest workers, from the 1950s onward. These policies were rooted in Germany's ethnic understanding of the nation. The expansion of citizenship also introduced new ways of exclusion and restriction. For example, Germany and Turkey are connected through transnational social spaces and respond to each other's citizenship policy changes. In the early 1990s, arson attacks in the cities of Mölln and Solingen in Germany led to the deaths of eight Turkish women and girls (Brubaker, 1992). The Turkish government concluded that Turkish migrants in Germany would only receive full support if they held German citizenship, which led to a change in Turkey's previous policy of preventing the granting of German citizenship.

In the discussion surrounding the erosion of citizenship, two key trends stand out: the restructuring of the welfare state and the repeated assertion of a decline in public morale. In welfare state policies, social rights are increasingly supplemented or replaced by contractual elements, such as "activation" policies in the labor market. In the early 1990s, contract workers were introduced as part of agreements between public contractors in Germany and foreign subcontractors. Initially, these agreements were included in treaties between Germany and Central and Eastern European countries. These agreements were similar to the freedom of services within the European Union and were considered a form of pre-reform assistance for European countries. In practice, this provision meant that construction companies from these

countries could bring their workforce to Germany to provide services. These workers received German wages but did not have access to social benefits. These benefits were determined by the sending countries, which made these companies more competitive. The issue, however, was not the lack of a replacement for “German workers,” but rather the status of workers from foreign countries in Germany. Legally, these workers were not recognized as migrant laborers but were considered part of the companies executing the contracts, which led to the re-commodification of migrant labor.

The new citizenship law, which was an amendment to Germany's citizenship law, was passed on July 15, 1999, and came into effect on January 1, 2000. Additionally, administrative guidelines for its implementation had to be approved.

One of the major changes was the introduction of the principle of *jus soli*¹⁴ in Article 4 of the German Citizenship Act, under which a child of foreign parents can acquire German citizenship through an “optional” model, provided that one of the parents has legally resided in Germany for at least eight years and holds a residence permit or permanent residence permit for at least three years. Therefore, the “dual right of soil” model, which is implemented in some European countries, was not introduced. Foreign children legally residing in Germany can acquire naturalization rights from the age of ten if the aforementioned conditions are met at the time of their birth¹⁵.

Given that children typically inherit citizenship from their parents through successive generations, the introduction of the *jus soli* principle means that these children may possess dual or even multiple citizenships. As a result, Section 29 of the German Citizenship Act introduced a controversial optional model, requiring individuals to decide by the age of eighteen which citizenship to retain and which to renounce. If a young adult declares their intention to retain their foreign citizenship or fails to make any declaration by the age of eighteen, they will lose their German citizenship. On the other hand, if they choose to retain their German citizenship, they must prove that they have either renounced or lost their foreign citizenship¹⁶, unless German authorities officially establish that they may retain their foreign citizenship. According to Section 29(4), this permission to retain foreign citizenship must be granted if renouncing it is impossible or unreasonable, or if dual citizenship is accepted under public law in the case of naturalization. This law and its amendments represent a step toward modernizing citizenship policies in Germany, significantly impacting the process of acquiring citizenship and the legal challenges associated with it. In addition to introducing the principle of *jus soli*, the naturalization process has been simplified. Immigrants can apply for naturalization after eight years of residence instead of fifteen, provided they declare their commitment to the democratic and free order of the constitution, possess a residence permit, can support themselves without relying on public assistance or unemployment benefits¹⁷, have no criminal convictions, and have either renounced or lost their previous citizenship. Dual citizenship is accepted in more cases, such as when the applicant is elderly and dual citizenship is the only obstacle to naturalization, when renouncing foreign citizenship would cause disproportionate difficulty, or when rejecting the naturalization application would result in significant hardship. Additionally, dual citizenship is accepted when renouncing foreign citizenship would result in the loss of civil rights or cause economic or financial harm, or¹⁸ when reciprocal assistance exists.

The 2007 law on the implementation of European Union directives in the field of migration and asylum law included significant legal amendments to the citizenship law, which brought about considerable changes, although not all of these changes were related to the enforcement of EU laws. Despite some criticisms in academic texts, this law incorporated 24 amendments to the Citizenship Act. Critics argued that combining the enforcement of EU laws with a controversial amendment to the Citizenship Act was a tactical tool to facilitate the acceptance of a “package” that many representatives were neither willing to support nor able to publicly express. Some legal changes, although not directly related to migration law, were indirectly related, such as the increased integration requirements introduced by the 2004 Migration Law reforms.

The focus of the legal amendments was clearly on the new provisions concerning the acquisition of German citizenship through acting as a German national for 12 years. According to Paragraph 2 of Article 3 of the new law, German citizenship is granted to anyone who has been treated as a German national by German authorities for 12 years, regardless of permanent residence in Germany¹⁹. The acquisition of citizenship becomes valid from the time German authorities first recognize an individual as a German national, including in cases of marriage, birth, adoption, or citizenship. Paragraph 2 of Article 3 lists formal actions, such as the issuance of a certificate of citizenship, passport, or identification card, as relevant measures. This acquisition of citizenship also applies to subsequent generations who inherit their citizenship from someone who obtained German citizenship by acting as a German national. Another condition is that the individual in question must not be responsible for any errors made by the authorities. To acquire German citizenship through acting as a German national, the individual must not have caused any errors intentionally or through negligence. The explanatory notes to the draft law provide examples, such as fraud or concealment of important information, like regaining a previous citizenship without permission to retain German citizenship under Paragraph 2, Article 25 of the Citizenship Act. Generations who acquire German citizenship through acting as a German national cannot be held accountable for fraud or concealment by their parents.

The amendment to the Citizenship Act dated February 5, 2009, was primarily a response to decisions made by the Federal Administrative Court and the Federal Constitutional Court regarding the legal requirements for revoking German citizenship due to fraud or deceit, and the legal consequences of losing or renouncing citizenship for subsequent generations. Until February 2009, there were no provisions in the German Citizenship Act concerning the revocation of citizenship or the legal effects of losing or renouncing citizenship for future generations. While the new law clarifies the situation, it has negative implications for residency rights: according to the ruling of the Federal Administrative Court, the loss of citizenship retroactively does not lead to the reinstatement of the previous residence permit, thereby placing the affected individuals in a state of legal uncertainty.

In general, German citizenship is acquired through descent from a German mother or father, legitimization of birth, adoption, or naturalization. In the absence of marriage, descent from a German father requires a formal process to establish or confirm paternity. The misuse of this tool, by providing false statements about paternity, led lawmakers to introduce a process for challenging paternity confirmations. Under this law, legislators created the possibility to challenge the confirmation of paternity by the competent authorities to prevent fraudulent paternity claims aimed at obtaining a residence permit. However, the Federal Constitutional Court declared this law unconstitutional. In December 2013, the Court ruled that such challenges by public authorities were illegal if they resulted in the child's loss of citizenship. Since the child did not influence the declaration of paternity or the motives of the parents, the

loss of their citizenship violated Article 16²⁰. While it is not generally illegal to penalize fraudulent motives of parents, even if it has negative consequences for the innocent child's citizenship, the specific regulations were overly broad and unclear. The law did not provide clear criteria for identifying cases of fraudulent motives. Moreover, it created difficulties for nearly all unmarried couples where the mother did not have German citizenship and the partners did not live together. Therefore, the law failed to respect the parents' rights under Article 6²¹.

Citizenship in Turkey

The new Law on Foreigners and International Protection (LFIP) was enacted in April 2013 by the Grand National Assembly of Turkey. This law reflects Turkey's intention to align its legal framework with European Union standards. The development of this new law required further legislation related to foreign nationals and regulations concerning asylum and migration. The LFIP governs key issues regarding the status of foreign nationals in Turkey, excluding work permits and the ownership of immovable property. Furthermore, this law is the first domestic legislation to cover asylum procedures in Turkey. Before the LFIP's enactment, asylum was regulated through secondary laws, including the 1994 Asylum Regulations and administrative directives.

For the first time, the legal status of stateless individuals was specifically addressed in Turkey's domestic legal system. The provisions of this new law largely reflect the influence of EU laws. It can also be said that principles of international law and human rights have been considered, as the articles related to the entry, residence, and deportation of foreign nationals demonstrate the principle of non-refoulement.

The new law largely follows a semi-judicial approach, prioritizing the concept of security. However, rather than providing a thorough analysis of the law in its entirety, this article aims to explore the impact of public policy and security concerns in regulating issues related to the entry, residence, and expulsion of foreign nationals under the new law, and whether it has improved the situation for foreign nationals compared to previous laws. The new law regulates the status of foreign nationals almost comprehensively and tends to do so according to “society's achievements,” replacing outdated and fragmented regulations. The new provisions regarding the status of foreign nationals are much more detailed than the old laws, contributing to enhanced personal security and protection. However, while the judicial approach governing the structure and content of the new law shows significant progress in the field of human rights, the dominance of the security concept raises questions about whether the progress in this area is truly effective.

Article 7 of the Law on Foreign Nationals and International Protection (LFIP) outlines the conditions under which foreign nationals will not be permitted to enter Turkey. These conditions are as follows: having a passport or substitute documents that are either missing or fraudulent, visa, residence or work permit; obtaining these permits fraudulently; lacking a passport or substitute documents that are valid for at least sixty days after the expiration of the visa, visa exemption, or residence permit; and being within the scope of foreign nationals mentioned in Article 15(1)²², regardless of whether a visa exemption exists. In addition to the formal requirements for passports, visas, or residence permits, this provision also addresses the cases that justify a visa refusal. Assessments related to Article 15 regarding the prohibition of entry into Turkey are also applicable.

Foreign nationals and ethnic and religious minorities in Turkey face various structural challenges. Legal and cultural restrictions have made it difficult for these individuals to access

the labor market, healthcare services, education, and political participation. On the other hand, Turkish society has consistently viewed foreign nationals with suspicion, considering them as the “other.” This cultural and social approach has created significant barriers to the integration of foreign nationals into Turkish society and has led to a sense of alienation among them.

Citizenship and residence laws in Turkey are under strict control and supervision by the government. According to Law No. 5901 on Turkish Citizenship, foreign nationals can acquire Turkish citizenship through various means:

Marriage to a Turkish citizen: Marriage to a Turkish citizen is one of the common paths to acquiring citizenship, but this process requires a minimum of three years of marital life.

Large-scale investment: Foreign investors can acquire Turkish citizenship by investing specified amounts (at least \$400,000) in real estate or by creating jobs for Turkish citizens.

Long-term residence: Foreign nationals who have resided continuously in Turkey for more than five years and have demonstrated the financial ability to live in the country are eligible for citizenship.

However, these processes are quite complex and time-consuming. Applicants must provide extensive documentation, including a criminal record certificate, financial documents, and residency papers.

Foreign nationals in Turkey face specific legal restrictions: they cannot work in certain professions such as law, pharmacy, or sensitive government jobs. They are also prohibited from residing or investing in border areas or regions considered sensitive for national security. The right of foreign nationals to own property comes with restrictions, which will be explained in the following sections.

Foreign nationals in Turkey have limited political rights. They cannot vote in local or national elections, hold key government positions such as in ministries or the armed forces, join political parties, or run as candidates in elections. These restrictions are often imposed due to national security concerns and fears of foreign influence in domestic affairs.

Foreign nationals have the right to purchase and own real estate in Turkey, but this right comes with certain restrictions. They are prohibited from buying property in military or border areas, and any property purchase must be approved by local authorities and relevant ministries. Additionally, the area of property purchased by foreign nationals cannot exceed a specified limit, typically 10% of the total area of a particular region. These regulations have been adjusted in recent years to attract foreign investors, making the conditions more favorable compared to the past.

Foreign nationals need a work permit to work in Turkey, which must be obtained from the Ministry of Labor and Social Security. Certain professions are prohibited for foreign nationals, including sensitive fields such as pharmacy, law, judiciary, and law enforcement. However, foreign nationals are allowed to work in sectors such as tourism, information technology, and education. Obtaining a work permit is generally a complex and time-consuming process, with many foreign nationals facing administrative barriers and bureaucracy throughout the procedure.

Foreign nationals have access to certain public services such as healthcare and education, but this access is limited. They are not eligible for social housing, and healthcare services for foreign nationals usually require additional payments. Foreign nationals must obtain specific permits from government agencies to purchase property in Turkey. Additionally, they are prohibited from owning property in strategic or border areas. Purchasing property in certain regions also requires special approvals.

Table 1: Comparison of Citizenship Rights for Foreign Nationals in Iran, Turkey, and Germany

Subjects	Iran	Germany	Turkey
Residence and Citizenship Rights	Citizenship is primarily through birth (Iranian father).	Permanent residence after 5 years.	Permanent residence after 8 years.
Labor and Employment Rights	Temporary residence with limited conditions.	Citizenship after 8 years of residence and proficiency in the language and culture.	Citizenship through investment (\$400,000) or marriage.
Social Rights	A work permit is required.	Work visa required.	Work visa required.
Political and Civil Rights	Employment priority for Iranian citizens.	Equal rights and working conditions for citizens.	Equal rights under the law, but discrimination may exist in practice.

CONCLUSION

This research aimed to examine and conduct a comparative study of the civil laws of Iran, Turkey, and Germany with an emphasis on issues related to citizenship. The findings revealed that in Germany, the Residence Act defines the conditions for temporary and permanent residence for foreign nationals. According to this law, permanent residence is attainable after five years of legal residence and employment in Germany. Additionally, German citizenship, according to the Citizenship Act, is usually granted after eight years of residence, proficiency in the German language, and familiarity with the German culture and legal system. In comparison, Iran has stricter laws. The Iranian Civil Code²³ establishes citizenship based on the principle of *jus sanguinis*, meaning Iranian citizenship is primarily passed from an Iranian father to a child, and only under specific conditions (such as marriage to an Iranian citizen or investment) may individuals acquire Iranian citizenship. Moreover, the foreign nationals' residency regulations in Iran provide for temporary residency for foreign nationals, but access to permanent residency is rarely possible. Turkey, on the other hand, has more open policies. According to the Turkish Citizenship Law, foreign nationals can acquire citizenship through investment or marriage to a Turkish citizen. The Foreign Nationals and International Protection Law²⁴ establishes conditions for temporary and long-term residency for foreign nationals, offering more flexibility compared to Iran and Germany. As a result, Germany offers a simpler process for granting citizenship and residence to immigrants compared to Iran and Turkey.

In Germany, foreign nationals can work under the Employment of Foreign Nationals Act by obtaining a work permit. This law also sets conditions such as minimum wage, labor insurance, and working hours for foreign workers. Additionally, under the Workers Protection Act, Germany protects foreign workers' rights, which include equal rights with German citizens. In comparison, Iran's Labor Code²⁵ provides specific conditions for the employment of foreign nationals. These individuals must obtain a work permit, and priority for employment is given to Iranian citizens. Under these laws, the rights of foreign nationals are less than those observed in Germany, with many jobs being restricted for foreigners. In Turkey, according to the Labor Law, foreign nationals must have a visa and a work permit to be employed in Turkey. However, the legal rights of foreign nationals in Turkey are similar to those of Turkish citizens, although

in practice, there may be discrimination in terms of wages or working conditions.

Overall, Germany provides the most legal protection for foreign nationals compared to Iran and Turkey, especially in terms of labor rights and employment.

In Germany, resident foreign nationals have access to extensive social services. According to the Social Insurance Act and the Health Insurance Act, foreign nationals can benefit from free healthcare, education, and other social supports, such as financial assistance. Refugees and legal immigrants in Germany also enjoy special support, including financial assistance and integration programs. In Iran, social services for foreign nationals are limited. Specifically, for Afghan refugees, healthcare services are generally not provided for free, and only in certain cases can migrant children access free education. The Refugee Protection Regulations provide limited educational services for some groups, but these services are generally prioritized for Iranian citizens. In Turkey, legal foreign nationals also benefit from social services, including education and healthcare. According to the Refugee Protection Law, refugees can access free healthcare and education, but the quality of these services may vary depending on geographic location. Overall, Germany is more advanced in terms of social and healthcare services compared to Iran and Turkey, offering more support to foreign nationals and refugees.

In Germany, foreign nationals do not have the right to participate in national elections, but they can vote in certain local elections, such as city council elections. German election law grants this right to foreign nationals who have resided in the country for a longer period. In contrast, in Iran, foreign nationals are deprived of all political rights and cannot participate in any national or local elections. The Iranian constitution does not provide any rights for foreign nationals to engage in political participation. Turkey, like Iran, denies foreign nationals the right to vote in national elections; however, according to Turkish civil activities law, foreign nationals can participate in civil activities and form associations, although these activities are under government supervision. As a result, Germany offers the greatest freedom in civil and political participation for foreign nationals, while Iran and Turkey have limited these rights.

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