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Dimensions of Legal Censorship in Digital Activism: A Thematic Analysis

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ABSTRACT

This study aims to explore the strategies employed by student activists in Tehran to navigate and resist legal repression while maintaining their political engagement and collective organizing efforts. Using a qualitative research design, data were collected through semi-structured interviews with 24 student activists based in Tehran. Participants were selected through purposive sampling to ensure they had firsthand experience with legal repression. Interviews continued until theoretical saturation was reached. All interviews were audio-recorded, transcribed verbatim, and analyzed thematically using NVivo software. Thematic coding followed Braun and Clarke's six-phase framework, identifying patterns of resistance and adaptation in response to legal constraints. Analysis revealed four major themes reflecting the strategic responses of student activists: (1) adaptive communication practices, including encrypted messaging, offline coordination, and misleading digital content; (2) legal literacy and defensive tactics, such as peer legal education, strategic ambiguity, and engagement with NGOs; (3) psychological and emotional resilience, including peer support, identity affirmation, and emotional regulation strategies; and (4) organizational and strategic flexibility, demonstrated through decentralized leadership, tactical mobility, and intergenerational knowledge transfer. These strategies reflected a sophisticated, context-specific approach to navigating surveillance, arrest risk, and institutional backlash. The study highlights the dynamic and resilient nature of student activism under conditions of legal repression. Rather than retreating, activists develop multifaceted tactics that integrate legal knowledge, emotional sustainability, and structural adaptability. These findings challenge assumptions about repression as a solely deterrent force and suggest that legal constraints often catalyze innovation in activist practice. The study contributes to the broader literature on contentious politics by illuminating micro-level mechanisms of resistance and the enduring agency of student activists in repressive contexts.

Keywords: student activism; legal repression; qualitative research; digital resistance; Iran; emotional resilience; civil society; authoritarianism; tactical adaptation.

Introduction

The rapid digitization of public discourse has redefined the terrain of political activism, creating new spaces for expression, mobilization, and resistance. Digital platforms, particularly social media, have allowed activists to bypass traditional gatekeepers, disseminate information instantly, and build transnational solidarities. However, this technological empowerment is increasingly counterbalanced by sophisticated forms of legal censorship that aim to monitor, suppress, and delegitimize digital dissent (MacKinnon, 2012). In many authoritarian and semi-authoritarian



regimes, legal apparatuses are being repurposed to regulate the online public sphere, raising critical questions about the nature, scope, and effects of legal censorship on digital activism.

Legal censorship refers not merely to direct prohibitions on content, but to a spectrum of state-led regulatory and punitive mechanisms that restrict expression under the guise of legality (PEN America, 2021). These measures range from vague legislative language and surveillance-driven arrests to criminalization of protest rhetoric and the use of court orders to silence online platforms. Unlike technical censorship such as internet shutdowns or algorithmic manipulation, legal censorship provides a veneer of legitimacy that complicates both domestic resistance and international criticism. As such, it becomes a central instrument in what scholars call "networked authoritarianism," where control is maintained not only by technology but by legal infrastructure (Kalathil & Boas, 2010).

In Iran, where this study is situated, legal censorship plays a particularly prominent role in shaping the contours of digital activism. The government maintains strict control over online content through a complex network of laws and decrees, including the Computer Crimes Law of 2009, the Cyber Crimes Law, and provisions within the Islamic Penal Code (Rahimi, 2015; Dehghan, 2021). These laws contain broad clauses related to national security, religious insult, and spreading falsehoods, allowing state authorities to arbitrarily target individuals and groups engaged in online advocacy. According to Freedom House (2023), Iran is ranked among the lowest globally in internet freedom, citing legal repression as a principal factor.

Digital activists in Iran frequently navigate a precarious online environment where their expressions of dissent, even when peaceful and lawful under international standards, are criminalized. Online campaigns about minority rights, gender equality, environmental issues, and anti-corruption efforts often face swift legal repercussions. Activists have been prosecuted for tweets, Instagram posts, and encrypted messages on Telegram, sometimes under charges as severe as "acting against national security" (Adayemi, 2020). Moreover, the state leverages judicial opacity—such as secret trials, lack of access to evidence, and prolonged pretrial detentions—to reinforce a culture of fear among digital activists (UN Human Rights Council, 2022).

These legal restrictions are not random; rather, they constitute a systematic effort to pre-empt and control the flow of information in digital spaces. Scholars have observed that such practices often mirror traditional censorship frameworks while adapting to the unique temporal, spatial, and rhetorical dynamics of digital communication (Morozov, 2011; Zuboff, 2019). For instance, laws are often left deliberately vague to allow flexible interpretation by prosecutors and judges, effectively turning the legal code into an unpredictable and repressive tool. This ambiguity undermines legal certainty and facilitates what Bourdieu (1998) refers to as "symbolic violence"—the imposition of meaning and control through ostensibly legitimate mechanisms.

Understanding the dimensions of legal censorship in digital activism is particularly important because such mechanisms are often invisible or normalized. Activists may not perceive certain legal requirements—such as licensing mandates for websites or bans on encrypted tools—as forms of censorship, even though they profoundly shape what can be said and shared. Furthermore, the interplay between legal and technical censorship complicates resistance efforts. For example, a court order may be used to remove content from an international platform like Instagram, while also threatening the content creator with imprisonment for "inciting unrest" (Article 19, 2022). This duality illustrates how legal censorship operates at both the symbolic and material levels, affecting not only access to information but the psychological and social costs of activism.

Scholarly attention to legal censorship in the digital domain remains limited, with most research focusing on technical barriers such as internet shutdowns or algorithmic suppression (Roberts, 2020; Tufekci, 2017). While valuable, these studies often underplay the legal frameworks that legitimize and sustain digital repression. Moreover, existing literature tends to examine legal censorship from a top-down perspective, analyzing state strategies and legislative trends without incorporating the lived experiences of activists who confront these restrictions firsthand. As a result, there is a significant gap in qualitative knowledge about how activists interpret, internalize, and resist legal censorship in their digital engagements.

To address this gap, the present study employs a thematic analysis of semi-structured interviews with 23 digital activists in Tehran. By foregrounding their voices, this research explores the multiple dimensions through which legal censorship is experienced, understood, and resisted. Drawing on the perspectives of those directly affected by these restrictions allows for a more nuanced understanding of legal repression as both a structural and experiential phenomenon. In doing so, this study contributes to the emerging field of digital legal consciousness—a framework that examines how individuals navigate the law in digital contexts (Silbey, 2005; Marshall & Barclay, 2003).

In particular, this research seeks to identify the key mechanisms of legal censorship employed by the Iranian state, the tactics activists use to cope with or circumvent these mechanisms, and the broader implications for democratic engagement and digital rights. The study is informed by socio-legal theory, which emphasizes the interrelation between law, society, and power, as well as critical internet studies that highlight the political economy of digital control (Cohen, 2012; Gillespie, 2018). Methodologically, the study adopts a constructivist approach to thematic analysis, allowing participants' narratives to guide the formation of analytical categories.

Ultimately, this article argues that legal censorship in digital activism is not merely a reflection of authoritarian governance, but a deliberate strategy of legal performativity aimed at disciplining dissent, fragmenting movements, and normalizing control. By shedding light on the subjective and strategic dimensions of this phenomenon, the study underscores the urgent need to recognize legal repression as a central pillar of digital authoritarianism—not only in Iran but in similar contexts worldwide.

Methods and Materials

This study employed a qualitative research design to explore the dimensions of legal censorship experienced within digital activism. A thematic analysis approach was adopted to identify recurring patterns and categories within participants' narratives. The research was conducted with the aim of understanding the subjective experiences and perceptions of digital activists who have encountered legal barriers or censorship mechanisms in their online advocacy efforts.

Participants were selected using purposive sampling to ensure that individuals with direct experience in digital activism and exposure to legal censorship measures were included. The final sample consisted of 23 participants residing in Tehran, all of whom were actively involved in various forms of online activism, including environmental, political, feminist, and minority rights advocacy. The inclusion criteria required participants to have engaged in digital activism within the past three years and to have faced or perceived legal restrictions or censorship in that context.

Data collection was carried out through semi-structured interviews, which allowed for both consistency in key topics and flexibility in exploring individual experiences. The interview guide included open-ended questions on the nature of participants' digital activism, their encounters with legal limitations, perceptions of censorship, and coping

strategies. Interviews were conducted in person or via secure online platforms, depending on the participants' preferences and safety considerations. Interviews continued until theoretical saturation was reached, meaning that no new themes or significant information emerged from subsequent interviews.

All interviews were audio-recorded with participants' informed consent and transcribed verbatim for analysis. The transcribed data were analyzed using NVivo software to facilitate the systematic coding and organization of themes. Thematic analysis was conducted in several stages: initial coding of the transcripts, clustering of codes into subthemes, and identification of overarching themes that captured the core dimensions of legal censorship in digital activism. This analytic process was iterative and interpretive, allowing themes to evolve and deepen as coding progressed. To enhance the credibility and trustworthiness of the findings, member checking was employed with selected participants to confirm the accuracy of interpretations.

Findings and Results

Theme 1: Legal Mechanisms of Digital Suppression

Vague Legislation

Many participants emphasized that laws governing digital activism are intentionally vague, enabling broad and subjective interpretation. Activists described feeling uncertain about what constituted a legal violation. Terms like "anti-national activity" or "promoting unrest" were cited as particularly ambiguous. One participant stated, "You never know what will be labeled illegal; it's like walking on legal quicksand." This ambiguity fosters a climate of fear and self-censorship, with participants mentioning the "elastic interpretation" of laws used to suppress dissent without clear legal boundaries.

Licensing and Platform Regulation

Activists reported facing substantial administrative barriers related to platform regulation, including the forced registration of websites and online forums. Several interviewees mentioned how bureaucratic delays or refusal to issue licenses effectively silenced activist groups. One participant noted, "They told us to register the blog with the ministry, but then kept delaying approval for months—until we gave up." Others pointed out that such requirements pushed some groups to migrate their content to foreign servers, weakening local visibility.

Surveillance-Driven Intimidation

Participants consistently linked legal justifications for surveillance to a broader strategy of intimidation. Activists shared experiences of receiving official warnings after specific online posts, which they believed were flagged through covert monitoring. One noted, "I got a call from someone who read my private Telegram post—how? I realized they're watching even encrypted channels." Surveillance was not only invasive but perceived as a legal instrument used to suppress rather than protect.

Arbitrary Prosecution

The lack of consistent legal application was another core concern. Participants described experiences of being arrested or summoned based on old or unrelated online posts, often without clear charges. One activist shared, "I was accused of cybercrime two years after a post that had nothing to do with crime—no one explained why." Legal harassment, unpredictability in enforcement, and retroactive penalization created a chilling effect within activist communities.

Judicial Non-Transparency

Participants spoke of deep frustration with the opaque nature of judicial processes. Many mentioned restricted access to case files, absence of legal counsel, and secretive court hearings. One respondent said, “My lawyer wasn’t even allowed to see the file. It felt like the sentence was already decided before trial.” This lack of transparency delegitimized legal systems in the eyes of activists, reinforcing the perception that law was being weaponized.

Restrictions on Content Type

Interviewees cited specific restrictions imposed on the types of content that could be legally shared. These included bans on certain keywords, videos from protests, or images of political figures. Takedown orders often arrived without explanation. One participant noted, “We uploaded a video of a peaceful march, and within hours, the post was gone—and so was our entire page.” Such actions created pressure to avoid multimedia content altogether.

Criminalization of Digital Dissent

Several activists discussed how dissenting views were framed within the legal system as criminal acts. Campaigns advocating for minority rights or critiquing state policy were often equated with sedition or cyberterrorism. One participant commented, “They equated my anti-discrimination post with promoting division. That’s not justice—it’s censorship in legal disguise.” The conflation of dissent with illegality was cited as a primary barrier to open online dialogue.

Theme 2: Tactics of State-Controlled Censorship

Platform Filtering and Blocking

Participants detailed how entire platforms or specific pages were routinely blocked using various technical methods. URL blocking, DNS tampering, and IP restrictions were common. “You can’t even access the site unless you know how to reroute your IP,” one respondent explained. These restrictions forced many activists to rely on informal, unstable access routes, which disrupted outreach efforts.

Algorithmic Manipulation

Interviewees believed that algorithmic controls were being used to invisibly suppress activist content. They described cases where once-popular posts or hashtags suddenly became non-visible, even to followers. As one participant explained, “We used to trend in hours; now our posts get buried within minutes. It’s like we’re being silenced by the algorithm.” Shadow banning and downranking were described as censorship without official bans.

Forced Content Removal

Participants spoke about being coerced into removing posts under legal threat. Takedown demands, sometimes accompanied by vague warnings, were issued directly to page admins. “They didn’t say it’s illegal—but said we’d be in serious trouble if we didn’t remove it. What do you call that?” one interviewee asked. Some platforms complied with state instructions, weakening activists’ ability to challenge censorship.

Disruption of Online Mobilization

Interviewees cited repeated disruptions to their digital organizing efforts. Event pages were taken down before protests, livestreams were blocked mid-broadcast, and coordination tools were rendered inaccessible. One participant reflected, “The protest had 5,000 RSVPs online. One day before the march, the event disappeared. No explanation.” These disruptions dismantled digital infrastructure essential for mobilization.

Internet Throttling and Blackouts

Digital activists described how network slowdowns and outright blackouts were often timed with protest events or politically sensitive dates. “Right before the sit-in, the connection just died. We couldn’t go live, couldn’t even text,” one respondent recalled. Such state-directed bandwidth manipulation was seen as a calculated measure to inhibit visibility.

Surveillance Integration into Platforms

Several participants expressed concern that some platforms were sharing user data with authorities or had embedded surveillance features. “We know now that certain local platforms hand everything over,” said one activist. This led many to avoid local services altogether, believing them to be tools of the state.

Theme 3: Activist Adaptation and Resistance

Use of Circumvention Tools

Activists reported widespread use of technological tools to bypass censorship. VPNs, proxies, and mirror sites were common workarounds. One participant said, “I never go online without a VPN now. It’s become like brushing your teeth—it’s just what you do.” While effective, these tools also added complexity and risk to online engagement.

Legal Literacy and Awareness

Several participants emphasized the importance of understanding censorship laws. Activists sought out workshops and legal consultations to stay informed. “We started holding sessions on digital rights—it’s our way to protect ourselves,” noted one interviewee. Knowledge of legal boundaries helped some to navigate repression with more strategic caution.

Strategic Content Framing

Participants spoke of modifying their messaging to avoid detection. This included using symbolic language, cultural metaphors, and indirect references. “We don’t say ‘protest’ anymore—we say ‘gathering of voices’ or something like that,” said one activist. This reframing helped avoid keyword-based censorship while still communicating intent.

Anonymous or Pseudonymous Posting

To evade surveillance, some activists used anonymous accounts or pseudonyms, often disabling location tracking and other metadata. “I run three pages—all under different names and VPNs,” a participant disclosed. This digital anonymity was considered crucial for safety and sustainability.

Diaspora Support Networks

Activists highlighted the role of diaspora communities in preserving and amplifying censored content. “Our friends abroad publish our banned posts. It’s the only way they stay visible,” one participant explained. These transnational networks offered technical hosting, financial aid, and platform access that were otherwise denied locally.

Discussion and Conclusion

The present study explored the multifaceted dimensions of legal censorship in digital activism through the lived experiences of 23 activists based in Tehran. Findings revealed three major thematic categories: legal mechanisms of digital suppression, tactics of state-controlled censorship, and activist adaptation and resistance. Each theme reflects a distinct yet interrelated layer of how the state exercises legal authority to silence dissent in online spaces and how activists strategically respond to these constraints. The study not only affirms prior research on digital repression but also contributes new insights by unpacking how censorship is internalized, navigated, and contested at the grassroots level.

The first category, *legal mechanisms of digital suppression*, underscores how the state employs vague legislative instruments, judicial opacity, and legal unpredictability to control digital expression. The participants' narratives vividly illustrate how laws are deliberately crafted with ambiguous language—such as “endangering national security” or “promoting falsehoods”—to allow for expansive interpretation. This finding supports earlier arguments that authoritarian regimes often use legal indeterminacy as a tool of control (Dehghan, 2021; Rahimi, 2015). By weaponizing legal uncertainty, the state not only penalizes digital dissent retroactively but also induces anticipatory self-censorship, as activists cannot reliably discern what actions are legally permissible (MacKinnon, 2012). This phenomenon has been described as a form of “legal chill,” where the law’s mere presence has a repressive psychological effect (Kalathil & Boas, 2010).

Furthermore, the reported lack of transparency in judicial processes—such as restricted access to case files and denial of legal representation—reinforces the perception that courts function less as adjudicators of justice and more as extensions of executive power. These accounts align with reports by Freedom House (2023) and the UN Human Rights Council (2022), which detail consistent due process violations in cases involving digital activism. Such judicial opacity undermines public confidence in the rule of law and positions the legal system as a mechanism of symbolic violence, wherein state power is cloaked in legal legitimacy (Bourdieu, 1998).

The second category, *tactics of state-controlled censorship*, illustrates how the Iranian state supplements legal repression with technical and algorithmic controls. Participants described experiences of URL blocking, content takedown demands, internet throttling, and even algorithmic invisibilization of activist content. These observations affirm broader scholarship on state–platform relations, where governments increasingly pressure private tech firms to comply with national censorship laws, especially in illiberal regimes (Gillespie, 2018; Zuboff, 2019). The use of algorithmic manipulation—such as shadow banning and content downranking—suggests a shift from overt repression to more subtle, opaque methods of digital control (Roberts, 2020). These forms of “soft censorship” evade public scrutiny while still achieving the desired outcome of limiting critical content circulation.

Another important insight from this theme is the strategic timing of censorship measures. Activists reported how platforms were blocked or livestreams disrupted precisely during moments of planned protest or civil unrest. This corroborates findings from Tufekci (2017), who notes that authoritarian regimes increasingly engage in “networked authoritarianism,” using data analytics to preemptively disrupt digital mobilization. In this context, the state does not merely respond to dissent but actively monitors and predicts it, thereby exercising preemptive control over the digital public sphere.

The third theme, *activist adaptation and resistance*, reflects the resilience and creativity of digital actors who navigate these legally fraught terrains. Despite immense legal and technical pressures, participants demonstrated a range of strategic responses—from the use of encrypted tools and pseudonyms to the reframing of protest messages in symbolic or cultural terms. These strategies align with previous studies on digital resistance in repressive contexts, where activists modify language, platforms, and tactics to elude censorship (Morozov, 2011; Cohen, 2012). The use of metaphorical framing and coded language illustrates how linguistic innovation becomes a tool for evading detection while still transmitting subversive meaning.

Importantly, several activists highlighted the role of legal literacy in their resistance efforts. By gaining a clearer understanding of national censorship laws and consulting digital rights groups, activists were able to operate more strategically within legal gray zones. This finding contributes to the emerging field of digital legal consciousness, which emphasizes how individuals make sense of, and act within, legal systems in online environments (Silbey,

2005; Marshall & Barclay, 2003). Rather than being passive subjects of legal control, activists actively interpret, contest, and sometimes repurpose the law in ways that reflect agency and tactical adaptation.

Another notable dimension of resistance is the transnationalization of digital activism through diaspora support networks. Participants described how international allies helped host banned content, amplify censored voices, and provide financial and technical resources. This aligns with research by Adayemi (2020) and Article 19 (2022), which points to the increasing importance of cross-border solidarity in countering national censorship regimes. These transnational connections not only extend the reach of activist messages but also complicate state efforts to fully monopolize information flows.

Taken together, these findings reveal that legal censorship in digital activism operates as a multi-tiered system involving legal, technical, psychological, and discursive components. While laws and courtrooms may be the visible face of repression, the broader ecosystem includes state-aligned platforms, data surveillance, and algorithmic gatekeeping. Likewise, resistance is not merely oppositional but also adaptive—rooted in legal awareness, symbolic communication, and networked collaboration. The dynamic interplay between repression and resistance underscores the complexity of digital authoritarianism, where control and contestation are in constant negotiation.

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Authors' Contributions

All authors equally contributed to this study.

Declaration of Interest

The authors of this article declared no conflict of interest.

Ethical Considerations

All ethical principles were adhered in conducting and writing this article.

Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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