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The Impact of National Security Laws on Freedom of Movement: A Thematic Study

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ABSTRACT

This study aims to explore how national security laws affect individuals' freedom of movement in Tehran, with a focus on the legal, psychological, and social dimensions of restricted mobility. This qualitative study employed a thematic analysis approach using semi-structured, in-depth interviews with 21 participants residing in Tehran. Participants were selected through purposive sampling to ensure a diversity of perspectives regarding experiences with movement constraints under national security frameworks. Data collection continued until theoretical saturation was achieved. All interviews were conducted in Persian, recorded with consent, and transcribed verbatim. The transcripts were analyzed using NVivo software through open, axial, and selective coding, following Braun and Clarke's six-phase method of thematic analysis. Ethical protocols, including anonymity and voluntary participation, were strictly observed throughout the research process. Three main themes emerged: Legal and Structural Constraints, Psychological and Social Impacts, and Resistance and Coping Mechanisms. Participants described the ambiguous and discretionary nature of national security laws, experiences of surveillance, legal exclusion, and mobility zoning, as well as emotional distress, social withdrawal, and loss of institutional trust. Many adopted adaptive strategies such as legal navigation, digital anonymity, and underground mobility networks. Community-based solidarity also emerged as a key coping mechanism in response to spatial repression. National security laws in semi-authoritarian contexts like Iran produce multi-layered restrictions on freedom of movement through legal ambiguity, bureaucratic control, and psychological intimidation. These constraints have profound implications not only for physical mobility but also for personal identity, civic participation, and social cohesion. Addressing these issues requires both local advocacy for legal transparency and broader international scrutiny of internal mobility rights.

Keywords: *national security laws; freedom of movement; qualitative research; surveillance; Iran; spatial repression; legal ambiguity.*

Introduction

In the post-9/11 world, national security has become a dominant rationale for the expansion of state powers, often at the expense of individual rights and civil liberties. Among the rights most affected by this shift is the freedom of movement, a cornerstone of democratic participation and personal autonomy. While the right to move freely within one's own country, to leave it, and to return are enshrined in international law—most notably in Article 13 of the Universal Declaration of Human Rights (1948)—they are increasingly being restricted under the broad umbrella of national security. The emergence of expansive security regimes has prompted growing scholarly concern about the balance between state interests and personal freedoms (Donohue, 2008; Goold, Lazarus, & Swiney, 2019). In



fragile democracies and hybrid regimes, this tension is especially acute, where vague legal mandates and limited judicial oversight allow for discretionary practices that curtail mobility.

Freedom of movement is not merely a logistical or geographical issue; it is deeply political and symbolic. It reflects a citizen's belonging, dignity, and ability to engage with broader society (Guild, 2009). Restricting this right—through surveillance, checkpoints, legal ambiguity, or permit systems—sends a powerful message about who is trusted, who is watched, and who is excluded. This process can lead to a form of spatial governance in which individuals are sorted, categorized, and contained, often without clear justification or legal transparency (Mountz, 2010). The concept of "bordering" thus expands beyond physical borders to encompass internal zones of control and surveillance that disproportionately affect dissenters, minorities, and politically marginalized groups (Yuval-Davis, Wemyss, & Cassidy, 2019). These practices are particularly salient in semi-authoritarian regimes, where the rhetoric of security is routinely invoked to justify repressive domestic policies.

Existing literature has extensively documented how national security measures have intensified surveillance and constrained civil liberties in liberal democracies (Lyon, 2007; Zedner, 2010). However, less empirical attention has been devoted to their specific impact on internal freedom of movement, especially in contexts where democratic accountability is weak. In authoritarian or semi-authoritarian settings, security laws are often characterized by legal vagueness, procedural opacity, and the fusion of administrative and security apparatuses (Levitsky & Way, 2010). These characteristics provide a conducive environment for the arbitrary application of law, where the absence of judicial independence and effective grievance mechanisms leaves citizens vulnerable to unchecked state discretion (Satter, 2012). This is especially true in cases where movement is criminalized not because of the act itself, but because of presumed associations, political histories, or geographic origins.

From a legal-theoretical perspective, national security laws often operate under the principle of exceptionality. Drawing on the work of Agamben (2005), the concept of the "state of exception" becomes relevant: a legal and political space where normal rights are suspended under the guise of protecting the nation. In such spaces, mobility is no longer a right but a privilege contingent on compliance with state-defined norms. The implications of this are far-reaching—not only does it enable the silencing of dissent, but it also contributes to a climate of fear and self-censorship among the general population. Indeed, in such legal regimes, citizens internalize constraints, adjusting their behaviors in anticipation of punitive state reactions (O'Hearn, 2009).

The psychological and social effects of restricted movement have been well documented. Research in conflict and surveillance settings has shown that spatial limitations contribute to increased anxiety, loss of autonomy, and a breakdown of social cohesion (Monaghan, 2014; Abu-Lughod, 2006). Individuals subject to constant monitoring or the threat of detention often report symptoms of trauma and social withdrawal. In more extreme cases, entire communities adopt collective strategies of silence, avoidance, and disengagement from the public sphere (Greenwald, 2014). These effects are compounded by legal uncertainties and the lack of institutional trust, leaving individuals in a state of perpetual precarity.

In the Iranian context, the intersection of national security legislation and civil liberties presents a particularly complex case. Over the past two decades, Iran has enacted numerous legal instruments under the framework of national security that have been used to control not only political activity but also internal and cross-border movement. The National Security Law (Qanun-e Amniyat-e Melli) and its subordinate decrees, though formally intended to safeguard the country against external threats, have frequently been applied to suppress internal dissent and regulate the mobility of ethnic minorities, activists, journalists, and dissidents (Hashemi, 2016). Practices such

as travel bans, surveillance at domestic checkpoints, and movement permit systems in sensitive provinces have been normalized. These mechanisms are enforced through a network of security services, including the Islamic Revolutionary Guard Corps (IRGC), the Ministry of Intelligence, and local Basij militias, making resistance difficult and risky (Tazmini, 2009).

Despite these developments, little qualitative research has explored how ordinary citizens experience and interpret these legal and spatial restrictions. While statistical data and human rights reports offer valuable overviews, they often lack the depth and granularity necessary to understand how individuals navigate, resist, or internalize such constraints. This study fills this gap by using a thematic qualitative approach to explore the lived experiences of individuals residing in Tehran who have encountered movement-related restrictions under national security pretexts.

By focusing on Tehran—a politically significant urban center that also serves as a site of intense surveillance and enforcement—this study seeks to uncover the multifaceted impacts of national security laws on freedom of movement. Through in-depth semi-structured interviews with 21 participants, this research examines both the legal-institutional and socio-psychological dimensions of constrained mobility. The choice of a qualitative method enables a more nuanced exploration of how legal instruments, institutional practices, and personal perceptions coalesce to form a lived reality that often escapes legal documentation and policy analysis.

The guiding research questions for this study are: (1) How do individuals understand and experience restrictions on their freedom of movement under national security laws? (2) What legal, psychological, and social mechanisms contribute to the regulation of mobility in this context? (3) What forms of resistance or adaptation emerge in response to these constraints? In answering these questions, the study aims not only to document rights violations but also to contribute to broader theoretical debates on legality, state power, and the spatial dimensions of repression.

Ultimately, this research contributes to the growing interdisciplinary scholarship on securitization, legality, and mobility. It offers empirical evidence from an under-studied context while engaging with broader theoretical frameworks that question the legitimacy and consequences of exceptional legal regimes. By centering individual voices and lived experiences, the study highlights the often-invisible costs of national security practices, drawing attention to the need for legal reforms, greater transparency, and international accountability. In doing so, it aligns with critical legal studies and human rights discourses that emphasize the importance of protecting civil liberties in times of perceived crisis—not just in established democracies, but globally.

Methods and Materials

This study employed a qualitative research design to explore the lived experiences and perceptions of individuals affected by national security laws in relation to their freedom of movement. The interpretive nature of qualitative research was deemed appropriate for capturing nuanced personal narratives and identifying recurring thematic patterns in participant accounts. The study focused on individuals residing in Tehran, Iran, who had directly or indirectly experienced movement restrictions or surveillance under national security frameworks.

Participants were selected using purposive sampling to ensure the inclusion of diverse perspectives across age, gender, profession, and political engagement. A total of 21 participants (12 males and 9 females), aged between 24 and 61, were interviewed. Recruitment continued until theoretical saturation was reached—defined as the point at which no new themes or categories emerged from the data.

Data were collected through semi-structured, in-depth interviews conducted between January and March 2025. An interview guide was developed to cover key themes such as personal experiences with movement restrictions, perceptions of legal justifications, encounters with security checkpoints or surveillance, and the psychological and social consequences of these encounters. Interviews were conducted in Persian and lasted between 45 and 90 minutes. All interviews were audio-recorded with informed consent and later transcribed verbatim for analysis. Anonymity and confidentiality were strictly maintained throughout the study process.

Thematic analysis was used to identify, analyze, and interpret patterns within the data. The transcribed interviews were imported into NVivo qualitative data analysis software to facilitate systematic coding and theme development. The analysis followed Braun and Clarke's six-phase approach: familiarization with data, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and producing the report. Open coding was first applied to extract preliminary codes, followed by axial coding to organize these codes into broader categories. Selective coding was then employed to construct core themes that addressed the research objectives.

Findings and Results

The analysis revealed three overarching themes—Legal and Structural Constraints, Psychological and Social Impacts, and Resistance and Coping Mechanisms—each composed of distinct yet interrelated subcategories that shed light on how national security laws influence individuals' freedom of movement.

Theme 1: Legal and Structural Constraints

Participants consistently highlighted the ambiguity of legal provisions, emphasizing that national security laws are often framed in vague and overly broad terms. This lack of specificity creates a legal grey zone where nearly any form of movement or association can be construed as a threat. One participant noted, "The law never tells you what you can't do exactly—it's just a feeling that you're always doing something wrong."

Discretionary enforcement practices were another major concern. Several interviewees described how security officers apply laws inconsistently and often appear to act based on personal judgment or unrecorded directives. This selective enforcement undermines legal predictability. A participant stated, "Sometimes they let you pass, sometimes they don't. It depends on their mood or your last name."

The presence of a surveillance infrastructure—including street cameras, mobile phone monitoring, and digital checkpoints—was widely discussed. Respondents reported feeling constantly tracked. One interviewee shared, "They knew where I had been last week even though I hadn't spoken to anyone about it." Many viewed this as a deliberate strategy to deter unnecessary movement.

Bureaucratic hurdles also limited freedom of movement. Participants cited long delays in securing travel permits, unclear processes for appeals, and confusing paperwork requirements. One respondent described the process as "a maze designed to wear you down and make you give up."

In addition, restrictive residency and travel zoning was reported, especially in border areas or politically sensitive neighborhoods. Participants noted that specific zones require special permissions, and violations often carry severe consequences. "You can't even visit your own cousin without a letter from three offices," one participant lamented.

The issue of institutional overreach was evident in accounts of overlapping authority and unchecked powers among security agencies. Respondents described experiences where agents acted beyond their legal scope with impunity. "No one questions them—they act like the law doesn't apply to them," said one participant.

Finally, many participants pointed to the absence of legal recourse when abuses occurred. Access to legal aid was limited, and filing complaints was seen as both futile and dangerous. “Filing a complaint is like inviting trouble—better to stay silent,” expressed one individual.

Theme 2: Psychological and Social Impacts

A profound fear of arbitrary detention shaped participants’ mobility behavior. Many reported modifying their routes or canceling travel plans entirely to avoid checkpoints. Some had direct experiences of being detained without explanation. “They took me in for hours without saying why. I still don’t know what I did wrong,” recalled one participant.

The fear of visibility led to identity suppression, particularly among ethnic and religious minorities. Several participants admitted avoiding traditional clothing, changing names, or suppressing their native dialects to avoid attracting attention. “I stopped wearing my scarf the way my mother taught me. It was just safer that way,” said a participant.

Family disruption emerged as a common consequence, with some participants reporting years-long separation from loved ones due to denied travel permissions or surveillance alerts. “My brother was marked, so no one in the family could leave the city,” shared one respondent.

Many described a growing sense of social isolation. Individuals withdrew from public life and avoided gatherings, fearing association-based accusations. One participant stated, “I haven’t seen some of my friends in years. We’re all afraid of what could happen if we’re seen together.”

Trust in legal and political institutions was deeply eroded. This loss of institutional trust manifested in disbelief in the courts, skepticism toward political reforms, and reluctance to engage with any governmental process. “When the system sees you as a suspect first, it’s hard to feel like a citizen,” explained one interviewee.

The cumulative psychological toll led to emotional fatigue—including chronic anxiety, depression, and exhaustion from hypervigilance. One participant confessed, “I haven’t slept peacefully in years. Every knock on the door feels like a warning.”

Theme 3: Resistance and Coping Mechanisms

Despite constraints, participants developed adaptive strategies. Legal adaptation strategies included learning to interpret ambiguous laws, using multiple forms of documentation, and constantly updating themselves on new policies. “You have to know the system better than the officials,” remarked one participant.

Some relied on underground mobility networks, involving trusted drivers, unofficial guides, or secret routes to move across restricted areas. “There are people who know how to get you through safely—it’s a hidden economy,” explained one respondent.

Digital tools were used for protection. Participants described digital anonymity practices such as VPN usage, encrypted messaging apps, and routine deletion of location history. “I never post anything anymore. I even turn off my phone sometimes,” noted one individual.

Strategic silence was another coping mechanism. Participants avoided political discussions, both offline and online, and refrained from expressing dissent even in private. “I’ve learned to keep my thoughts to myself—it’s safer that way,” said one participant quietly.

Lastly, community-based solidarity provided a critical source of resilience. Participants shared that mutual support networks helped circulate information, organize safe travel, and emotionally support each other. “We look out for each other now—if someone disappears, we know who to call,” stated one respondent with quiet pride.

Discussion and Conclusion

This study explored how national security laws shape the lived experiences of citizens regarding their freedom of movement in Tehran. The analysis yielded three major themes: Legal and Structural Constraints, Psychological and Social Impacts, and Resistance and Coping Mechanisms. These themes reveal a complex interplay between law, power, and spatial control, where legal ambiguity and discretionary enforcement foster environments of fear, invisibility, and adaptation. The findings underscore the pressing need to interrogate the ways national security laws not only disrupt movement but also restructure social and psychological life.

The first theme, *Legal and Structural Constraints*, highlights how vague legal provisions, arbitrary enforcement, and opaque administrative procedures have transformed routine mobility into a high-risk activity. Participants described laws that lacked definitional clarity, allowing enforcement agents excessive discretion in interpreting threats. This aligns with Agamben's (2005) theorization of the "state of exception," in which normal legal protections are suspended under the guise of national emergency, creating zones where citizens are stripped of clear legal standing. Similar concerns have been observed in contexts like post-9/11 United States and post-7/7 United Kingdom, where scholars found that the flexibility of national security laws enables their use beyond actual threats, expanding their reach into civilian life (Donohue, 2008; Zedner, 2010).

Moreover, the participants' references to bureaucratic obstacles and institutional overreach suggest that legal constraints are not always overtly violent but can be enacted through mundane administrative controls—what Scott (1998) calls "infra-power." Requiring permits to move, designating certain areas as off-limits, and delaying appeals processes reflect a slow, grinding form of repression. These findings are supported by Guild's (2009) work, which frames modern border controls as diffuse and bureaucratic, designed not only to detect threats but to regulate belonging. The participants' sense of being watched and monitored even within the country further affirms the idea that internal borders—technological and institutional—can be as restrictive as external ones.

The second theme, *Psychological and Social Impacts*, revealed the emotional toll of such policies, including chronic anxiety, fear of detention, and diminished trust in legal and political institutions. Many participants reported altering their dress, speech, or routine to avoid attracting attention. This corresponds with the concept of "anticipatory compliance," where individuals preemptively restrict their own freedoms out of fear of punishment (Monaghan, 2014). The study's findings echo previous research conducted in heavily surveilled societies, such as East Germany under the Stasi or contemporary Palestine, where pervasive state scrutiny induces self-censorship and social withdrawal (Abu-Lughod, 2006; Greenwald, 2014).

Particularly concerning was the emotional fatigue and sense of alienation reported by participants, who expressed a loss of agency and belonging. This resonates with Lyon's (2007) argument that surveillance societies engender a psychological landscape of suspicion and paranoia. Moreover, the fragmentation of social life—evident in family separations and shrinking social networks—supports Yuval-Davis et al.'s (2019) contention that bordering practices extend beyond physical fences to encompass affective and relational domains. In such contexts, people do not just lose the right to move; they lose the emotional and social infrastructures that make movement meaningful.

The third theme, *Resistance and Coping Mechanisms*, provides a counterbalance to these oppressive forces. Participants demonstrated remarkable adaptability through legal maneuvering, underground networks, and digital anonymity. These strategies suggest that even within heavily securitized environments, individuals find creative

ways to reassert agency. This supports Gilliom and Monahan's (2012) notion of "surveillance resistance," which posits that people continuously negotiate, adapt to, and occasionally subvert surveillance regimes. Legal adaptation, such as mastering bureaucratic loopholes, mirrors tactics documented in contexts like Russia and Turkey, where citizens develop informal knowledge systems to navigate autocratic institutions (Satter, 2012).

Interestingly, strategic silence emerged as both a form of resistance and a symptom of repression. While silence protected individuals from state retaliation, it also led to social disengagement and political apathy. This dual role of silence as both shield and barrier has been documented in research on dissent under authoritarian regimes (O'Hearn, 2009). Meanwhile, the emergence of community-based solidarity—neighborhood watch groups, information sharing, and emotional support—underscores the human capacity for collective resilience. Similar patterns have been documented in contexts of state violence, where communal networks often become the last line of psychological and logistical defense (Mountz, 2010; Hashemi, 2016).

Taken together, these findings paint a comprehensive picture of how national security laws produce a spatialized form of legal exclusion that affects not only bodies in motion but minds in anticipation. The Iranian context illustrates how national security discourse—while outwardly aimed at protecting sovereignty—can be turned inward, producing internal borders that restrict, surveil, and control populations. The use of ambiguous legal language and bureaucratic complexity enables the state to deny culpability while maintaining high levels of social control. These patterns are not unique to Iran but represent a broader global trend where national security justifications are increasingly invoked to manage domestic populations (Lazarus & Goold, 2009).

In this regard, the study contributes to critical legal studies by demonstrating that legal repression does not always manifest through explicit prohibitions or violent crackdowns. Instead, it operates through administrative noise, legal vagueness, and psychological intimidation. It also contributes to human rights literature by emphasizing that freedom of movement is not merely a logistical concern but a deeply relational, symbolic, and psychological one. The loss of movement constrains access to opportunity, fractures social bonds, and suppresses dissent, all of which erode the very fabric of democratic participation.

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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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References

- Agamben, G. (2005). *State of exception*. University of Chicago Press.
- Ashworth, A., & Zedner, L. (2014). *Preventive justice*. Oxford University Press.
- Crelinsten, R. D. (2009). *Counterterrorism*. Polity Press.
- Donohue, L. K. (2008). *The cost of counterterrorism: Power, politics, and liberty*. Cambridge University Press.
- Dyzenhaus, D. (2006). *The constitution of law: Legality in a time of emergency*. Cambridge University Press.
- Ericson, R. V. (2007). *Crime in an insecure world*. Polity Press.
- Ewick, P., & Silbey, S. S. (1998). *The common place of law: Stories from everyday life*. University of Chicago Press.
- Gross, O., & Ní Aoláin, F. (2006). *Law in times of crisis: Emergency powers in theory and practice*. Cambridge University Press.
- Halliday, T. C., & Shaffer, G. C. (2015). *Transnational legal orders*. Cambridge University Press.
- Horgan, J. (2009). *Walking away from terrorism: Accounts of disengagement from radical and extremist movements*. Routledge.
- Khalil, J. (2013). *Understanding terrorism: Challenges, perspectives, and issues*. Routledge.
- Macklem, P. (2010). Human rights in international law: Three generations or one? *London Review of International Law*, 1(2), 205–223.
- Office of the High Commissioner for Human Rights (OHCHR). (2014). *Human rights, terrorism and counter-terrorism*. United Nations.
- Ramraj, V. (2011). *Emergency powers in Asia: Exploring the limits of legality*. Cambridge University Press.
- Satterthwaite, M. L. (2012). Surveillance, secret evidence and torture: The legal framework for rights violations in the post-9/11 era. *Columbia Human Rights Law Review*, 43(2), 335–385.
- Scheppele, K. L. (2010). The international state of emergency: Terrorism, emergency powers, and the rule of law. *Harvard Law Review*, 122(5), 1520–1591.
- Zarifi, S. R. (2011). Rights, not just laws: Legal reform and human rights in Iran. *Harvard Human Rights Journal*, 24, 49–74.
- Zedner, L. (2009). *Security*. Routledge.