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State intervention and the erosion of press freedom: The case of Asham Television

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Abstract

The purpose of this study was to state intervention and the erosion of press freedom: the case of Asham television. The study used a qualitative case study design that examined the case. Purposefully selected two distinct letters were employed. Besides, the study's theoretical approach was based on the four normative theories of press. The findings of the study highlight the problematic nature of the Ethiopian Media Authority's warning letter to Asham Television, which illustrates fundamental tensions between constitutional guarantees for press freedom and the basis for the warning. The study's findings also show that the government's intervention on media freedom during the Prosperity regime is eroding press freedom in Ethiopia. The results draw attention to the moral and legal conundrums raised by government meddling in media affairs. According to this study, government actions go against the democratic rights protected by the Constitution and the Proclamation, which eroded public trust in legal frameworks and jeopardized press freedom and the integrity of media professionals. Therefore, the study suggests that other researchers perform more research and incorporate other media companies in addition to Asham TV; still, we believe that including public comments will make the work more compelling and impactful.

Keywords: warning letter, media freedom, government interference, Asham TV

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Introduction

The modern press in Ethiopia is frequently traced back to Emperor Menelik II's reign. However, Getachew (2003) suggested that the origins of the press in Ethiopia traced back to the early days of Christianity in the country, when Geez became the dominant medium of the state, society, and church. Nigussie (2014), on the other hand, traces Ethiopian media history back to the time of ancient monarchs. He states, "The history of media in Ethiopia may most certainly be traced back to the period of ancient rulers who began using the awajnegari, or news presenter. Religious and non-religious publications, as well as various historical and religious works on parchment, may mark the beginning of early press in Ethiopia" (p. 75).

This statement is supported by the study entitled "The Historical Development of the Ethiopian Mass Media in the Two Consecutive Regimes" by Woldemariam and Vardha. According to Woldemariam and Vardhan (n.d.), it has been suggested that Ethiopia's contemporary mass media emerged under Emperor Menelik II's reign. Another key conclusion of the study is the tremendous rise of the press under the reign of Emperor Haile Selassie I, the successor to Emperor Menelik II. The data also shows that media development was slowed during the Derg government, which was marked with censorship serving as the primary constraint. On the other side, media development was improved under the EPRDF government, with dual media ownership being introduced for the first time in the country's history.

As the study investigated documents related to the history and the establishment of media and its professionals, especially broadcast media, and freedom of press and expression in the 1931 constitution, the researchers confirmed that Ethiopia as a nation established its first constitution during the regime of Emperor Haile Selassie in 1931. However, the constitution did not include the articles related to press and journalism professionals, even if it stated that everything in the nation was under the control of the emperor. The Ethiopian imperial constitution was silent on freedom of expression. However, the legal instruments and institutions of the federal system resulted in greater guarantees of civil rights, which then inspired a reform of the Ethiopian constitution.

During the Derg's reign, the press was dominated by socialist ideology, with the goal of spreading socialism throughout the country. The government had complete control over how the press operated (Nigussie, 2014). "In 1977, the Ministry of Information and National Guidance's Censor Department, which had been in operation since 1972, was strengthened and granted additional power" (Ellene et al., 2003, p. 39).

For the duration of the Derg regime, the nature and characteristics of the media were almost communist. According to communist doctrine, the media's primary job is to achieve communist aims by promoting communism. The communist ideology dominated both the media's actions and ideologies (Yibeyin, 2014). The media was concerned only with the propaganda of socialism and national unity. The data analysis revealed that the government-owned media in each regime were non-critical of the government programs that ensured their success. The study found that, while some progress has been made, the government should remain committed to achieving media independence in the country.

In 1991, the Ethiopian People's Revolutionary Democratic Front (EPRDF) defeated the military regime after more than a decade of bloodshed. This provided the country with an opportunity to implement political and constitutional reforms. Democratic rights, including the right to freedom of expression, were introduced, and official censorship before publication, which had been in effect since 1942, was lifted (African Media Barometer, 2010).

Moreover, Ethiopia is said to be one of the emerging democracies in Africa. When the incumbent government came to power in 1991, it promised, among other things, to establish a multiparty political system with a free press, to hold free and democratic elections, to honor and protect human rights, and to promote the rule of law based on the equality of all peoples in the country. However, after seventeen years, the people in Ethiopia were not blessed to see these. Instead, what have reigned in the country are fierce conflicts and controversies around those fundamental issues and harassments, intimidations, and victimizations of citizens who attempted to defend their rights (Human Rights League of the Horn of Africa, 2009).

Additionally, it provides a historical examination of press law in Ethiopia and assesses how the existing legal system aligns with constitutional protections and international human rights conventions. After the political shift in 1991, Ethiopia achieved significant progress by joining the International Bill of Human Rights and establishing a new constitution. This should have provided a strong framework for promoting freedom of expression and media. Unfortunately, not all these hopes came true as the public wished to aspire.

Related to the above statement, as of October 2006, there have been attempts to jam foreign broadcast media such as Deutsche Welle and the Voice of America Ethiopian language services, which are the major alternative sources of information for most Ethiopians. In general, given the very decisive role the media are playing in today's economy, it would not be difficult to estimate how much these various ways of suppression of press and political freedoms in Ethiopia are deepening the ever-worsening socio-economic crises of the country.

In both cases of traditional and new or online media, the people in Ethiopia have been denied the opportunities of giving and receiving information. They are not learning from and sharing with others. They are disconnected, isolated, excluded, stacked, and lagging behind the world (Human Rights League of the Horn of Africa, 2009).

Changes made by the EPRDF played a role in the implementation of two media laws: the Press Proclamation in 1992 and the Ethiopian constitution in 1995, resulting in significant changes in the country's media environment. Nonetheless, things could not continue in the same manner, particularly following Ethiopia's highly fought 2005 national elections, in which at least 14 journalists and media proprietors, as well as 62 opposition party members and supporters, were imprisoned (Moges, 2017b; Doha Centre for Media Freedom, 2013; Stremlau, 2011).

Furthermore, the Mass Media and Freedom of Information Proclamation, despite its liberal preamble and declaration by the Ethiopian government and Ministry of Information, does not promote open information exchange. The Press Law allows for criminal prosecution of journalists and media members for expressing their opinions and strengthens government control over information. The press law limits the freedom to share information and ideas across borders (Tracy & Ross, 2010). Overall, as previously said, various studies were conducted by experts while the EPRDF governed the country; however, there have been insufficient studies since the Prosperity government took control, particularly on press freedom.

Statement of the problem

According to research, the development of Ethiopian media and journalism has occurred under many regimes. However, the media's and its practitioners' adherence to proclamations stating freedom of expression, opinion, and press law remains uncertain.

According to Tracy and Ross (2010), in Ethiopia, as democracy emerges from a legacy of corruption and dictatorship, freedom of expression has proven to be a shaky concept. Ethiopia is gaining a worldwide reputation, but the government's control over the media remains a source of contention. Moreover, Ethiopia's government has consistently violated international media rights, despite the fact that freedoms of expression and access to information are recognized as fundamental human rights worldwide.

Even if scholars like Tufa and Dejene (2023) tried to illustrate the changes made by the ruling party in terms of media freedom, their research pointed out that they compared the media's status before and after the March 2018 Ethiopian government reform based on practitioners' perspectives. They

conducted one-on-one interviews with twelve media practitioners from government and private media outlets in Ethiopia, focusing on their experience in journalism. The opinions of media practitioners were evaluated qualitatively. They found that after the reform, some hurdles were removed, and media freedom was improved in comparison to before.

Unlike their conclusion, in the time of the Prosperity government, journalists in Ethiopia face restrictions on their capacity to work and travel due to security concerns, government pressure, detention, and the possibility of expulsion. International and Ethiopian journalists and outlets are frequently subjected to government pressure for reporting on internal strife and other political issues. Ethiopian journalists, who face detention without indictment or violent attack, are known to utilize pseudonyms or self-censorship. The majority of private media channels are founded to serve the interests of specific political or ethnic groupings. Reports from state media agencies must conform to the ruling party's narrative; material that challenges it is eliminated (Freedom House, 2019).

Due to a lack of enough research, the researcher tried to prove new insight on press freedom in Ethiopia during the Prosperity government; it can be taken as one research gap as a lack of sufficient research. Next, no one has studied the warning letters that have been given for different media, both internationally and locally; this is also another research gap or untouched research area. Finally, the method the researcher used is qualitative content analysis; this makes the study different from previously done research, even from the Tufa and Denjen study.

Theoretical Framework

The study used the four major normative theories of the press to analyze and evaluate the data obtained from documents. Since its publication in 1956, Frederick S. Siebert, Theodore Peterson, and Wilbur Schramm's Four Theories of the Press: The Authoritarian, Libertarian, Social Responsibility, and Soviet Communist Concepts of What the Press Should Be and Do has had an impact on journalism studies and education (Nerone, 2018).

The normative theory outlines how a media system should be managed and operated by the government, authority, leader, and public. These ideas vary from other communication theories in that normative theories of the press do not provide scientific explanations or predictions. At the same time, these "four theories of the press" were derived from several sources rather than a single one. Normative theories are often developed with input from media practitioners, social critics, and academics (Word Press, 2024).

Authoritarian theory

It is the concept that all channels of communication are under the control of a ruling elite or authority. It is a normative theory of mass communication in which the media is affected and dominated by national power and authority. It serves as the foundation for press systems in many modern cultures; even when it has been abandoned, it continues to influence the activities of a number of governments that claim to follow libertarian ideas (Siebert, 2018).

Libertarian theory

The libertarian doctrine, like other theories about the status and role of mass media communication in society, is a development of the philosophical concepts that serve as the foundation for the social and political framework in which the media operate. Liberalism, as a social and political system, has a predetermined framework for the institutions that operate within its orbit, and the press, like other institutions, is influenced by the values that underpin the society of which it is a part (Siebert, 2018b).

Social responsibility theory

Phrases like "the public's right to know" and "the public responsibility of the press" are likely to appear in discussions concerning newspaper publishers' vocation nowadays. Since nothing in libertarian theory established the public's right to information or obliged the publisher to take on moral obligations, such concepts and the press performance that result from them reflect a significant change of traditional libertarian philosophy. The social responsibility idea allows for free press without censorship, but the content of the press should be debated in public, and the media should assume any obligations from public involvement, professional self-regulation, or both (Peterson, 2018).

Soviet media theory

Among the different types of research methods, the study utilized a qualitative research method to conduct this study. According to Bhandari (2020), qualitative research is the process of gathering and interpreting non-numerical data (such as text, video, or audio) in order to better comprehend concepts, opinions, or experiences. It can be utilized to acquire detailed insights into a problem or develop fresh research ideas. Moreover, qualitative research is useful for learning about topics that are not easily defined or quantifiable. Learning how individuals perceive events or experiences, rather than just knowing what happened, and understanding how individuals feel about an issue, rather than simply knowing their viewpoints.

Research Methodology

Among the different types of research methods, the study utilized a qualitative research method to conduct this study. According to Bhandari (2020), qualitative research is the process of gathering and interpreting non-numerical data (such as text, video, or audio) in order to better comprehend concepts, opinions, or experiences. It can be utilized to acquire detailed insights into a problem or develop fresh research ideas. Moreover, qualitative research is useful for learning about topics that are not easily defined or quantifiable, learning how individuals perceive events or experiences, rather than just knowing what happened, and understanding how individuals feel about an issue rather than simply knowing their viewpoints (Juma, 2024). Therefore, this study used qualitative approach because the issue of government intervention on media freedom is complicated, situation-based, and highly linked to interpretation rather than quantitative measurement.

Qualitative research uses case studies, personal experiences, interviews, and observational, historical, interactive, and visual texts to explore common and troubling moments in people's lives (Lincoln & Denzin, 2005). Additionally, case study research, according to Yin (2018), focuses on the context and unique qualities of the case being investigated. It allows researchers to analyze complicated phenomena in their natural contexts and gather rich and detailed data that other research methods cannot. Creswell (2014) emphasizes the need for gaining a thorough grasp of a case to influence theory building and contribute to the field's knowledge.

Sampling technique

As the study employed a qualitative research approach, a non-probability sampling technique was also used to select documents related to the research objective. Among the non-probability sampling techniques, the researcher utilized purposive or judgmental sampling. Because Purposive sampling is a class of non-probability sampling procedures in which units are chosen because they possess traits that you require in your sample. In other words, units are chosen "on purpose" in purposive sampling. It is especially handy when you need to locate information-rich situations or make the most use of limited resources (Nikolopoulou, 2023).

Based on the foregoing, the researcher selected Asham Television, one of Ethiopia's private media outlets, which received a warning letter from the government of Ethiopia on October 7, 2024.

Sample size

Regarding the sample size of this study, the researchers utilized one the warning letter given to Asham Television by Ethiopian Government Media Authority and one Asham Television's answer (letter) to the government's letter, totally this research used two letters. To address the study issue, the researcher consulted the Ethiopian federal democratic constitution as well as Ethiopia's mass media proclamations.

Data collection tools

In the qualitative research method, there are numerous data collection tools: document analysis, interview, observation, and textual records to generate rich and detailed insights (Bowen, 2009; Creswell, 2014). From them the researcher utilized document analysis, which is the systematic study or evaluation of documents, both printed and electronic (computer-based and Internet-transmitted) (Bowen, 2009). Document analysis, like other analytical procedures in qualitative research, requires the study and interpretation of data in order to extract meaning, develop insight, and generate empirical knowledge (Corbin & Strauss, 2008; Rapley, 2007). Without the intervention of a researcher, text (words) and images were captured in documents.

Moreover, according to Atkinson and Coffey (1997), papers generated, exchanged, and used in socially coordinated ways are referred to as "social facts" (p. 47). Any text-based information might be used as a source for qualitative research (Paterson, 2018). Merriam and Tisdell (2016) use the term "document" to encompass a broad variety of material, including visual sources such as images, videos, and films. Furthermore, O'Leary (2004) defines document analysis as the act of gathering, examining, and interpreting text as a primary source of research information. Because the study focuses on examining an official warning letter issued by the government to a media organization, and since this letter incorporates the language, intentions, and regulators' actions relevant to media freedom, this tool allows the researchers to interpret its content in-depth and understand the implications within a real-life context.

Data analysis technique

The data was evaluated using a qualitative content analysis approach. Because the study focuses on warning letters issued by the Ethiopian government to Asham TV in response to their reports, with the reasons for the warnings clearly stated in the letters, as well as Asham TV's response to the government's issue letter, the researcher used qualitative content analysis to answer the research question and achieve the research objective.

According to Vaismoradi et al. (2013), content analysis is a data-gathering approach that determines the existence of certain words, themes, or concepts within qualitative data, either inductively or deductively, in order to explain a phenomenon. In summary, the goal of content analysis is to define the features of the document's content by assessing who says what, to whom, and with what impact.

The researcher used letters from Asham TV, the study's target population, provided by the Ethiopian government media authority, and the TV station's response to the warning. Because qualitative content analysis allows researchers to measure and evaluate the existence, meanings, and correlations of certain words, themes, or concepts in textual data. Researchers should also explore qualitative content analysis if they wish to apply a higher interpretative degree of analysis to their data than quantitative content analysis allows (Politz & Beck, 2023).

Data Presentation and Analysis

Data presentation

The focus of this study is to analyze the frequently issued letters by the Ethiopian government in response to media reports, as well as to examine the applicability of press freedom in the Ethiopian constitution and how the issued letters violated it. To this end, the researcher used two different letters: a warning letter from the government and a response letter from the media organization, which differed from Asham TV. In order to make the study clear and widely acknowledged, the researcher translated the letter from Amharic to English and included the Amharic version in the appendix.

Warning letter from Ethiopian Mass Media Authority

October 7/2024

To: Asham media plc
Addis Ababa
Concern: issuing the last warning.

It is known that the Asham television station has been transmitting its programs under a license based on the mass media proclamation 1238/2013 and other country legislation, as well as contract responsibilities. However, the authorities confirmed that the station frequently transmits false, conflict-

aggravating material, information that harms the country's national advantages and people's unity for insufficient reasons, and verification by following the media's content. Previously, the authorities issued many written and oral warning letters to this television station to stop broadcasting unfair and conflict-inspiring stories. However, by disregarding the previously issued letters from the authority, the station continues to broadcast its program, which violates country law. With no accountability, this broadcaster is attempting to mislead the public by presenting unconfirmed material from social media. So, according to mass media proclamation 1238/2013, this warning letter was issued to Asham Television for violating the agreement and persistently breaking rules and regulations.

Asham's Response to the Warning Letter from Ethiopian Mass Media Authority

"The warning letter given by the Ethiopian media authority to Asham TV has no concrete evidence" - Asham TV

The Ethiopian Media Authority issued a "final warning" in a letter written to Asham Media Trading Stock Company on October 7, 2024. The authority said that the reason for this decision was the fact that "inaccurate information, conflict-increasing reports, information that erodes public unity, and information that harms the country's and national interest have been disseminated repeatedly without adequate verification and reasonable efforts through content monitoring."

However, nowhere in the letter did the authority provide evidence-based content monitoring. While continuing this final warning letter to Asham, the authority recalled that it had been repeatedly warned by the authority to refrain from the conflict-oriented and unbalanced report it had published in the past.

At the same time, the authority did not provide any concrete evidence for this serious accusation that there is a conflict caused by Asham, that it erodes public unity, and that it harms the national interest.

In the past, the authority repeatedly dismissed Asham when the authority wrote non-auditory warning letters on balanced reports; the authority also responded with verbal warnings. However, Asham was quick to reply to all the letters, citing appropriate responses from the evidence. However, never once did the authority write a reply letter stating that Asham's written responses were incorrect or rejected.

Even though Asham TV has been subjected to severe threats, intimidation, and arrest of journalists from various institutions and individuals, including warnings from the authorities, it has withstood all of them and has continued to grow as a profession and a voice for the public.

Data analysis

In this section, the researcher analyzed the data gained from the Asham Television social media outlets and Ethiopian government owned media outlets to check the correctness of both the warning letter and the response given by Asham television to the warning letter.

Reasons the Ethiopian government specifically, the media authority gave the warning letter to Asham Television:

As per the data or the letters, both from the media authority and Asham's response to the letter, the reason why the media authority gave a warning letter to the broadcaster are:

The station frequently transmits false, conflict-aggravating material, information that harms the country's national advantages and people's unity for insufficient reasons through verification by continuous media monitoring.

Similar to the reasons mentioned by the media authority, Asham TV also mentioned the reasons why the authority gave a warning letter. Based on the response of the Asham TV, the reasons are:

The authority said that the reason for this decision was the fact that inaccurate information, conflict-increasing reports, information that erodes public unity, information that harms the countries and national interest has been disseminated repeatedly without adequate verification and reasonable efforts through content monitoring.

In this regard, the station provided that, not all the mentioned reasons are true and evidence based. Asham television's response proved that all reasons were false and fabricated.

However, nowhere in the letter did the authority provide evidence-based content monitoring. While continuing this final warning letter to Asham, the authority recalled that it had been repeatedly warned by the authority to refrain from the conflict-oriented and unbalanced report it had published in the past.

Moreover, the station added that:

At the same time, the authority did not provide any concrete evidence for this serious accusation that there is a conflict caused by Asham, that it erodes public unity and harms the national interest.

Based on the response of Asham, the report of Asham television did not include any contents that damage the public unity and harms the national interest

and the authority did not provide any concrete evidence related to conflict caused by Asham.

Furthermore, from these two letters, the researcher proved that the warning letters, both in oral and written formats have been given to Asham TV by the Ethiopian government media authority.

Both letters proved as follow:

Previously, the authorities issued many written and oral warning letters to this television station to stop broadcasting unfair and conflict-inspiring stories. However, by disregarding the previously issued letters from the authority, the station continues to broadcast its program, which violates country law.

Asham TV also verified that:

In the past, the authority repeatedly dismissed Asham when the authority wrote non-auditory warning letters on balanced reports; authority also responded with verbal warnings. However, Asham was quick to reply to all the letters citing appropriate responses from the evidence.

Because of the above-mentioned reasons, the media authority stated that the paper was given to Asham TV. The declaration presented as follow:

With no accountability, this broadcaster is attempting to mislead the public by presenting unconfirmed material from social media. So, according to mass media proclamation 1238/2013, this warning letter was issued to Asham Television for violating the agreement and persistently breaking rules and regulations.

On the other hand, Asham TV blamed the authority for its criticism:

“However, never once did the authority write a reply letter stating that Asham's written responses were incorrect or rejected.” This show that the authority never gave a response like what it wrote to Asham TV

Finally, Asham TV marked that the station will not stop doing its report even if, the authority repeatedly keeps writing a warning letter. The response said that:

Even though Asham TV has been subjected to severe threats, intimidation, and arrest of journalists from various institutions and individuals, including warnings from the authorities, it has withstood all of them and has continued to grow as a profession and a voice for the public.

The possibilities that allow the government of Ethiopia to interfere on freedom of expression:

Based on the reasons mentioned above, the current study checked whether the inference of the government, the media authority concerning media proclamation and constitution of the country is right or wrong.

According to the constitution of the country, there are preconditions that the government can interfere on the practice of journalism and its practitioners.

Under democratic right of Ethiopian 1995 constitution on *Article 29: Right of Thought, Opinion and Expression* has been put. In order to, limit subjectivity; the researcher included all sub articles of the article 29 of the country, which focus on democratic rights.

Sub article one (1): Everyone has the right to hold opinions without interference.

Sub article two (2): Everyone has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, orally, either in writing or in print, in the form of art, or through any media of his choice.

Sub article three (3): Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:

Sub article three (3a): Prohibition of any form of censorship

Sub article three (3b): Access to information of public interest.

Sub article four (4): In the interest of the free flow of information, ideas and opinions, which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.

Sub article five (5): Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion

Sub article six (6): These rights can be limited only through laws, which are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the well-being of the youth, and

the honors and reputation of individuals. Law shall prohibit any propaganda for war as well as the public expression of opinion intended to injure human dignity.

Sub article seven (7): Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law.

According to article 29 of Ethiopian constitution on sub article two (2) to five (5), everyone, including the press, has the right to practice democratic right specially, the right of thought, opinion and expression without any interference.

However, in this article, sub article six (6), the constitution mentioned conditions that freedom of expression thought and expression can be limited.

According to this sub article, Legal limitations can be laid down in order to protect:

The well-being of the youth, and the honors and reputation of individuals. Law shall prohibit any propaganda for war as well as the public expression of opinion intended to injure human dignity.

Based on this sub article, considering the reasons mentioned for why media authority gave a warning letter, different reasons were raised even if the media organization did not accept it.

The reasons are; “inaccurate information, conflict-increasing reports, information that erodes public unity, information that harms the country's and national interest.” Based on the reason mentioned on the constitution article 29(6), this study proved that the warning letter was right.

However, based on the reasons given by the Asham TV; nothing happened in the country because of Asham TV's report. This makes the warning letter given to Asham was wrong. This statement is highly supported on the same article of the constitution. On Article 29(6), “these rights can be limited only through laws, which are guided by the principle that freedom of expression and information cannot be limited because of the content or effect of the point of view expressed.”

Based on this, the study concluded that the warning letter given by the media authority of the Ethiopian government was wrong and it limits freedom of press as well as other legal guarantees given to the media in article 29 of Ethiopian constitution.

On the other perspective, according to the mass media proclamation 1238/2021, many things are mentioned and justified, but for the purpose of this study, the study used limited articles mainly on content obligation of the media's program and news as well as intervention of authority, which help the study to analyze and reach a conclusion.

On sub-section three of the proclamation, content obligations of the media are mentioned and explained very well.

On number 68, the proclamation stated the General Obligations of the media as follow:

1/ Notwithstanding the Codes of Conduct of self-regulatory bodies of the media, any program or news transmitted through broadcasting service shall respect the following

- a) Program or news should be balanced and impartial in reflecting diverse viewpoints to serve the public at large; and
- b) Broadcasters are expected to make reasonable effort to ensure the content and source of their program or news is accurate and put in place systems and procedures to correct mistakes when it happens.

On this context the current study proved that the content of Asham television programs are highly accepted by its audiences, not only this but also the reports are accurate, they reflect divers perspectives and serves the public interest

2/ Any program or news transmitted through broadcasting service shall not:

- a) Violate the right to privacy of everyone subject to the requirements of the public interest
- b) Offend human dignity
- c) Cause actual harm, or encourage behavior, which is harmful to health or safety
- d) Incite crime or disturbance of peace and security and
- e) Incite hatred or contempt on grounds of race, language, national or ethnic origin, color, religion, gender, age or mental or physical disability

3) A broadcasting service licensee shall take reasonable care when transmitting program or news that reports on the usage of liquor, narcotic, assault, or similar horrific or frightening situations.

Asham TV's stories, as shown in the answer letter, comply with the second and third duties outlined in the Ethiopian government's media proclamation 1238/2021.

Based on the previously indicated two legal frameworks, both the 1995 constitution and Ethiopia's 1238/2021 media declaration, the government's ongoing meddling in the media is wrong and without legal justification.

How does it violate the constitution and the rights of the press and its practitioners?

Based on the above findings, wrong and illegal intervention of the government highly affects the rights given to the media as well as its practitioners by the international human rights, the Ethiopian constitution, and the media proclamation of the country as well.

Discussion

The current study underscores the problematic character of the Ethiopian Media Authority's warning letter to Asham Television, which reflects profound conflicts between constitutional safeguards for press freedom and the grounds given for the warning. This finding proved that nothing is changed in the time of prosperity; the party goes with findings like those of the Human Rights League of the Horn of Africa (2009), Tracy & Ross (2010).

While the Authority accused Asham TV of broadcasting unsubstantiated, conflict-inciting information that supposedly undermines national unity, the station denied these charges, citing a lack of proof. Asham TV contended that its stories met the constitutional guarantees of free expression and media duties stipulated in the 1995 Ethiopian Constitution and the 2021 Mass Media Proclamation. The station's determination to produce varied, fair, and truthful information, along with the lack of actual evidence against it, highlights the difficulties of reconciling state-imposed constraints with constitutional safeguards.

The findings highlight the legal and ethical quandaries that arise from government interference in media activities. The Ethiopian Constitution specifically allows for restrictions on press freedom only under precisely specified instances, such as maintaining public safety or preventing incitement to violence. Similarly, the 2021 Media Proclamation requires broadcasters to maintain truth, impartiality, and respect for human dignity, which Asham TV claims to have followed.

However, the Authority's actions, which lack meaningful proof, raise questions about overreach and the suppression of journalistic freedom. This study indicates that the government's activities violate the democratic rights guaranteed by the Constitution and the Proclamation, possibly undermining public faith in regulatory frameworks and threatening press freedom and media practitioners' integrity. Unlike Tufa and Dejene (2023), the Prosperity government, which has ruled Ethiopia since 2018, has not fully recognized freedom of the press or its practitioners.

Moreover, Ethiopia has been in a new transition since 2018, which resulted in changes in political arenas. It follows that the press freedom was glooming immediately after the reform, but later it has been declining. Moges (2024) also marked that the Ethiopian government and other parties with a

strong interest in controlling the media to forward their agenda and silence critics put a lot of pressure on journalists. In the 2025 Reporters without Borders (RSF) World Press Freedom Index, Ethiopia fell from 141st place in 2024 to 145th place out of 180 nations, as the nation's independent journalism is once again threatened by political unrest and violence (Reporters without Borders, 2025).

Conclusion and recommendation

According to the study's conclusions, Asham Television's warning letter from the Ethiopian Media Authority is unsupported by facts and, as a result, illegally interferes with the station's legally protected freedom of expression and press rights. Despite the Authority's claims that Asham TV spread false information that exacerbated strife and undermined unity, it did not produce any hard, verifiable proof through content monitoring to support these claims. The 1995 Ethiopian Constitution and the 2021 Mass Media Proclamation both define constitutional guarantees and content duties, and Asham Television's responses regularly showed that their stories did not violate national interests or cause harm to the public.

Furthermore, Article 29 of the Constitution and Media Proclamation 1238/2021's content obligations state that restrictions on press freedom must be supported by evidence of harm, governed by the law, and never imposed simply because of the opinions expressed. As a result, the Authority's ongoing verbal and written warnings lacked legal justification. Rather, the Authority's actions are an example of government overreach that threatens media independence, compromises democratic rights, and limits the freedom of journalists and broadcasters to operate.

The study suggests focusing solely on Asham television because it has available materials and, unlike other media organizations, broadcasts concerns that have not been publicized. Consequently, the study recommends that other researchers incorporate additional media organizations along with Asham TV and conduct further research; it believes that including public responses will enhance the impact and interest of the work.

Declarations

Conflict of interest

The author(s) declare that there is no conflict of interest at this level.

Data Availability

The data can be obtained from the main author up on reasonable request.

Funding

The author(s) has not received any funds.

Declaration of agreement

The author(s) have no any agreement because the issue has been published and available for anyone who needs to study.

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