

Criminal Communication With Its Political Dimension

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Abstract

World was shocked by the October 12, 2001 bombing of terrorist to the world Trade Center of New York of the United States of America the date in which could be considered as the beginning of an intense war of world news on terrorism. Analyses made about the responsible actors, motives for the tragic bombing are all political in character, almost forgetting that the act of bombing is basically a criminal act. Political actors are more intensively interviewed for the analyses than criminologist or lawyers or other relevant experts which ironically the other experts's comments but political actors's are used as a mere supportive political justification, political communication is intensively applied in the situation. This article argues that we should have a field of study in communication science that focuses its study on crime as social or communication phenomena, the field in which must be clearly differentiated with the political communication with its criminal dimension. This new field is to cover all the systematic study of communication about crime as social phenomena. Much research then has been done and categorized into the field, except the new name in addition to its systematic study done consciously using communication to study crime as social phenomena.

Keywords: *Criminal Communication, Crime, Communication, Crime Communication*

In the case of the bombing, a basic act is criminal, not political. Political dimension is an accessory of the criminal act, not vice versa. It is in this concern that the field of criminal communication is primarily needed to propose and construct in addition to a growing need characterized by a new rapid development of crime that needs new vocabularies or concepts to specifically explain its communication related characters in a crime.

The concern rises why the criminal act is analysed for the first place by its political character not by its criminal character ? The political

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terminologies or concepts are pronounced where criminal concepts are marginalized or are probably not available to use. So why do not we blend the concepts together to have a new formula of criminal communication ? where we can come with the construction of criminal communication with its political dimension, not just a mere political communication with its criminal dimension. The first is firstly put an act of crime, and is followed by its political character, the second comes with its political character followed by its criminal dimension.

Based on the literature research of criminology and communication, the activities using communication systematically by consciously developing and using specific concepts to understand and explain crimes as social or communication phenomenon, and also the use of the name of criminal communication are not found. Criminal communication, in its broad definition, comprises of all activities using communication to systematically study crime as social or communication phenomenon. In its narrow definition criminal communication is all activities to explain and understand interaction or transaction of communication where minimally one of the communicates does action that has been categorized as crime which either does not possess or has formally already possessed legal status of suspects or criminals which are directly and personally involved as subject of a study. Primary elements in the field of criminal communication, as a model, among others are therefore:

criminal(s), victim(s), message(s), media (mediated or direct), communication barriers, society (structural and cultural), government, relevant organizations, environment-layers.

Multidisciplinary character of the two disciplines of Criminology and Communication.

The two disciplines show a character of multidiscipline at the very beginning of their development. Criminology was named by P.Topinard² (1830-1911), a France anthropologist, in 1879 for the study of crime, and was since developing within its perspectives, paradigms, and school of thoughts, bringing a long comprehensively with it an exclusive color for the development of concepts, theories, and methods to criminology. Communication discipline, on the other side of its early development, was developed consciously, systematically as a focus of study of communication by Wilbur Schramm³ since 1950, about 70 years since the early development of criminology. But the two disciplines have something in common that they have multidisciplinary character in their development, where the main disciplines of sociology, anthropology, psychology gave much contribution to the development of the two.

² Sue Titus Reid in *Crime and Criminology* (New York: Holt, Rinehart and Winston, second edition, 1979, p.24) indicates that Topinard's publications were available in 1879. In the 19-th century and in the beginning of the 20-th century, writings or publications on criminology were put stress on the remaking of criminal law. It was Cesare Beccaria and Jeremy Bentham, the two names that write opinions on human foundations for punishments in criminal law, but what they did cannot yet be considered as scientific argumentations.

³ Wilbur Schramm is considered as the grounding father of study of communication (see *A History of Communication Study: A Biographical Approach*, by Everett M. Rogers. The Free Press, New York, 1994.

A centripetal danger to the discipline of communication, and communication as an interdisciplinary discipline

Multidisciplinary character of the discipline of communication poses a danger to it itself looking the fact that growing concern of the dynamic development of other disciplines centripetally direct to this discipline. The others disciplines are ready to enter communication with the intention of understanding communication, trying to relate communication to their own discipline to give their own explanation in our own expertise⁴. Will the what is identified as a potential danger be a worry for us as students of communication ? I believe that there is no single reason for us to worry about, on the contrary, the worry is denying the fact the multidisciplinary character of communication, where other social sciences are contributing and had contributed much to its development. The problem, therefore, is how scholars of communication are more open to welcoming contributions from other disciplines to develop communication studies relevant to their own disciplines. If the students of communication neglect the dynamic fact, it is very likely that the study of communication will be facing slow development in its forthcoming years. Consequently, in this relation, creative and anticipative or pro-active actions must be taken by students of communication to continuously develop this discipline by managing or converting threatening environment into blessing to communication study.

⁴ Astrid S. Susanto. *Komunikasi Kontemporer*. Bandung: Binacipta, 1977

Communication as an interdisciplinary field integrates knowledge from multiple disciplines to understand complex communication phenomena, applies theories and methods from various fields to analyze and solve communication problems, fosters collaboration among scholars and practitioners from different disciplines to advanced knowledge and practise. As an interdisciplinary field, communication studies can provide a more comprehensive understanding of human communication and its various contexts, such as this field of criminal communication. It is in such a context that I propose this (new) field of study. This Criminal Communication, as Allan Hunt⁵ once said that “.....it is very often nothing more than the combination of already existing thought which in the process reveals fresh insight and opens up new perspectives” -

Criminal Communication as a need

The existence of the criminal communication is in fact a logically acceptable implication, considering multidisciplinary character of the communication study as a discipline in the very beginning of its growing and development which is also begun with an aspect stressing a pragmatic value or advantages given by the discipline to a practical need in society. In the following paragraphs I will discuss the points critical to better

⁵ Allan Hunt dalam Sahetapy, J.E. *Viktimologi: Sebuah Bunga Rampai*. Jakarta: Pustaka Sinar Harapan, 1987.

understanding what the criminal communication is, what its construction's aim to build is, and the logical implication it poses methodologically.

**Relating criminal communication with political communication:
Criminal Communication with its political dimension, not political
communication with its criminal dimension.**

Political communication is simply defined as a process sending communication symbols containing political messages from a person or a group to a person or other groups with the aim of widening perspectives and influencing attitudes and behavior of communicator's political target (Nimmo, 1978). Political communication is a communication process possessing implications or consequences toward political activities. A main differentiating factor of the political communication to other fields of communication is in its message content, which is political in character.

In this context, I argue that we have to make a sharp difference between political message and a crime with its political message. There must also be what we could call as criminal communication with its political dimension since not all messages have to be always considered political or be treated politically. Crimes could happen anytime, anywhere, to anybody, and could be done by anyone, they are all communicating messages. The point shows the mutual relationship between the two disciplines. Any crime happens conveys messages that possibly create multy-interpretative meanings (polyemy), and eventhough a crime that happens may not always pose a problem of communication, but there is

always a message potential to getting across to have a meaning expectedly interpreted in line with what is intended by the communicatee(s). The crime message itself could possibly and potentially be political in character, so there is a possibility of political dimension in the criminal message. A criminal message is not always political, but all criminal messages could be interpreted politically.

Political communication is a communication happened either personally or mediated among social actors in responding to political issues (Negrine and Stanyer, 2007). It is also a study created by a relationship between two disciplines, which are communication and politics.

Political communication as a body of knowledge, as the case with discipline of communication is also comprised of elements, that is, source, message, media (channel), receiver, and effects (Nimmo, 1978). Political communication therefore is not only related with political parties but it also relates with the executive, legislative, and judicative body, and other social organization in society. It is therefore the political communicators could be individual or institution(s) or organization(s) able to give information on things containing political weight, such as the president, members of parliament, members of political parties, self-empowering society, and other pressure groups in the society that intend to influence a political decision making process. The political message itself can be defined as

expressions conveyed orally or in written, in its manifest or latent forms, consciously or unconsciously through political media, containing political weight.

“We cannot not communicate” (Miller, 2005). This means people are all, in principle, a communicator. The same applies to political communication, anybody who is in political setting is a political communicator. But in the scientific study, a person is able to categorize to be a political communicator, if she /he constantly or continuously does political communication and exchanges political messages. Political communicators usually are the people leading in public opinion process in which what they say or what they do will get a better attention and more response than anyone else does.

Nimmo (1978) identifies three categories of political communicators, that are, political communicator as a politician, professional, and an activist. The first category refers to the beholder of political position in executive, legislative, or judicative body. These are political leaders in government. The second category refers to people playing alternative role as a consequences of communication revolution possessing two main dimension, that is, a). the rise of mass media crossing over race, ethnic, work, religion, and social economy class to increase national identity consciousness, and b) the rapid development of special

media such as magazine, radio and television station for special public, which create new public as consumers of information and entertainment.

The third category refers to political communicators that use interpersonal and organizational channel to convey political information to general public. In this category, Nimmo (1978) divides them into two actors: First, spokesman for interest organized through organizational channel. In general, this kind of actor does not hold political positions or does not hope for political positions. This spokesman is not professional in communication, but he or she involves actively in politics and political communication so that they she or he can be categorized as political activists and a semiprofessional political communicators. This kind of actor is like partisan representatives that bridge demands of their constituents. In other situation, this actor plays a role like a journalist that give report decisions and policies made by government to members of organizations. As politician and professional actor, this kind of actor does the same political activities both in sub-national and national level. Second, opinion leader (ideological communicators or professional promoters). These actors play a role to convince other people about the way they think.

I believe we need to add one more category to the Nimmo's, that is political communicator who are labeled as suspects in a legal process, or as a criminal. This kind of actor needs to be added because its position is

psychologically unique and possesses communication barriers in their political communication. This is not to say that this kind of actor should be subsumed into Nimmo's category, but it is much more logical to put it into the domain of criminal communication, considering the fact that the underlying action is mainly a criminal act not political act. If we want to relate it to political communication, it becomes a criminal communicator with its political dimension, not political communicator with its criminal dimension. In the case of the bombing, the case should be positioned or placed or discussed or judged by its main character that is criminal character, not by its political character, political character in the case is an assessor, not vice versa. It is in this relation that the construction of criminal communication is built with the unique position in mind which is believed, must be studied and developed using relatively new special concepts and validated methodologically.

Theoretical Development in the field of criminal communication

Much research has actually been done under the umbrella of this field of criminal communication, but without naming it as criminal communication research and they do not yet systematically use concepts in the new field, the concepts in which are intentionally created and used to understand and explain criminal communication phenomenon. For an example the research done by Jurgen

Minnebo⁶: “Fear of crime and television use: A Uses and Gratification approach”. Interestingly, an article written by Zixue Tai⁷, on “ The structure of Knowledge and Dynamics of Scholarly Communication in Agenda setting Research, 1996-2005 “ has stressed on the possibility of attracting the attention of scholars from a diversified set of background to expand the domains of agenda setting into new territories, where in a subarea of agenda-setting research or another topical area of academic interest, for the advancement of the field that can be related to agenda setting research. It is in this context that the field of criminal communication will have to be able to give its contribution of doing research related to political dimension of criminal agendas.

Criminal Communication, Communication Crime, Communication Law.

One out of 17 specialisations (to show the latest development of communication), found in the ICA is the Communication Law and Policy. In this part I want to propose a need to add one more category or division, that is, criminal communication division, knowing the fact that the two characters of communication law and policy and criminal communication are very different. The term communication Law and Policy stresses or more focuses on law and policy issues that are pervasive concerns such as the issue of television advertising directed toward children and how it should be regulated, media violence, media

⁶Jurgen Minnebo. “Fear of Crime and Television Use: A Uses and Gratification Approach”. *The European Journal of Communication Research*, volume 25, Number 2, June 2000.pp.125-142.

⁷Zixue Tai. “The structure of Knowledge and Dynamics of Scholarly Communication in Agenda setting Research, 1996-2005 “. *Journal of Communication: An Official Journal of the International Communication Association*. Volume 58, Issue 3, September 2009.

content alteration, and policy issues in media professionals, as well as social issues that are important and communication scientists are often asked for their opinions when policies are being formulated or modified (Berger and Chaffee, 1987). It is talking more about the policies and laws made or will be made related to regulating all possible aspects of communication. It starts from the point of views of law or policy toward communication, not vice versa. Communication of Law, on the other hand, studies about what communication could give to study about law and policies. It starts from communication point of view towards law and policy. Criminal communication, in this relations, is relevant and supposed to relating more to communication of law than to the communication law and policy, eventhough the term criminal communication itself could not be covered by or is not a part of the communication of Law. Knowing the meaning of law and of criminal or what each concept covers, which is also related to concepts of unlawful act and of criminal act, in this relation is needed to further elaborate.

The Meaning of law refers to any rules designed for people, which is made by persons or institutions authorized to make it, and it contains sanctions clearly mentioned and that is coercive. The rules can be either witten or not written (customary Law), which is therefore used as means to direct people to behave normatively so that the orderliness could be upheld. The law itself could determine what could be categorized as lawful or unlawful acts. Unlawful acts therefore always refer to any stipulations that prohibit people from doing any unlawful acts mentioned in the written law or is known as penal code. It is therefore an act can be categorized as unlawfull, it is for the first place determined by whether or not the act is forbidden by a penal code. Criminal act, on the other

place, is not primarily determined by a written prohibitions mentioned in a penal code, but it is firstly determined by whether or not an act is opposed to the society's values, or socially unacceptable behaviours. An unlawful act must be a criminal act, but a criminal act is not automatically an unlawful act. It is therefore, looking from what is covered by the concepts of unlawful act and criminal act, the concept of criminal act is much broader than is of unlawful act. It could happen therefore an act is socially considered as a criminal act but it is not an act that is normatively forbidden by a penal code. Looking back to the difference between the term "communication of law" and "criminal communication" it could be concluded that the criminal communication is much broader in its meaning compared to the communication of law.

Criminal Communication and Communication Crime

It is critical that the two terms are not interchangeable since the meaning of criminal communication also covers the meaning of what is called communication crime. Seeing from criminal communication perspectives, communication crime is a part of criminal communication. We could call for examples, crime of communication, crime of corruption, crime of embezzlement, crime of suicide, crime of terrorism, and other crimes. All the crimes mentioned could be studied by using communication and it is the study about all crimes as social phenomenon using communication that is called criminal communication, so we could therefore call there are communication of corruption crime, communication of suicide crime, communication of terrorism crime, to mention some. The communication crime (referring to all crimes done through the use of

communication whether mediated or direct, verbal or non-verbal) therefore becomes communication of communication crime.

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