

Johnny Depp and Amber Heard: How Language and Societal Influences Shape Power and Discourses

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ABSTRACT

The current paper aims to analyze the case of Johnny Depp and Amber Heard's claims of domestic abuse, in the context of Foucault's concepts of a socially constructed society, power, subject positions and discourses. Foucauldian Discourse Analysis goes against the westernized concept of structures such as gender, sexuality morality and norm, as it disregards the notion that these concepts are immutable and mainly biological, and suggests that society is fluid, placing the wider sociocultural and historical context of a society as the basic foundations of creating discourses, placing individual concepts and groups in hierarchies, with knowledge and power granting access to higher places in the societal hierarchy and therefore facilitating the production of discourses. In light of that, the introduction includes three qualitative studies that depict the fluidity of gender concepts regarding domestic abuse, and analyzing in the analysis section the power dynamics, subject positions and discourses created regarding the two actors, based on theoretical background around FDA analysis and social constructionism, qualitative studies, as well as recordings of the live trial in 2022 and two articles out of the four that were chosen, analyzing themes of gender differences, court environment and the media. The use of 6 analytic tools were used in order to identify the discourses, as well as explain the social constructionist perspective around gender and language.

Keywords: Johnny Depp, Amber Heard, FDA, Gender, Discourse, Social constructionism

INTRODUCTION

The Johnny Depp and Amber Heard case has been a widely observed and discussed topic both in the media and across popular culture. This case involves two high-profiled actors, in which there exists a complex power dynamic, involving allegations of domestic violence from both of the parties, which includes claims of both physical and psychological abuse. The former couple, which has been divorced since 2017, attended their first trial over the abuse claims in 2020 in UK, in which Johnny Depp initiated a defamation lawsuit against Amber Heard, claiming that she falsely accused the actor for domestic abuse, and more specifically, the actor was against a major UK news outlet "THE SUN", in which the author of THE SUN described the actor as a "WIFE BEATER" and described how Johnny Depp was abusive towards his ex-wife, when the charges against him at that time were only speculative (Christodoulou & Pollard, 2021).

The actor lost his case against the UK news outlet "THE SUN", and from then Johnny Depp continued to go against his ex-wife, Amber, to whom another defamation lawsuit was performed in early 2022, which involved both actors, in a high-profile case, claiming the

domestic abuse claims over one another. The trial had a duration of roughly 3 months, starting from April 11th and ending on the first of June, in which between these three months, both Johnny Depp and Amber Heard, not only described their personal experiences regarding the pre-existing abusive allegations, but also moved against one another in an effort to both discredit the other party, and accuse them of being the aggressor, whilst they themselves were the victims. While the resulting verdict pointed towards Johnny Depp, the aim of this study focuses on the multiple discourses that took place both during the trial, and outside of it, while also observing and analyzing the shifts of power that was present regarding both actors, in different ways.

The present report is based on Michel Foucault's theoretical basis of Discourse analysis, which will be used in the report's analysis chapter, and also the foundations of the analysis are also based on a social constructionism point of view, which will be discussed below.

To begin with, qualitative research aims to analyze how individuals understand, experience and interpret the world around them, through a meaning-making process and not by analyzing pre-existing and fixed social realities, thus not aiming to generalize results into the mean population, but differentiate and gain data or results based on individuals' unique experiences (Bhatasara et al., 2013; Erslingsson & Brysiewicz, 2013). Considering that people are social beings, they experience themselves through the mediation of symbolisms, culture and language, forming a complexity of human experiences, thus making qualitative analysis a great tool of interpreting these experiences through data analysis (Nowell et al., 2017).

Social constructionism, which can be directly connected with the ideology behind qualitative analysis, originates from sociology and argues the nature of knowledge and truths as being socially created and not discovered by the individual's mind, rather it corresponds with a collective society's cultural and historical influences, that makes concepts such as gender, class and sexuality more fluid than what was firstly believed to be strongly only biological and immutable (Young & Colin, 2004). Additionally, social constructionism is directly embedded with critical psychology, as it goes against the mainstream psychology ideology of objective truths, marking it as a westernized concept, where biological and developmental processes in regard to gender and society are not the key factors that predict or directly influence behavior/knowledge (Burr & Dick, 2017).

Structuralism is a term that heavily influenced the sociologist and philosopher Michel Foucault, in its' views on how language and culture, operate within a society's rules and structures around laws, principles and individual's behaviors (Khan & MacEachen, 2021). Additionally, structuralism assesses how language and culture have a relative relation and operate as the terms subject and object, specifically suggesting that there exists a center, in which it operates and sustains a whole structure (Khan & MacEachen, 2021). Regarding these claims, every system such as language, culture, sexuality and gender operate under a structure that consists of laws, rules and determining factors that conform systems such as gender and sexuality (Khan, 2018 (as mentioned in Khan & MacEachen, 2021)).

Post-structuralism, contrasts from the initial views of structuralism and focuses in the interaction between the stimuli and the receiver (Khan & MacEachen, 2021). It uses a symbolism regarding a reader and a text, in which the text is not passive, but active in the process and production of meaning, and suggests that a text, which can be replaced with the term language, is able to create different interpretations to different readers, depending on each individual's unique life experiences (Han, 2013). This suggests the notion that objective reality or objective truth does not exist, rather it depends on the "reader's" perception of the world, creating accepted truths, or as Foucault reframed it as discourses (Khan & MacEachen, 2021). Discourses, as Foucault later developed, was referring to "unwritten" rules, regulations cultural and structural (as mentioned before) values, that produce and maintain certain behaviors or subjective truths, which referring to the work of Foucault mainly involved gender norms and

sexuality, whereas it can also incorporate individualized statements as a whole in order to create groups within a societal context, such as heterosexuality, homosexuality, disability etc. (Foucault, 1972, as mentioned in Khan & MacEachen, 2021). Thus, a discourse is an accepted truth, that is created by sociopolitical influences, and exists within a specific place and time, hinting that such structures are fluid, and dependent on the context of time, place and culture. Foucault focused a lot on power and knowledge as well, with the tool of language, that can create or alter power in regard to either discourses, or subject positions (Foucault, 1981). Foucault believed that knowledge is shaped by power, and that in every society, there exists a hierarchy in which different individuals, or subject positions, had “access” to more power domes (Foucault, 1981). Power can refer to a number of things, it can refer to either a teacher in contrast to its’ students, therefore revealing the subject position’s power over others, within the social context that is a school, or it can refer to a greater and more complex form of power such gender, and how discourses that revolve around the genders, can affect the power that they obtain. For instance, through historical data, the interaction and difference of the female gender and male gender as to their role in a society can be easily observed. Before the feminism movement took place, the female role was dependent more on biological and developmental discourses, meaning that due to the female gender’s disadvantage in areas such as physical strength, and the prehistoric data that men were the hunters and women were the nurturers, it was accepted within that time’s context that a woman should stay home and take care of the family, whereas the man should work and provide for the woman, and also from the developmental discourse, that men are more aggressive and violent whereas women are more kind and caring (Hollway, 1984). These concepts of society and structures were the building blocks for Foucault’s discourse analysis.

In Johnny Depp’s and Amber Heard’s case, considering the previous theoretical background, many major discourses can take place, especially referring to the domestic abuse accusations. While the Analysis chapter of this essay will cover and analyze the framework of the former couple’s relationship and court behavior, it is important to refer to some current ideological tendencies that societies have constructed regarding gender differences and their views on violence. Qualitative research which analyzed gender norms and intimate partner relationships amongst 33 Columbian women, revealed that more often than not, the couples often held patriarchal norms, which can describe a connection between domestic violence against women and patriarchy, since in the research mentioned, a facilitator of these aggressive behaviors mainly originated from the underemployment of men and successful employment of women outside the house context (Hynes et al., 2015).

Another qualitative study emphasizes on the work of social workers, and the double standard that exists within a couple, and more specifically in relationships that there exists a history of domestic abuse (Pitman, 2017). Referring to the study, as coercive control is a critical skill amongst social workers, in order to assess and recognize the situations needed, it is more often than not difficult to apply the double standard of men and women in regards to domestic abuse, with social workers leaning towards the concept of a male perpetrator and a woman victim, thus empowering the already existing developmental discourse of gender violence and control (Pitman, 2017). The last study refers to the men who have been victims to domestic violence from women in Bangladesh, stating that the predominant social actions in these cases involve silence and reservation from the media, and the constitutions, highlighting the victimhood discourse which places women as a “likelihood” of being the victim, with the study suggesting actions such as “*breaking the social prejudice associated with that kind of violence, and create gender-neutral legal interventions and laws to protect men at home from violence*” (Khan & Arendse, 2021). Considering some of the evident discourses that have been constructed around gender differences and domestic violence, the current study aims to analyze the Johnny Depp and Amber Heard case, regarding both the court that took place in 2022 and the articles that

have been written both during and afterwards. The aim of this study does not involve in highlighting why the case took place, but how language was used in order to construct discourses, how power was obtained and how the role of the media and the social context helped change or sustain the discourses in question. In contrast to quantitative studies, an FDA analysis does not aim to generalize the findings that are presented, as it regards both of the parties as unique, as the time, the place, the culture and the variable of Johnny Depp and Amber Heard being celebrities, all fit in within a specific context that cannot be replicated.

METHODOLOGY

The foundations around Foucauldian discourse analysis are based on the epistemology of social constructionism, which can be explained by observing some of the key factors that this epistemology uses. Social constructionism refers to the nature of knowledge as not being a direct reflection of an objective reality, rather that it is constructed through social processes, based on social interactions, cultural norms and historical contexts that maintain or change it (Burr & Dick, 2017). Meaning making in a social constructionist view is not inherit in object or events, rather it is assigned through language and communication. The words and language used, are assigned to create discourses and convey knowledge, in which the meaning is socially and culturally interpreted differently (Young & Collin, 2004). The epistemology bases its' views on subjectivity rather than objectivity, reinforcing a notion of multiple perspectives in understanding social phenomena. In cause of this notion, social context and power relations play a major role in understanding how discourses are constructed and how knowledge is conveyed, since social constructionism analyze how power structures often influence these constructions influence social categories such as identities, categories and hierarchies within a societal environment (Khan & MacEachen, 2021). Thus, reflexivity and critical awareness is encouraged in this analytical approach, to approach a construct considering the context, historical notions and cultural behaviors, in order to gain a deeper understanding of the social world.

Considering the analytical approach of Foucauldian Discourse Analysis, there are 6 analytical steps involving FDA analysis. Firstly, identifying the discourses and discursive constructions, which are comprised by systems of ideas beliefs and practices that shape knowledge and power domes, then applying a historical analysis on the discourses, in order to understand and observe how the discourse might have been created, how it has evolved over time and its' relationship to broader sociopolitical and cultural dynamics (Willig, 2008). Action orientation, the third analytic step, refers to the ways that the discourses function in order to produce certain behaviors or beliefs. This happens with the power that language upholds, and aims to create specific subjectivities around a theme, regulating this behavior and shapes social practices. The production of knowledge, how it is produced and circulated within the discourse and the strategies that are presented in how and what the considered "truths" are established. Subject formation refers to how individuals are positioned and are constituted as subjects within the discourse, including the ways in which identities, roles and social categories are produced and maintained. (Willig, 2008). The fifth step, which is practice, refers to the various ways discourses are enacted, embodied and materialized in a wider social and institutional context. Practice is not only bound to individualized acts and behaviors, but it is embedded within social, cultural and historical context. These are influenced by the discourses and the power relations that operate within a society, and contribute to the production and maintenance of norms, knowledge and subjectivity. Subjectivity, the final analytical step, refers to the way individuals within a society are placed as subjects within specific discourse and power relations, enabling the formation of identity, selfhood and the constant internalization of social values, norms and "available" knowledge. Subjectivity is a major part that is affected by power relations, since discourses function in order to discipline and control individuals within it,

shaping their points of view, desires and behaviors as a whole. In the attempt of analyzing this step, the ways that discourses operate, how they regulate behavior and normalize certain forms of subjectivity will be revealed and discussed (Willig, 2008).

The data that was used for the analysis refers to the 4 articles that were written about the 2020 and 2022 domestic violence trial, in which 2 were used in the analysis, that involved the actors Johnny Depp and Amber Heard, and also the live video recording of the defamation lawsuit. The articles were collected from ProQuest via the digital library of the University of Derby, and also from various independent articles that derived from Google, as well as YouTube, since the articles that were used in the analysis aimed to contain forms of subjectivity in the case and a descriptive factor around the life and actions both inside and outside the court environment and also in order to analyze language directly emerging from the live trial, videos that contained these information was necessary. The databases were searched for articles containing the terms “Johnny Depp”, “Amber Heard”, “trial”, published from April 2020 to February 2023. Articles below 300 words were excluded. This form of data collection, mainly including articles and videos compliment the use of Foucauldian discourse analysis, since the aim of the analysis is to assess and analyze the use of language, the style of which the language is either written or spoken, and observe how language constructs discourses, how it maintains and shifts power relation and the way that subject positions are formed, through a series of FDA analytical tools (Willig, 2008). The study followed the guidelines of General Data Protection Regulations.

ANALYSIS

This covers the themes that were derived from the 4 articles and video recording regarding the Johnny Depp and Amber Heard case. Specifically, this part of the analysis will be divided into three parts, considering the three different themes that are discussed, where each of the themes describes one or more discourses, the power relation between either societal values and the discourse, or the subject positions within the discourses. The first theme refers to gender discourses, how gender norms were brought up and used before, during and after the court case, and how these structures were either changed or empowered. The second refers to the court environment. This theme is heavily focused on how truth and the multiple perspectives that surround it is treated within a court environment. Language, power relations between the actors and jury and “outside” structures such as media outlets are considered power domes and the interplay between them and the court are the main discussion point. The last one refers to Johnny Depp and Amber Heard being public figures, and how the accusations and the subject positions of each of them influences and also are influenced by historical discourses, are represented by already existing societal groups such as the MeToo movement, or even go against them.

Johnny Depp vs Amber Heard, Man vs Woman

The first extract is from the widely popular UK article called “THE SUN”. It refers to a trial that was held in 2021 and refers to gender norms based on mainly evolutionary and historical discourses based around men and the position that they uphold in a society, with a use of specific language and terms that enhance its’ discursive power (Willig, 2008).

Extract 1

[headline] – *OUT OF HIS DEPP Wife-beater Johnny Depp LOSES bid to appeal ruling after The Sun revealed he beat ex Amber Heard 12 times.*

1. *A judge at the High Court ruled we were right to brand Depp, 57, a "wife beater"*
2. *for the brutal attacks on his ex, 34.*
3. *.....*
4. *Top judges today dramatically ruled against the Hollywood actor as the appeal has*
5. *"no real prospect of success"*

(Article, The Sun, lines 1-2, 6-7).

This extract begins with characterizing Johnny Depp as a “*Wife-beater*” before announcing his name. It can be seen that from the beginning, the language used constructs Johnny Depp as being a violent man towards Amber Heard, who is a woman, already formulating the positions of the ex-couple in their relationship. The term “*Wife-beater*”, is one of the multiple terms that are up to a point “common”, meaning that these terms have been used frequently to describe and input individual men who show aggressive behaviors towards women, in a type of group within a society, as it can be derived by some of the articles mentioned in the introduction, which refer to women having the majority of the public’s spotlight regarding domestic abuse towards them, where when referring to having the man as the victim and not the perpetrator, a lack of interest and attention can be seen

(Bhatasara, Chevo & Changadeya, 2013; Hynes et al., 2015; Khan & Arendse, 2021 Pitman, 2017), therefore constructing the discourse of the man being the perpetrator and woman being the victim as a logical and common factor. This places Johnny Depp, the man, as a subject of higher access to power in regard to the woman, Amber Heard, and also, it constructs a more Patriarchal view in regards to the description of the actors’ relationship dynamic (Hollway, 1984). Later in the extract, the author briefly mentions both actors’ age, which aims to place again Johnny Depp as a subject of higher power within their relationship, as in having an age difference of 23 years. Within the context of a westernized society in 2021, this can be seen as “abnormal” and from a historical context, this type of norm exists in either “eastern” societies or in the past where in both cases the man was the one that held the power within a relationship (Hollway, 1984). The last part of the extract enforces the discursive power of the man being the perpetrator and the woman the victim as “common”, as it states that top judges around Amber Heard’s domestic abuse claims against the actor ruled over the actor’s appeal by stating that it would have “*no real prospect of success*”, showing the subject position of Johnny Depp in this Discourse as already guilty, without being given an opportunity to deny it.

Extract 2

1. *The last-ditch attempt by Depp saw old claims Ms Heard was a "gold*
2. *digger" - dismissed by the High Court previously - dragged back up in*
3. *another character assassination.*
4. *His lawyer Andrew Caldecott QC said the claim was a "calculated and*
5. *manipulative lie", which gave Ms Heard "a considerable boost to her*
6. *credibility as a person".*

(The Sun, lines, 46-51)

This extract refers to a Discourse that was brought up by Johnny Depp, to which he claimed in the past that Amber Heard was a “gold digger”. This discourse refers to women essentially taking advantage of a man’s economic status, by creating a relationship with them, in order to obtain their economical state for themselves afterwards. This creates Amber Heard’s subject position as a perpetrator against Johnny Depp (Willig, 2008), regarding himself as a victim, which relates to the norm of women taking advantage of men, as Johnny Depp is considered a globally successful actor, placing him in a higher sociocultural hierarchical status in comparison to Amber Heard. The later claims of Johnny Depp’s previous lawyer that “*the claim was a calculated and manipulative lie*” brings to light possibly a socially acceptable construct. Firstly, that the discourse of a woman being a “gold-digger”, can be said to “mirror” the sociocultural effects of being an abusive man, since in the extract the claims of Amber Heard being a “gold-digger” were said to be calculated and manipulative, meaning that since, according to the extract, Johnny Depp’s claims could be calculated, a pre-existing discourse of differential equality between genders and abusive claims could be evident, when comparing those two. Further empowering this discourse, it was said that since these claims were denied, Amber Heard’s “credibility” as a person was “boosted”, which by this statement, the inner

workings of the discourse regarding culturally accepted truths can be said to be evident, since in this particular case, the denial of Amber being a “gold-digger” empowered her position of being the victim in her domestic abuse claims against Johnny Depp, therefore possibly creating or empowering a pre-existing gender double standard discourse in regards to abuse (Hollway, 1984).

Truth in Court: An interplay of power

This theme will analyze extracts that were derived from the live courtroom considering the defamation lawsuit of Johnny Depp against Amber Heard. Social constructionism, being the main theoretical foundation behind FDA analysis, explains how reality can and is subjective, with language being a powerful tool that helps create societal norms, structures and therefore truths (Khan & MacEachen, 2021). The court environment heavily relies on language, as it bases the exploration of truth in the context of the accusers and defenders saying, as well as evidence and fundamentally, in order for a truth to be accepted, most of the times the jury makes the final decision, meaning that the participants in a law case are shifting their focus onto constructing a subject position for themselves that a jury environment would support.

Extract 3

1. *Johnny Depp: ... she brought up the situation of the - her - f-f-f-fecal matter on the-*
2. *bed, and- I- hahah, umm and she tried to blame it on the dogs*

(Live court defamation lawsuit derived from YouTube)

Before engaging in the part of the analysis, some context will be provided that was not input in an extract in order to better understand and explain the analysis. Before this testimony from Johnny Depp, as it was later found as evidence, Johnny Depp did not want this information to be public, in sake of their privacy (cited by live court defamation lawsuit derived from YouTube). Moving to the analysis, the actors Johnny Depp and Amber Heard, in spite of the different power dynamics that exist between the two considering their relationship, it can be said that due the context of a court environment taking place, their subject position’s powers are mainly controlled by other subjects within the discourse (Willig, 2008) of the court such as lawyers, jury, the judge and in this particular case, the greater percentage of the world, since this lawsuit is being broadcasted live on YouTube. Johnny Depp’s subject position in that matter has been constructed as relaxed, playful and truthful. This can be explained by the third extract, in which Johnny Depp shares private information about Amber Heard about the fecal matter that she produced on their bed. While firstly it can be seen that the actor takes long pauses, and hesitates in sharing this story, reflecting on what it was mentioned before that he did not want to engage in this information exposure, he was later found laughing as he was telling it and even ridicule it as he later said that Amber “*tried to blame it on the dogs*”. As it was mentioned before that subject positions and power within the discourse of the court are the main vital factors for the pursuit of truth, Johnny Depp uses language in order to construct a subjective truth about Amber Heard, that based on her constructed behaviour, she acts against unwritten societal rules and accepted norms of both the people attending the court and outside of it (Willig, 2008), since it is being broadcasted. This, in an attempt to diminish the subject position of Amber Heard, the constant shift of power dynamics can be observed, and also an evident factor of how language is used to construct a perception of the world, or in this case a perception of a subject position within the discourse (Khan & MacEachen, 2021; Willig, 2008).

Extract 4

1. *Johnny Depp text message: I NEED. I WANT. I TAKE.*
2. *Amber Heard’s lawyer: did I read that right? Johnny Depp: You read that right*
3. *-tthat I did not write that.....*
4. *Amber Heard’s lawyer: When you got off that plane from Boston, you-you-you did*
5. *know that miss Heard was angry with you*

6. *Johnny Depp: (inaudible)...sh-she was always angry yes.....*

(Live court Defamation lawsuit derived from YouTube)

This extract, in the same nature as the previous one, uses language as a way to construct a different subject position regarding Johnny Depp. While the text messages that were not mentioned in this extract, referred to explicit conversations in the company of the actor's friend about a woman, the last text is the one that the analysis is going to be based on, as it constructs the actor's subject position upon a toxic masculinity discourse (Hollway, 1984), in which the man can get and will get the thing he wants, hindering possible acts of enforcement or violence. This refers to the developmental and biological discourse that since the man has biological advantages when it comes to physical power, and through developmental and historical contexts that the man was the hunter/provider in regard to the woman which is the nurturer/caregiver, that the man has and should have the control (Hollway, 1984). This is followed by Amber's lawyers attempts to paint the subject position of Amber being angry at Johnny as logical and therefore constructing a character that does satisfy the norm that exists within the 2020s westernized cultural context. Lastly, an attempt by the actor can be seen as regarding the question that Amber's lawyer provided, in order to defend his subject position as a quiet and caring character, Johnny mentions that "*she was always angry*", placing him in the role of the victim, showing resistance to the toxic masculinity discourse, and furthermore constructing a counter-discourse in which the perpetrator is the woman, while the victim is the man (Willig, 2008). This counter-discourse, while it can be argued to exist already in the modern westernized societies of the 2010s, the influence of having a major public lawsuit involving two globally public figures heavily influences the structures of both the dominant discourse which can be considered the patriarchal discourse (Hollway, 1984) and its' counter-discourse respectively.

Extract 5

1. *Johnny Depp's Lawyer: What were you referring to when you said you and miss*
2. *Heard would write a letter together?*
3. *Johnny Depp: (pause) -I was trying to make a peaceful settlement*
4. *Johnny Depp's Lawyer: And what were you referring to when you said you lost a*
5. *finger?*
6. *Johnny Depp: A large bottle of Vodka severing my- index- errr- my middle finger-*
7. *In Australia.*
8.
9. *Johnny Depp's Lawyer: And what did you say in response when miss Heard said*
10. *tell the world Johnny, tell them Johnny Depp, I Johnny Depp, a man, I'm a victim*
11. *to- of domestic violence?*
12. *Johnny Depp: (smirks) I said yes! - - I am.*

(Live court Defamation lawsuit derived from YouTube)

This extract was considered one of the most important pieces of information that were mentioned throughout the trial's process, that helped Johnny Depp win over Amber Heard. The recording that was shown before the beginning of this extract involved both actors having a conversation with each other about resolving their differences in private, considering their domestic abuse claims that were already public. Johnny Depp's lawyer begins questioning the actor in a way that constructs the characterization of victimhood for the actor. The lawyer mentioned firstly the injuries that the actor suffered, and also that they were caused by Amber Heard. This reinforces the previously mentioned counter-discourse of gender abuse that was analyzed, referring to the victim as being the man, which resists the power of the dominant discourse of the man being the perpetrator (Hollway, 1984). Language as it has been mentioned numerous times throughout this analysis is one of the most vital factors regarding the court's discourse processes, and the way that language, both verbal and non-verbal language is used

between Johnny Depp and the court, constructs the world around it based on what is true, and what is acceptable, not only in the power dynamics involved between Johnny Depp and Amber Heard, but the power dynamics that take place in the wider sociocultural context outside the court environment, due to both of the actors' subject positions in this discourse (Willig, 2008). By placing the actor Amber Heard, a public member of the MeToo movement (The Sun, 2021), as a perpetrator of physical abuse against her older ex-husband Johnny Depp, this can be said to deconstruct some of the "foundations" that held the Patriarchal discourse (Hollway, 1984), in opposition with the counter-discourse of the man being the victim in domestic abuse related confrontations (Willig, 2008). This can also be derived by the last question of Johnny Depp's lawyer, to which she quoted Amber in saying what is your answer to "tell them Johnny, tell them that I, Johnny Depp, a Man, I'm a victim of domestic abuse", to which he responded yes. The lawyer constructed a subject position for Johnny Depp, that not only Amber, but the norm that exists, would think a man posing as a domestic abuse victim would be irregular and irrational. These communication tools, using both language and verbal cues, constructed an accepted discourse within the court environment that the man being the victim was not irrational, but a successfully constructed truth.

Public media and movements regarding public individuals.

The last theme aims to explain and analyze the way public media outlets and movements were influenced by two public individuals, Johnny Depp and Amber Heard. This theme focuses on the conceptualization of cultural contexts. Historical and cultural structures are presented in this theme by analyzing how societies evolve, change throughout time and the processes that take place in order to make that change, which in this essay it revolves around the case of Johnny Depp and Amber Heard. Social structures such as the MeToo movement and the feminism movement will be discussed.

Extract 6

1. *Johnny Depp: ... We write a letter together –*
2. *Amber Heard: ok*
3. *Johnny Depp: saying- that we are going to get this away from the public eye*
4.
5. *SAYING – that the MEDIA- has created such a FUCKING hateful storm – that is*
6. *sickening..*
7.
8. *that we had fights in the past that we had this or whatever - it doesn't matter, here's*
9. *the deal (interrupted)*
10. *Amber Heard: NO IT DOES MATTER – (inaudible), my credibility has been taken*
11. *from (interrupted)*
12. *Johnny Depp: Amber! (inaudible) – th – the abuse – y -you – you have to deal with*
13. *that -*
14.
15. *Amber - - - I – I lost a fucking FINGER man come on*
16. *Amber Heard: you – you could say it was a fair fight.*

(Live court Defamation lawsuit derived from YouTube)

This extract includes a conversation between Johnny Depp and Amber Heard, conversing about how it would be in their both best interest if they ended the public defamation lawsuit and resolved their issues in private. Johnny Depp initiates this idea, by constructing a discourse involving public media, that in quote "the media has created such a FUCKING hateful storm – that is sickening". This discourse portrays how the public media attempts to blame and exaggerate the individual's conflicts, placing the subject positions of Johnny and Amber as two subjects were anything that they do and say, can seem as either guilty and punishable, creating

a hierarchical structure in which the media and the people, are higher in that structure, by collectively verbally diminish each party involved (Donegan, 2022). As reality, is considered to be created by the use of language and laws around a society, the language used by the culture's "participants", can be considered to mirror a collective construct of acceptance, meaning that the factor that decides what is acceptable and what is not in a societal and historical context is its' people. That can also be viewed by the claims of Amber Heard as she states that her credibility has been ruined, further empowering the hierarchical status of the media being above her, while also mentioning that the nature of the career of both parties being actors, thus public figures, their subject positions regarding their career and society depend on the public's normative laws.

The last two lines of this extract show a constant motif that emerges throughout this analysis. While Johnny Depp tries to construct a position of victimhood within their relationship, by saying that she lost him his finger, Amber tries to deconstruct his subjective role by quoting "*you could say it was a fair fight*". A constant discourse surrounding Johnny Depp revolves around a more modern cultural structure that men are not getting enough attention on matters such as domestic abuse (Khan & Arendse, 2021). While on the other hand, Amber Heard is resisting this discourse by empowering her position within a more historical discourse (Hollway, 1984), in which the fact that she cannot deny her involvement in her ex's husband injury with his finger, she tries to construct a reality in which this was acceptable, by saying that this was a fair fight, were if taking into consideration her subject position throughout the trial, Amber was placed in a more developmental discourse herself, with beliefs that since the man developmentally is physically more enhanced (Hollway, 1984)), this would not be considered a fair fight, thus inclining more on her attempting to deconstruct Johnny's discourse, rather than resolve their problems.

Extract 7

1. *"I spoke up against sexual violence – and faced our culture's wrath."*
2.
3. *This trial has turned into a public orgy of misogyny. While most of the vitriol in*
4. *nominally directed at Heard, it is hard to shake the feeling that really, it is directed*
5. *at all women – and in particular, at those of us who spoke out about gendered abuse*
6. *and sexual violence during the height of the #MeToo movement. We are in a*
7. *moment of virulent antifeminist backlash...*
8. ...
9. *One woman has been made into a symbol of a movement that many view with fear*
10. *and hatred, and she's being punished for that movement*

(The guardian, The Amber Heard – Johnny Depp trial was an orgy of misogyny, lines, 8-9, 59-64)

This extract engages on a different point of view, referring to how the conflict between Johnny Depp and Amber Heard has affected two different westernized cultured constructions. The first line refers to what Amber Heard mentioned in her article on The Sun, which directly brings to light the feminism discourse. The language used in the first line constructs the normative reality of how women are treated when they speak out about their sexual abuse experiences. By the line "*faced our culture's wrath*", an indication of an existent hierarchical status can be observed, where women are objectified, and mistreated by the culture's standards in regards to themes as sexuality and abuse (Hollway, 1984), co-existing with the historical discourse of toxic masculinity and patriarchy, in which women's status in the wider societal context, considering their position in society, are often seen as below their counterpart's position. The author of this article further engages in this statement, claiming that the trial between the actor's reflected how women all across the world are treated. As Amber Heard is a public figure which supports the MeToo movement, the author constructed a link between the MeToo movement

and the loss of Amber Heard's trial appearance as a "predictable" outcome, where women who speak out about abuse claims are more often than not shut down, claiming that the society has constructed an anti-feminist discourse, countering therefore the feminist act which originated in the 70s (Hollway, 1984). This statement refers to women being powerless, re-constructing the patriarchal discourse that, as it was analyzed before, Johnny Depp attempted to resist, placing men higher in the society's hierarchy as normative, and placing Amber Heard and women as a group going against it, and attempting to change it.

DISCUSSION

In the part of the analysis, three major themes surrounding the Johnny Depp and Amber Heard domestic abuse case were analyzed. The first one being the gender differences that were constructed between the two parties. The second theme focused on the context of the trial environment and how laws and language are constructed differently within this context. The last theme focused on social constructions such as the MeToo movement and the feminism act and how these were indirectly affected by the interplay of power between Johnny Depp and Amber Heard.

Furthermore, the first theme reflects on two basic modern gender sexualization discourses. The patriarchal discourse reflects on how men, from a historical context of showing aggressive behaviors and a subject position of them being considered as hunters (Hollway, 1984), it constructs the position of men being sexually violent and abusive towards women as a logical conclusion in domestic abuse cases, which can correlate with the studies of (Hynes et al., 2015 ; Pitman, 2017), which the participants, as well as the researchers exhibited behaviors of inclining in ideologies of the Man being the perpetrator as normative. This can be further observed by the claims the author made in the article *The Sun* and the UK's legal system, in which Johnny Depp was targeted as an abusive husband to Amber Heard, without given a chance to decline these accusations in a court environment, while also having a major information-sharing structure in UK such as *The Sun*, to further empower the position of Johnny Depp being the abuser, as he was subjected to. The second extract, contradictory to the first one, brought forth a discourse which places women as taking advantage of men's societal and economical status for their benefit by creating the term gold-digger (Hollway, 1984)). This can be seen as a counter-discourse to the previously mentioned one, as the operations behind this discourse rely on how claims of men being abusive are considered fake constructions that women make in order to firstly diminish their societal status and obtain their economic status for themselves. This discourse aims to shift the power that men who are participating in the patriarchal discourse have, in order for them to obtain the role of the victim rather than the perpetrator.

The second theme revolves around language and laws within court. Social constructionism refers to terms that often are considered as mainly biological and immutable, such as gender, as socially constructed and fluid, with individual's perceptions and language usage being the fundamental tools that are used in constructing subjective realities (Young & Colin, 2004). Considering the theory of social constructionism, the defamation trial regarding Johnny Depp and Amber Heard involved a significant number of how power relations between them shifted with the usage of language and presented evidence, which unless the court dismisses, they can be considered as truths. The court discourse takes into consideration multiple roles that take part in establishing a decision, ranging from jury, judge, lawyers and in this case public opinion. Based on this statement, power relations and constructions of subject positions of both Johnny Depp and Amber Heard were observed, as relating to the third extract that was analyzed, Johnny Depp shared a private story involving the ex-couple, where Amber defecated in their bed, accompanied with a slight laughter. This constructed the role of Johnny as being truthful and likable, while subjecting Amber's role with accompanied feelings of disgust, a discourse

in which Johnny is favored both by the jury, and the public media. This was followed by Amber Heard's team of revealing explicit texts, in which Johnny Depp showed behaviors such as sexual violence and force ("I NEED. I WANT. I TAKE."), which like before, aimed to change the subject position of Johnny Depp being a likable and honest character, and construct a different role for the actor as being capable of distributing abusive and "anti-feminist" behaviors (Donegan, 2022). These instances exhibited a constant pattern that was noticeable throughout the trial, where the focus did not rely only on telling the truth, but how the jury, the judge and the public eye would construct their subjective truths regarding the actors (Khan & MacEachen, 2021), thus emerging the pattern of constantly constructing and deconstructing Johnny's and Amber's subject positions in court, where ultimately Johnny, by stating that he was indeed a victim of domestic abuse, both empowered his subject position as truthful and likable, and also went against the discourse that was mentioned in the first theme, of men being the perpetrators as being common.

The third and final theme refers to the influence that the conflict between the two actors had in regard to the wider societal context outside the courtroom, as well as how the public media influenced the relationship between the two actors, where specifically two major movements were brought up, the MeToo movement, and the feminism act. In the sixth extract, Johnny described how the media took a persecutory role in their life, as Johnny claimed to have exaggerated the significance of their claims. This can be said to show some of the processes that define the wider cultural discourse around domestic abuse, while possibly dividing culture into two different groups. The ones that go against Johnny Depp, therefore supporting the Patriarchal discourse, and the ones that go against Amber Heard, supporting the exploiting discourse, in which women take advantage of men. An example of this possible division can be seen in the last extract, in which the author is against Johnny Depp's victory, marking it as a clear resemblance to what happens when women stand up to domestic abuse (Donegan, 2022). Considering the fact that Amber Heard is part of the MeToo movement, and a public figure also, this loss, based on the author, resembled not only the actor, but the position of all women in society, claiming that society operates within anti-feministic laws, therefore constructing a discourse around women not having the same opportunities and rights as men have (Donegan, 2022). This claim goes against a study that was mentioned in the introduction, in which the researchers (Khan & Arendse, 2021) claimed that contradictory to women's abuse cases, men do not often get the appropriate recognition and attention needed, as them being the victims while women are the perpetrators.

CONCLUSION

In conclusion, a key factor that was evident throughout the essay is the concept of fluidity regarding gender. As Foucauldian Discourse Analysis mentions, laws, norms and truths are social constructs, and not based only on biological and developmental factors, but rather than sociocultural concepts within specific contexts. Foucault's concept of power was a constant theme that surrounded the case of Johnny Depp and Amber Heard, with power being either used as a tool of creation of discourses, resisting discourses or altering certain subject positions within the discourses, while also, the use of language, especially in the court environment, was in many instances observed to be a tool of constructing subjective realities, hindering concepts of both power and language as the fundamental tools that are used in constructing the social world. Future directions involving this study could focus on either other discourses or cultures that this study did not include, such as taking into consideration eastern cultures and their historical contexts.

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Appendices

Table of themes (on next page)

Themes	Extract	Source
Johnny Depp vs Amber Heard: Man vs Woman	A judge at the High Court ruled we were right to brand Depp, 57, a "wife beater" for the brutal attacks on his ex, 34. Top judges today dramatically ruled against the Hollywood actor as the appeal has "no real prospect of success"	The Sun (lines, 1-2, 6-7)
Johnny Depp vs Amber Heard: Man vs Woman	The last-ditch attempt by Depp saw old claims Ms Heard was a "gold digger" - dismissed by the High Court previously - dragged back up in another character assassination. His lawyer Andrew Caldecott QC said the claim was a "calculated and manipulative lie", which gave Ms Heard "a considerable boost to her credibility as a person".	The Sun (lines, 54-61)
Truth in Court: An interplay of power	Johnny Depp:... she brought up the situation of the - her - f-f-f-fecal matter on the-bed, and- I- hahah, umm and she tried to blame it on the dogs	Live defamation lawsuit derived from YouTube
Truth in Court: An interplay of power	Johnny Depp text message: I NEED. I WANT. I TAKE. Amber Heard's lawyer: did I read that right? Johnny Depp: You read that right -that I did not write that..... Amber Heard's lawyer: When you got off that plane from Boston, you-you-you did know that miss Heard was angry with you Johnny Depp: (inaudible)...sh-she was always angry yes.....	Live defamation lawsuit derived from YouTube
Truth in Court: An interplay of power	Johnny Depp's Lawyer: What were you referring to when you said you and miss Heard would write a letter together? Johnny Depp: (pause) -I was trying to make a peaceful settlement Johnny Depp's Lawyer: And what were you referring to when you said you lost a finger? Johnny Depp: A large bottle of Vodka severing my- index- errr- my middle finger- In Australia. Johnny Depp's Lawyer: And what did you say in response when miss Heard said tell the world Johnny, tell them Johnny Depp, I Johnny Depp, a man, I'm a victim to- of domestic violence? Johnny Depp: (smirks) I said yes! - - I am.	Live defamation lawsuit derived from YouTube
Public media and movements against public individuals	Johnny Depp: ... We write a letter together – Amber Heard: ok Johnny Depp: saying- that we are going to get this away from the public eye SAYING – that the MEDIA- has created such a FUCKING hateful storm – that is sickening.. that we had fights in the past that we had this or whatever - it doesn't matter, here's the deal (interrupted) Amber Heard: NO IT DOES MATTER – (inaudible), my credibility has been taken from (interrupted) Johnny Depp: Amber! (inaudible) – th – the abuse – y -you – you have to deal with that - Amber - - - I – I lost a fucking FINGER man come on Amber Heard: you – you could say it was a fair fight.	Live defamation lawsuit derived from YouTube
Public media and movements against public individuals	"I spoke up against sexual violence – and faced our culture's wrath."	(The guardian, The Amber Heard – Johnny Depp trial was an orgy of misogyny, lines, 8-9, 59-64)

	<p>.....</p> <p>This trial has turned into a public orgy of misogyny. While most of the vitriol is nominally directed at Heard, it is hard to shake the feeling that really, it is directed at all women – and in particular, at those of us who spoke out about gendered abuse and sexual violence during the height of the #MeToo movement. We are in a moment of virulent antifeminist backlash...</p> <p>...</p> <p>One woman has been made into a symbol of a movement that many view with fear and hatred, and she’s being punished for that movement</p>	
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Spider-Graph

Article 1

Wife-beater Johnny Depp LOSES bid to appeal ruling after The Sun revealed he beat ex Amber Heard 12 times



Johnny Depp vs Amber Heard: Man vs Woman

Article 2

The Amber Heard – Johnny Depp trial was an orgy of misogyny



Public media and movements against public individuals

Courtroom

Live broadcast of Defamation lawsuit



Truth in Court: An interplay of power

Article 3

Amber Heard: I spoke up against sexual violence – and faced our cultures wrath. That has to change



Feminism vs Patriarchy

Article 4

Johnny Depp loses libel case over Sun ‘wife beater’ claim


