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1. Introduction

The Johnny Depp and Amber Heard trial has been a subject of debate in the media not just for the duration of the trial, but already before and even after the court proceedings. Millions of people around the globe were glued to the YouTube streams which reported from inside the courtroom (Bodhan Zaveruha 2022). This fascination has still not worn off, which is reflected in the numerous newspaper reports, TikTok memes and YouTube videos surrounding the Pirates of the Caribbean actor and his ex-wife.

This paper analyzes an article about the Johnny Depp vs. Amber Heard trial and discusses how it can be utilized for the EFL classroom. The article “The Johnny Depp – Amber Heard Trial Is Not as Complicated as You May Think” was written by Jessica Winter and published online in the cultural comment section of The New Yorker on May 23, 2002. Jessica Winter has been an executive editor at The New Yorker since 2017 (Linkedin 2022). She writes about topics regarding family and education and is the author of the novels “Break in Case of Emergency” and “The Fourth Child” (The New Yorker 2022).

2. Background

2.1. Johnny Depp and Amber Heard’s relationship

Johnny Depp and Amber Heard met in 2009 on the set of ‘The Rum Diary’. At that time, both Depp and Heard were in relationships. Three years later Depp and Heard started dating. In February 2015, Depp and Heard got married in an intimate ceremony on his private island in the Bahamas (Sarkisian, Ntim, Adekaiyero 2022, Chiu 2015). In May 2016, after 15 months of marriage, Heard filed for divorce from Depp stating ‘irreconcilable differences’. Only two days later, Heard filed for and was granted a temporary restraining order against Depp on grounds of domestic abuse charges (Warner 2022). More and more details of their rocky relationship surfaced. The couple reached an out of court 7-million-dollar settlement in August 2016. Heard publicly stated that she would donate the entire \$7 million to charity – half of it to the American Civil Liberties Union and the other half to the Los Angeles Children’s hospital

(Sarkisian, Ntim, Adekaiyero 2022). The divorce was eventually finalized in 2017. Then in December 2018, Heard wrote an op-ed for The Washington Post titled “I spoke up against sexual violence – and faced our culture’s wrath. That has to change.” (The Washington Post 2018). In the op-ed, Heard discusses her alleged abuse and how victims of domestic abuse are treated in public (Sarkisian, Ntim, Adekaiyero 2022). Although Heard did not mention Depp by name, it was clear that she was talking about him. Consequently, in 2019, Depp filed a \$50 million lawsuit against his ex-wife claiming that he lost jobs because of the allegations in the op-ed. Due to the Covid-19 pandemic the lawsuit had to be postponed numerous times. In 2020, Depp sued the British tabloid The Sun for libel because they had referred to him as a “wife-beater” in one of their articles (Warner 2022). The British court ruled in favor of the tabloid. Finally, in April of this year, Depp’s postponed defamation lawsuit against Heard commenced. The trial took place in Fairfax County, Virginia from April 11, 2022 to June 1, 2022.

3. Language Analysis

3.2. ‘Deep Dive’ into the word *allege*

The word *allege* “is most commonly used in a legal context and in journalism in reports about crime or other wrongdoing before it has been proven or before someone has been convicted.” (Dictionary 2022). Since Johnny Depp has never been charged with nor convicted of domestic abuse, the author has to carefully consider her wording. Therefore, she makes use of the word *allege* when talking about, for example, acts of violence. Furthermore, using the word *allege* allows the author to discuss claims “without seeming to presume guilt (and getting sued for libel)” (Dictionary 2022). Due to the relevance of these words regarding the matter at hand, I decided to take a closer look at the word *allege*, its derivatives, its synonyms and frequent word combinations.

The word *allege* and its derivatives are shown in Table 4.

Word	Word Type	Definition
to allege (C2 level)	verb	= to state that something bad is a fact without giving proof e.g. The two men allege (that) the police forced them to make false confessions. e.g. It was alleged that Johnson had struck Mr. Rahim on the head.
alleged (C1 level)	adjective	= said or thought by some people to be the stated bad or illegal thing, although you have no proof e.g. The family was on vacation when the alleged crime took place.
allegedly (C2 level)	adverb	= used when something is said to be true but has not been proved e.g. The company is being investigated for allegedly falsifying sales records.
allegation (C1 level)	noun	= a statement, made without giving proof, that someone has done something wrong or illegal

		e.g. Several of her patients have made allegations of professional misconduct about/against her.
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Table 4: *Allege: derivatives and meanings*

(Source: Cambridge Dictionary, n.d.)

Examples of how the adjective *alleged* is used in the article (highlighted in green):

- 1) “Both Depp’s legal team and the #JusticeforJohnny and #AmberTurd armies on social media have focussed on flawlessly gorgeous photographs taken of Heard after alleged severe beatings and, especially, on her claim that she appeared on James Corden’s late-night talk show with “two black eyes” and a nose that she suspected was broken.“
- 2) “You don’t have to like Heard to sympathize with her when one of Depp’s lawyers, Camille Vasquez, who cross-examines all of the defense witnesses in a tone of incredulous contempt, repeatedly confirms with her that she did not seek medical attention after some alleged incidents of violence;[...]“
- 3) „You don’t have to believe everything Heard says to be startled when a Law&Crime guest, the defense attorney Lara Yeretian, wonders aloud, after hours of Heard’s testimony, why she stayed with her alleged abuser [...]“

Based on the above quotes from the article, it is evident that the adjective *alleged* is frequently used with certain kinds of nouns. The three examples from the text cited above show the word combinations, such as, *alleged severe beatings*, *alleged incidents of violence* and *alleged abuser*. The term collocation refers to the combination of words that over time has come to be seen as standard and acceptable.

According to MacMillan Dictionary (n.d.) nouns that are frequently used as the object of *allege* are, for example, abuse, breach, discrimination, fraud, infringement, misconduct, negligence, and violation. Furthermore, Word Reference (n.d.) states following collocations including the word *allege*: the [plaintiff, prosecution, defendant] alleged that, the [politician, president] is alleged to have [been, done, known], it has been alleged that, released a [report, study] alleging that, alleging [violations, discrimination, fraud], alleging improper [use, sale] of.

As far as synonyms are concerned, Harmer (2007: 36) points out that “words can also have synonyms that mean exactly or nearly the same as each other”. Depending on context, for

example, bad and evil or good and decent can be synonyms. However, it is rather difficult to come across a real synonym (Harmer 2007:36). As far as the word *allege* is concerned, Merriam-Webster (n.d.) offers several synonyms. A selection of them can be found in the table below (Table 5). As can be seen in Table 5, most of the synonym for *allege* have more than one meaning.

Synonym	Meaning(s)	Example(s)
affirm	<ol style="list-style-type: none"> 1. to state as a fact usually forcefully 2. to state clearly and strongly 	<ol style="list-style-type: none"> 1. The curator is unwilling to affirm without further study that the painting is an original Rembrandt. 2. Our business partner affirmed his trust in us, and we in turn promised not to let him down.
assert	<ol style="list-style-type: none"> 1. to state clearly and strongly 2. to state (something) as a reason in support of or against something under consideration 3. to state as a fact usually forcefully 	<ol style="list-style-type: none"> 1. A superpatriot who is never afraid to assert her allegiance to flag and country. 2. The construction company asserted that a new roof would be necessary if the church was to remain open. 3. The curator vigorously asserted that what passes for art these days is absolute rubbish.
claim	<ol style="list-style-type: none"> 1. to state as a fact usually forcefully 2. to ask for (something) earnestly or with authority 3. to deprive of life 4. to have as a requirement 	<ol style="list-style-type: none"> 1. There are people who claim that they have been kidnapped by aliens from other worlds. 2. After many years had passed, he suddenly appeared to claim his inheritance. 3. Cancer claims hundreds of thousands of Americans each year. 4. Caring for her three small children claims virtually all of her time.

contend	<ol style="list-style-type: none"> 1. to engage in a contest 2. to state (something) as a reason in support of or against something under consideration 3. to state as a fact usually forcefully 	<ol style="list-style-type: none"> 1. Ferrari and Mercedes are two traditional rivals contending for the championship. 2. He contended that the senator's considerable experience made him the best candidate. 3. The contestant contended that his opponent was wrong about practically everything.
declare	<ol style="list-style-type: none"> 1. to make known openly or publicly 2. to state as a fact usually forcefully 3. to state clearly and strongly 4. to make known (something abstract) through outward signs 	<ol style="list-style-type: none"> 1. She chose to declare her presidential aspirations at her college alma mater. 2. She would declare her innocence to the whole world if she could. 3. Our guest enthusiastically declared that the pie was the best he had ever eaten. 4. Though she was silent, her expression declared her unwillingness to go along with the others.
insist	to state as a fact usually forcefully	She continued to insist that she was right, even in the face of overwhelming evidence to the contrary.
profess	<ol style="list-style-type: none"> 1. to present a false appearance of 2. to state clearly and strongly 3. to state as a fact usually forcefully 	<ol style="list-style-type: none"> 1. She professed friendship while secretly plotting revenge. 2. The lonely woman professed her love in a series of letters to the soldier. 3. He professed his innocence to anyone who would listen.

Table 5: Synonyms of the verb *allege*

As can be seen from the examples provided in Table 5, the meanings of the synonyms provided by the online dictionary are not identical due to nuances and variations in meaning. Thus, these synonyms cannot simply be substituted for the word *allege*.

4. Teaching Potential

4.1.2. 'Deep Dive' into the word *allege*

The article provides numerous interesting words and phrases. As the word *allege* is of great importance for the article and for the understanding of the matter of defamation, I decided that extensive research on the word would be beneficial for learners. Through this practice, learners will become familiar with not just the word *allege* but also its different forms, derivatives and meanings. On top of that, students will learn more about the concept of synonyms and its difficulties.

As far as activities are concerned, learners could be encouraged to do their own (online) research on the word *allege* in pairs or small groups. The teacher could provide some guiding key points such as "Come up with a definition!", "In what contexts is the word used?", "Find two synonyms.", "What other words with the word stem *allege* are their?". Moreover, learners could also create a poster with important key facts about the word.

4.2. Beyond the text

First, teachers could use this article to discuss objectivity in media. Therefore, different material, for example, the article "The lost meaning of 'objectivity'" by the American Press Institute on the topic could be implemented into the lesson; the article can be found via the following link: <https://www.americanpressinstitute.org/journalism-essentials/bias-objectivity/lost-meaning-objectivity/>. Subsequently, teachers could turn to the Johnny Depp vs. Amber Heard article and raise questions such as "Is the article objective?", "Does the article favor one party over the other?", "Is the author biased against Johnny Depp/Amber Heard?" and "If so, how is this evident in the text?".

Second, I wanted to create an activity that aims to include as much of the language of the article as possible in a way that is relevant for teenagers/young adults.

1. Learners should work together in small groups (3-4 people). They should research the verdict of the Johnny Depp vs. Amber Heard case and note down key aspects about it. Afterwards, learners should produce a gripping TikTok video (about 30 to 60 seconds long) pertaining this case (no real upload necessary). It could summarize the trial, state their opinion on it, or highlight a specific aspect of it.
2. Learners need to include at least five terms of both law vocabulary and social media vocabulary from the article into their TikTok. Furthermore, learners are encouraged to be creative and come up with some funny/captivating hashtags.

3. Learners are encouraged to present their TikToks in plenary in one of the following lessons.

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Appendix

The Johnny Depp–Amber Heard Trial Is Not as Complicated as You May Think

The entirety of the case rests on twelve words.

By **Jessica Winter**

May 23, 2022



In a disturbing sense—whether in the throngs of his fans outside the courthouse or the inescapable #AmberHeardIsALiar memes on every platform—Depp’s reality has been made our own.

Photograph by Cliff Owen / Consolidated News Pictures / Getty

In recent weeks, as the defamation trial brought by Johnny Depp against his ex-wife Amber Heard has continued to overshadow nearly all other news stories and dominate the main social-media platforms, I’ve noticed that the normal people in my life—the ones who have not had the Law&Crime Network live stream of the proceedings running on their laptops since it began, in April—are often under the impression that the case is impenetrably complex. They aren’t entirely wrong: Depp-Heard 2022, playing at least through the end of this week in Fairfax, Virginia, is the sludge pit of an outlandishly toxic relationship. But so much of the online chatter about the trial is noise rather than signal; it has obscured how simple the core matter is, and how that simplicity makes the case all the more bizarre and tragic.

Depp’s fifty-million-dollar defamation claim against Heard rests on the first part of one sentence, which she published in an op-ed in the *Washington Post* in December, 2018: “Then two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture’s wrath for women who speak out.” It is incontestable that, two years earlier, Heard did indeed appear on the cover of *People* magazine with apparent facial injuries and that, around the same time, she obtained a temporary restraining order alleging domestic violence against her husband; she was photographed leaving the courthouse with what looked like a bruise on her cheek. She also has a trove of text messages, witness statements, and photos of injuries—which, she says, corroborate her allegations of abuse. The careful legal vetting of her *Post* op-ed may be evident in the wording: Heard calls herself a “public figure representing” abuse, not a victim or survivor of it; she does not name Depp, nor does she specify a type of abuse. (Depp has denied ever hitting or assaulting Heard; she is countersuing him for a hundred million dollars.)

As for whether Heard has “felt the full force of our culture’s wrath,” a quick glance at Facebook, Instagram, TikTok, Twitter, YouTube, and other platforms, where she is cast as the Medusa of Sunset Boulevard, may settle the question. The precise demographics of the pro-Depp coalition are diverse, if uncertain in their exact proportions: bots, shitposters, men’s-rights activists, women who were in middle school when “Edward Scissorhands” came out. According to *Wired*, the hashtag #JusticeforJohnnyDepp has surpassed ten billion views on TikTok. Parody videos of Heard’s emotional testimony are already a TikTok cliché. The conservative site the Daily Wire spent tens of thousands of dollars to promote mainly anti-Heard content on Facebook and Instagram about the trial, per a story in Vice World News. (The Daily Wire has not commented on the story.) NBC News has reported on the YouTube creators who pivoted to anti-Heard videos when they realized how much users and the algorithm liked them.

But that half-sentence in the *Post*—that’s the whole case. That’s fifty million dollars. Depp lost a 2020 defamation lawsuit against a British tabloid, the *Sun*, which was far more brazen in its language—it called Depp a “wife beater”—and, despite the United Kingdom’s strict libel laws and a reversed burden of proof, the High Court in London found the vast majority of Heard’s claims to be “substantially true.” And yet, earlier this month, the presiding judge in the Virginia case, Penney Azcarate, rejected Heard’s motion to dismiss. Azcarate cited “evidence that jurors could weigh that the statements were about the plaintiff, that the statements were published and that the statement was false, and that the defendant made the statement knowing it to be false or that the defendant made it so recklessly as to amount to willful disregard for the truth.”

The evidence that jurors must weigh varies widely in its apparent relevance to Depp’s defamation claim. Just today, the jury and viewers at home were treated to closeup views of Depp’s bloody finger stump, injured in a domestic fracas in Australia. Earlier in the trial, we saw images of the deranged, slut-shaming messages that Depp scrawled in paint or blood using the selfsame freshly injured stump. There are also Depp’s texts sent before he married Heard—in which he calls her a “worthless hooker,” jokes about how he’ll “smack the ugly cunt around,” and, at one point, shares a brainstorm with the actor Paul Bettany: “Let’s drown her before we burn her!!! I will fuck her burnt corpse afterwards to make sure she’s dead.” There’s footage of Depp trashing a kitchen and audio recordings of him telling Heard, “Shut the fuck up. . . . Don’t fucking pretend to be authoritative with me. You *don’t exist*.” Depp, to review, is the plaintiff in the defamation trial, and the one whom most of social media is rooting for.

How Far Can Abused Women Go to Protect Themselves?

It should be acknowledged that Heard, at times, has made questionable statements about her relationship with Depp and its aftermath. Both Depp’s legal team and the #JusticeforJohnny and #AmberTurd armies on social media have focussed on flawlessly gorgeous photographs taken of Heard after alleged severe beatings and, especially, on her claim that she appeared on James Corden’s late-night talk show with “two black eyes” and a nose that she suspected was broken. On the other hand, two pieces of evidence that her detractors hold up to allege that it was Heard, in fact, who was abusive—an audio recording in which she admits to hitting him and another

in which she **mocks** any **claim** he might make of being a victim of domestic violence—both so **und uncannily** like fragments from a darvosenario, in which an abuser **denies** what he is doing at the same time that he **deflects** and **projects his behavior onto** the person he is abusing.

You don't have to trust Amber Heard to look at twelve words in a newspaper column and wonder why they **serve as** an invitation to listen to her **sobbing incoherently in an** ugly argument with **her unmoved** spouse, or to read texts in which Depp calls her a “gold digging, low level, dime a dozen, mushy, pointless dangling overused flappy fish market.” **You don't** have to like Heard **to sympathize** with her when one of Depp's lawyers, Camille Vasquez, who **cross-examines** all of the defense witnesses **in a tone** of incredulous **contempt**, repeatedly confirms with her that she did not **seek medical attention** after some alleged incidents of violence; or, on **redirect**, when Heard's flustered lawyer, Elaine Bredehoff, is unable to formulate questions that would permit Heard to defend herself. (Vasquez has taken fearsome advantage of **what appears to** be Azcarate's **unusually rigid application** of hearsay.) You don't have to believe everything Heard says to be **startled** when a Law&Crime guest, the defense attorney Lara Yeretsian, **wonders aloud**, after hours of Heard's testimony, why she stayed **with her alleged** abuser—a question so exhaustively **asked** and **answered** over decades of work by domestic-violence advocates that it inspired an activists' hashtag eight years ago. “It's a question that I'm sure a lot of people are asking today,” Yeretsian said.

The longer the trial **slogs on**, and the more that various third parties profit from it, the more difficult it is to **fathom** Depp's motivations for **instigating** it. He and his supporters say he filed the suit to clear his name, but it **has put** more terrible behavior of his on the record than any scrubbed **and ghostwritten op-ed could** do. In fact, if you spend enough time inhaling the sulfurous fumes of the Depp-Heard live stream, what it starts to **resemble** most is a, general-admission form of **revenge porn**, an act in which the person with the upper hand in a relationship forces the other to be complicit in the **sharing and dissemination** of raw, vulnerable, **literally sensational moments for the delectation** of an unseen audience. One of the **hallmarks** of revenge porn is the way it freezes its victim in time, a **plight** that Heard summoned at the end of her direct examination. “I want to move on with my life,” she said. “I want to move on, I want to move on, I want Johnny to move on, too. I want him to leave me alone.” But the consequences of his legal action against her will **never leave her alone**. This is who she is now—the victim of an unprecedented Internet pile-on, **a bruised face** on an iPhone, a woman who makes people laugh when she cries.

Johnny Depp cannot be frozen in time in the same way. He **has been** a **household name** since Amber Heard was a **toddler**, and, though it can be difficult to remember now, he was once the **most wondrously idiosyncratic brand of megastar**: he worked with **auteurs**, made weird **European art-house films**, **took chances**, loaned his **clout** around, deployed his looks and his sexual magnetism to mess with gender norms. When he accepted a role in a film based on a theme-park ride and played it slant, it counted in Hollywood terms as a **subversive** act; it made him the biggest movie star in the world and one of the **highest-paid**, and within a few years he stopped being interesting. As the **pro** of a **five-film Disney blockbuster franchise**, **he will never be cast out** of the **citadel** of extreme **fame** and **wealth**. The Fairfax trial **affords many glances inside** this extravagant yet **bleak fortress: the insulating layers of handlers and yes-men**; the huge, empty homes **loaned out to hangers-on**; the noxious mix of **paranoia, dependence**,

and impunity bred by ultra-celebrity; the disorienting suspicion that everything is permitted and nothing necessarily has to be true. That's the magic of movies, perhaps.

When Heard obtained the temporary restraining order against Depp, she stated, "His relationship with reality oscillates." Under direct examination in the Fairfax trial, Heard offered context for a recording of a telephone conversation with Depp from shortly after she filed for divorce, in 2016, in which she tried to persuade him to agree to a mutual gag order, owing to the ample evidence that she had against him. This recording is extraordinary, and so is what Heard said on the stand about it. "I was begging Johnny to not make me prove what I've had to sit on the stand in front of all of you and prove," she said. "I was begging not to do this, not to sit where I'm sitting today. I didn't want this. I don't want to be here. I didn't want to be there then. And I was trying to point out something to somebody who I thought did not have a firm grasp on reality."

In a sense, though, Depp may be permanently excused from reality. This may help to explain why he wanted this trial, why he got it, and why, against all odds, he has a decent chance of winning it. In another, more disturbing sense—whether in the adoring throngs of his fans outside the courthouse each morning or the inescapable #AmberHeardIsALiar memes on every platform—Depp's reality has been made our own. "She's begging for total global humiliation... She's gonna get it," he said in a text from 2016. It might have seemed grandiose at the time.