

Opinion

United States: The Amber Heard-Johnny Depp trial was an orgy of misogyny

Wednesday 8 June 2022, by [DONEGAN Moira](#) (Date first published: 3 June 2022).

The backlash to #Me Too has long been under way. But this feels like a tipping point

In text messages to friends, Johnny Depp fantasized about murdering his then-wife, the actress Amber Heard. "I will fuck her burnt corpse afterwards to make sure she's dead," [Depp wrote](#). In other texts, he disparaged his wife's body in luridly misogynist terms. "Mushy pointless dangling overused floppy fish market," he called her.

The texts became public as part of Depp's defamation suit against Heard, now at trial in a Virginia court. Ostensibly, Depp is suing over a [2018 article](#) that Heard published in the Washington Post, titled "I spoke up against sexual violence - and faced our culture's wrath." In the piece, the actress writes, "Two years ago, I became a public figure representing domestic abuse." The article does not mention Depp, but his lawyers say that the piece was about him - and was defamatory. For those 11 words, Depp sought \$50m.

A jury thought he deserved \$15m. On Wednesday, the case's verdict came in, finding that Heard defamed Depp, acting with "malice," when she described herself as a victim of domestic abuse. Bizarrely, the same jury found that one of Depp's lawyer's defamed Heard when he accused her of staging a "hoax" scene of abuse to which police were called at the couple's home. The verdict came after a trial that was televised - an extremely rare situation for a proceeding that concerns allegations of domestic violence - and which was subject to almost inescapable media coverage, nearly all of it in favor of one litigant, even as the jury was not sequestered. The strange, illogical, and unjust ruling has the effect of sanctioning Depp's alleged abuse of Heard, and of punishing Heard for speaking about it. It will have a devastating effect on survivors, who will be silenced, now, with the knowledge that they cannot speak about their violent experiences at men's hands without the threat of a ruinous libel suit. In that sense, women's speech just became a lot less free.

Over the past six weeks, as the trial was live-streamed online, many of those who have tuned in to watch have treated Heard with the same contempt that Depp did in his texts. A broad consensus has emerged online that Heard must be lying about her abuse. She has been accused of faking the photos of her injuries from Depp's alleged beatings, painting bruises on with makeup. She's been accused of convincing the multiple witnesses who say Depp abused her to lie - repeatedly and under oath - for years. These conspiracy theories are unsupported by the facts of the case, but that has not stopped them from spreading. Online, the case has taken on a heady mythology, and belief in Depp's righteousness persists independent of the evidence.

In the service of this myth, any cruelty can be justified. When Heard took the stand, she became emotional as she recounted how Depp allegedly hit her, manipulated and controlled her, surveilled her and sexually assaulted her. Afterwards, ordinary people, along with a few celebrities and even

brands like [Duolingo](#) and [Milani](#), took to social media to mock or undermine Heard. They took screenshots of her weeping face and made it a meme. Many performed mocking re-enactments of her testimony, lip-syncing along as she recounted the alleged abuse. The audio of her crying became a TikTok trend. This cruelty has now been joined in and compounded by the jury, who have gone beyond mocking her for telling her story, and now declared that she actually broke the law by doing so.

This is not the first time Depp has sued over the allegations. In 2020, a British court heard Depp's lawsuit against the British tabloid the Sun, which Depp sued for defamation after an article referred to him as a "wife beater". UK courts are much more amenable to defamation claims than American ones, but Depp still couldn't prevail: the British judge found that the Sun's characterization of Depp was "substantially true". That same trial found that Depp physically abused Heard on at least 12 occasions. Yet the actor and his fans claim that it was Heard, not Depp, who was the abuser in their marriage.

The 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, and the modest gains that were made in that era are being retracted with a gleeful display of victim-blaming at a massive scale. 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. In this way, Heard is still in an abusive relationship. But now, it's not just with Depp, but with the whole country.

Since she published her Post piece, Heard's life has been consumed by the rage and retaliation of Depp and his fans. Lost in the scandal and spectacle of the lawsuit has been this reality: it is Heard, not Depp, who has been put on trial, and she is on trial for saying things whose truth is evidenced by the very fact of the lawsuit itself. Depp's frivolous and punitive suit, and the frenzy of misogynist contempt for Heard that has accompanied it, have done a great deal to vindicate Heard's original point: that women are punished for coming forward. What happens to women who allege abuse? They get publicly pilloried, professionally blacklisted, socially ostracized, mocked endlessly on social media and sued. Wrath, indeed.

But mainstream coverage of the trial has not seemed to grasp this. Instead, there's been tremendous focus on Heard's mistakes and worst moments over the course of her relationship with Depp. As is typical of domestic abuse victims, Heard does seem to have done things many of us would not be proud of. She fought back. Depp's outbursts and insults left Heard resentful and angry with him, and sometimes, she told him so. Many are quick to point out that Heard is not a perfect victim. But no woman is. We are told that the lawsuit is "complicated." But the lawsuit is not complicated. It is abuse. Now, that abuse has been sanctioned by a jury.

Maybe the persistence of this notion that Heard is somehow equally culpable for what happened to her is why people like the New York Times' [Michelle Goldberg](#) have characterized the trial as "the death of Me Too": it shows how easily a victim can still be blamed and isolated, how easily what happened to her can be taken as a failure of her personal character, rather than as part of a social pattern. Not all women are alike, but feminism was supposed to let us see how we are all similarly vulnerable - both to gendered abuse and to the gendered application of double standards and unjust blame. No victim is perfect. No victim should have to be. After all, if a man cannot be considered abusive towards an imperfect woman, then just how perfect does a woman need to be before it becomes wrong to beat her?

For their part, Depp's fans seem to not so much deny Depp's alleged violence against Heard, but to

approve of it. "He could have killed you," says [one viral Tiktok supporting Depp](#), the text superimposed over photos of Heard's bruised face. "He had every right." The post has more than 222,200 likes.

The backlash to #Me Too has long been under way. Critics of the movement painted women's efforts to end sexual violence as excessive and intemperate from the start, claiming #MeToo had "gone too far" before it really got under way at all. And yet the Heard trial does feel like a tipping point in our culture's response to gender violence. The forces of misogynist reaction are perhaps even stronger now for having been temporarily repressed. Where once women refused, en masse, to keep men's secrets, or to remain silent about the truth of their own lives, now, a resurgence of sexism, virulent online harassment, and the threat of lawsuits, all aim to compel women back into silence - by force.

In some ways, one could see the defamation suit itself as an extension of Depp's abuse of Heard, a way to prolong his humiliation and control over her. The only difference is that now, the legal system and the public have been conscripted to take part. This seems to be at least partly how Depp sees it. In 2016, as their marriage broke apart, Depp [texted](#) his friend Christian Carino, vowing revenge against Heard. "She is begging for global humiliation," Depp wrote. "She is going to get it."

Moira Donegan

P.S.

- The Guardian. Tue 3 May 2022 05.32 BST:
<https://www.theguardian.com/commentisfree/2022/may/03/as-the-us-supreme-court-moves-to-end-abortion-is-america-still-a-free-country>

This article was amended on 3 June 2022 to specify the defamation count on which the jury ruled for [Amber Heard](#), and to give the sum awarded to Johnny Depp by the jury as \$15m (later reduced by the judge to \$10.35m, as the punitive-damages element exceeded Virginia's state limit.)

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