

## **‘The Truman Show’ of Depp versus Heard: An Accident of Justice through Popular Culture**

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### **Abstract**

Global events, global icons and figures as part of cultural globalisation process helps in shaping and forming popular culture. Within the judicial system, we see many sensational trials and controversial verdicts that became a topic of discussion in every household and captured the nation's and in few cases even world's attention. The Murder trial of O.J Simpson, John Depp Case, Ted Bundy's Criminal Trial, Casey Anthony Trial, K.M Nanavati Case etc. are few such names that attracted huge media attention and were highly discussed in society during the trial. The focus of this paper is on understanding how media and communication helps in popularising a particular culture, give it legitimacy, and how it ultimately becomes a tool for social reproduction and domination. This paper will also analyse the *John C. Depp II v. Amber Laura Heard* case and whether popular culture affected its outcome. John Depp and Amber Heard are part of the popular culture and they are famous film icons, their defamation case became a fodder for cable news channels, YouTubers, TikTokers and Newspapers. This paper will also try to find out whether the CSI effect had played any role on the jury of this particular trial.

**Keywords:** Popular Culture, CSI Effect, Defamation Trial, Media Sensationalism, Social Media

### **Research Questions:**

1. How does Media help in popularising a particular culture?
2. How did the popular culture and media sensationalism affect and dominate *John C. Depp II v. Amber Laura Heard* Case?
3. Whether we can say that either the CSI Effect or media sensationalism affected the jury in the *John C. Depp II v. Amber Laura Heard* case?

### **Methodology -**

The primary method of research for this paper has been the Socio-Legal Method. Socio-Legal Method is an interdisciplinary approach, it analyses law and its relationship and operation in society. This paper analyses the impact of popular

culture on *John C. Depp II v. Amber Laura Heard* Case, for which a socio-legal method is the most appropriate one, as it will help analyse how different material products of popular culture affected the case.

### **Introduction:**

In the infamous *John C. Depp II v. Amber Laura Heard* case, the trial began in April 2022 and it ran for six weeks. Depp sued Heard over a 2018 op-ed she wrote for *The Washington Post*. In the piece, she said she was a domestic abuse survivor. The article had nowhere mentioned his name, but the article made it very obvious that it was referring to Johnny Depp. Heard's Advocate in his opening said that the plaintiff might turn this trial into a soap opera. It was a defamation law suit for 50 million dollars. Heard countersued for 100

million dollars. Many doubts were raised on this case whether it was a PR campaign in guise of a defamation case.

The mention of 'Truman Show' in the title of paper is to draw an analogy with Jim Carrey's iconic movie *The Truman Show* (1998), which gave birth to the idea of Truman Syndrome or the Truman Show Delusion. It is a type of delusion which makes people believe that they are being watched on the camera or that their life is a staged reality show. In a recent interview in 2020 to the *Collider*, Jim Carrey said "*I think The Truman Show is something that exists on a micro level now. It was kind of a story about that on a macro level. But now everybody has a subscriber channel. Everybody has their own little Truman Show world.*"<sup>1</sup>

With the blurring of concept of time and space due to advancement in technologies and advent of social media, we can say that we are living in a world which is constructed by others. When we become conscious of being watched, our actions are also affected by the same. The way we walk, what we speak, how we dress up, in general everything is indirectly affected.

The moment Fairfax County Courthouse in Virginia granted permission to live telecast the *Depp vs Heard* Case Trial, everyone had now access to the trial, what was earlier supposed to be a closed court room case. The whole trial was observed world-wide by people who through their YouTube channels, tweets and other social media actions, constructed or orchestrated their own understanding of the case. Both the parties of the case were quite aware of the fact, that whatever they speak or say will

not only be limited to the court room now, which must have led them to have their *own 'little Truman Show world'*.

### **1. How does media help in popularising a particular culture?**

The role that media plays in circulating and creating popular culture cannot be ignored. Culture requires some form of media to spread. Whether it is a good musician, film-star or historian, all of them require a medium of transmission for their recognition. Thus, whoever has a control over the medium, controls the meaning of that cultural artefact. What is included, and what is excluded depends on who is controlling the medium. When a television star is being telecasted on screen or when a photoshoot or story is being published in a magazine, the person controlling the medium plays key role in bringing these stars closer to the general audience.

The people who control the medium have authority on how a particular issue, icon or product will be presented to the masses. The German-American theorist of Frankfurt School had highlighted the importance of mass culture and communication in social reproduction and domination. While arguing about the '*culture industry*', Frankfurt School proposed that "*Culture is not something that they think about, culture is what they assimilate automatically.*"

Popular culture thrives because of repetition of the icons, it makes sure that medium is used for us to relate to something. There is a culture of consumption within popular culture, it can be an idea, notion, perception, visuals related to some product, celebrity, icons etc. There are people who make the culture and

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<sup>1</sup> Mancuso, V. (2020, January 30). *Jim Carrey on What a Truman Show sequel looks like in 2020*. Collider. Retrieved March 22, 2025, from [https://collider.com/jim-carrey-truman-show-](https://collider.com/jim-carrey-truman-show-sequel-idea-interview/?utm_campaign=collidersocial&utm_medium=twitter&utm_source=twitter)

[sequel-idea-interview/?utm\\_campaign=collidersocial&utm\\_medium=twitter&utm\\_source=twitter](https://collider.com/jim-carrey-truman-show-sequel-idea-interview/?utm_campaign=collidersocial&utm_medium=twitter&utm_source=twitter)

then there are people who consume that culture.

The *Depp v Heard* case is an appropriate and recent example in which Johnny Depp, Amber Heard and their respective lawyers Benjamin Chew and Camille Vasquez for Depp and Ben Rottenborn for Heard become instrumental as an icon through which popular culture gets its legitimacy.

Social Theorist and historian Daniel J Boorstin in his book *The Image: A guide to Pseudo-events in America* (1961) analysed the media dominated world and defined celebrity as ‘a person who is known for his well knownness’.<sup>2</sup> Popular culture is the domain in which these icons operate, popular culture makes sure that these icons are repeated in different mediums and different platforms.

Media does help in popularising a particular culture, the people who have control over the medium, also have the authority to manipulate and regulate what will become popular out of the culture industry. The idea and narrative is set out by these people having power and access of the medium.

But with the advent of social media and social networking applications, the whole Marxist idea of having an economic base through which popular culture flourishes has been diluted to a certain extent. Today anyone from anywhere with the access to internet has the power to create media sensation through his content.

I think the *John C. Depp II v. Amber Laura Heard* Case not only affected the popular culture but it also gave fodder to the social media content creators to analyse and circulate their personal opinions about the trial. Every small aspect of the trial became a part of discussion on the virtual platform

including actors’ mannerism, their selection of words, their wardrobe choices, use of drugs etc.

## **2. How did the popular culture and media sensationalism affect and dominate *John C. Depp II v. Amber Laura Heard* Case?**

As soon as the trial started and the Fairfax County Courthouse in Virginia gave the permission to live stream this case, people on TikTok, Twitter and other social media platforms started questioning the idea and intent behind it. On the request of live streaming, Judge Penney Azcarate said "I don't see any good cause not to do it".

One reason why this case became an internet sensation and topic of discussion for weeks on television and news platforms is because the live streaming was permitted. In the past also, we have seen many cases being live streamed, including the *O.J Simpson Case*, and such cases also managed to grab world attention just like Jonny Depp and Amber Heard Case. But the way this case was affected by popular culture and media sensationalism, differentiates it from the other similar cases of the past and also makes it a very interesting topic of research and analysis.

This paper aims to analyse different products of popular culture which might have affected this trial. Since, the popular culture by its very nature have mass accessibility and appeal and is widely consumed, it cannot be prima facie denied that in such a high profile trial involving Hollywood celebrities, popular culture did not affect the trial. Let me first mention few of the many material products of popular culture that came up or were mentioned during the infamous trial –

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<sup>2</sup> Boorstin, D. J. (1961). *The Image: A guide to pseudo-events in America*. Vintage.

### A. The Drug Culture

During the trial, Johnny Depp mentions about his history with drug addiction. He not only mentions about it, but goes on to openly accept the fact that he was a drug addict at one point. As per his statement, he was addicted to Roxicodone, which are powerful opiates.

Drug use has become so common in today's world and has become part of contemporary popular culture. Brett Ward, a family law attorney in New York, said Depp made himself a more believable witness by admitting he used drugs and alcohol.

### B. Mental Health Debate

Growing conversation around the mental health, its depiction in movies and shows, its acceptance and growing understanding has certainly changed the way we perceive mental health narrative. In the trial, both sides used mental health and substance abuse as weapon against the other team. The attorney of Depp invited a clinical and forensic psychologist who diagnosed him for borderline personality disorder and historic personality disorder. Whereas, psychologist called from Heard's side declared her as sufferer of psychological and traumatic disorder as well as post-traumatic stress disorder. It was told that she has an affected past because her father was an abuser, and he was a substance abuser too.

### C. The Cosmetic Company

Branded cosmetics are an integral and widely consumed material product of popular culture. Fashion draws inspiration

from social and cultural movements around us.<sup>3</sup>

During the trial, the defence attorney showed Makeup Palette which Ms Heard used to cover different days of the bruises, as the bruises changed colour with every passing day. It was said that she always kept this palette in her bag. After this, Milani Cosmetics Company jumped into the fray making a video saying that what the defence attorney showed was their product. They clarified that their colour correcting compact came out in 2017 but the case was filed in 2016.

This incident created lot of buzz on social media during the trial. Defence attorney clarified that it was not the exact copy and it was only symbolic of the Makeup palette that she used to cover her bruises.

### D. The Social Media

Social media is one of the most powerful tool in the present times which serves dual purpose. Firstly, it provides an easy access to the users to spread their idea and opinion to larger audience base with very little cost input. Secondly, it also helps in circulating and popularising a particular culture. Thus, social media and technology helps in creating, circulating and popularising any culture and its product.

During the *Depp v Heard* Case also, a large number of YouTubers were doing live stream and commentary of the trial. Some content creators were also making vlogs around the court complex in Virginia. During the trial, almost 200 hours of live streaming was done which was watched by millions of viewers.<sup>4</sup>

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<sup>3</sup> Iiad. "Pop Culture Fashion: Pop Culture Influence on Fashion and Aesthetics | IIAD." *IIAD*, 14 Feb. 2025, [www.iiad.edu.in/the-circle/the-impact-of-pop-culture-on-fashion-and-aesthetics](http://www.iiad.edu.in/the-circle/the-impact-of-pop-culture-on-fashion-and-aesthetics).

<sup>4</sup> Sadhwani, B. (2023, August 18). Did the internet wrong Amber heard? "Depp v. Heard" docuseries evokes serious debate once again. *Indiatimes*.  
<https://www.indiatimes.com/entertainment/binge/did-the-internet-wrong-amber-heard-depp-v->

After the closing arguments had concluded #JUSTICEFORJOHNNYDEPP had received 20 billion views while #JUSTICEFORAMBERHEARD had received 77.5 million views.<sup>5</sup> Millions of dollars were generated by creators during the trial through various social media streams and podcasts.

These YouTubers had started giving decisions on their channel and reacted to every particular testimony by declaring who is right and who might be lying. Aja Romano, a culture reporter had highlighted that by allowing camera in the courtroom, they had opened up space for TikTok meme.

### E. Movies and Hollywood

Movies play a significant role in popular culture, and classical movies are timeless, contemporary movies and literature both derive inspiration from it. The subtle reference to the classic *To Have and Have Not* during the trial, shows how popular culture goes on to influence the narrative of the trial.

Through the testimonies, the dramatic meet up of Depp and Heard after *Rum Diary* movie auditions was brought up in the narrative. That time Heard was just a 22-year-old no name girl. The plot of testimonies was very filmy, seemed especially curated and directed by their respective lawyers. The testimonies must have been carefully curated by the

advocates to suit their narrative and line of argument, thus immense amount of time must have been put to decide what their client will speak and what they will omit. The age difference between Amber Heard and Johnny Depp was compared with the already famous and popular figures of their own time, because when Depp tells the court that he used to call her Slim and she called him Steve, it was a reference to the famous 1944 Classic *To Have and Have Not* starring Humphrey Bogart and Lauren Bacall. Those actors were 45 and 19 respectively when this movie was released.

### 3. Whether we can say either the CSI Effect or media sensationalism affected the jury in the *John C. Depp II v. Amber Laura Heard Case*?

One thing which is common in cases involving celebrities is that it attracts extensive media coverage which exposes the public and potential jurors to information which is likely to influence public opinion.<sup>6</sup> Judges also fear that any sort of media deliberations from pre-trial publicity that the jurors are exposed to might be considered by them as source of information.<sup>7</sup>

‘CSI Effect’ was first described in the media as a phenomenon resulting from viewing forensic and crime based television shows, which influences jurors to have unrealistic expectations of forensic science during a

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heard-docuseries-evokes-serious-debate-once-again-612388.html

<sup>5</sup> Yasser Usman. “‘Depp V. Heard’ Docuseries: A Chronologically Curated Collage of the Trial’s ‘Most Shocking Moments.’” *Zavya by LSEG*, www.zavya.com/en/life/entertainment/depp-v-heard-docuseries-a-chronologically-curated-collage-of-the-trials-most-shocking-moments-q82usz0v.

<sup>6</sup> Brown, W. J., Duane, J. J., & Fraser, B. P. (1997b). Media coverage and public opinion of

the O. J. Simpson trial: Implications for the criminal justice system. *Communication Law and Policy*, 2(2), 261–287.  
<https://doi.org/10.1080/10811689709368625>

<sup>7</sup> Kline, F. G., & Jess, P. H. (1966). Prejudicial Publicity: Its Effect on Law School Mock Juries. *Journalism Quarterly*, volume 43(Issue 1), 113–116.  
<https://doi.org/10.1177/107769906604300115>



criminal trial and affect jurors' decisions in the conviction or acquittal process.<sup>8</sup>

Jury in this case comprised of seven members. But, we are not having enough data or information about the jury to answer whether the CSI effect would have affected the jury members.

During the *Depp v. Heard* trial, judge can be seen giving instructions to the jury members not to read, listen and watch anything concerned with the case. The jury members are not supposed to interact or engage on any kind of social media including TikTok, Facebook, Twitter etc. during the period of trial. The trial extended for six weeks, and during this period obviously the jury members were able to interact with friends and family, so it is highly likely that they are exposed to what is going on in the social media, how the court of public is looking at this trial and more importantly who is having more support on social media and in the society.

This instant case was interrupted by a break of ten days because of some judicial conference and many people were of the opinion that there are high chances of jury decision being influenced by the outside world during this tenure.

Post-verdict, Amber Heard was interviewed by NBC. Amber accusing the jury in this interview was of the firm opinion that jury must have been influenced by what was floating on social media and they must have seen it. She thought that it is impossible to avoid this.

It all ultimately depended on how Jury interpreted different incidents. For

example, during trial a photograph of Johnny Depp clicked by Amber was showed in which he was passed out and ice cream had spilled over his lap. Now either it can be seen as Ms Heard trying for the jury to see the Depp's dark side, or it can also be interpreted as a girlfriend setting up partner to look like bad guy.

The jury found both of them guilty, as all the elements of defamation were proved. But the compensatory damages awarded to Depp were five times greater and also additionally Depp was also given punitive damages. It proves that jury had ultimately ruled in favour John Depp. Elaine Bredehoft, one of Heard's lead attorneys during the trial, said she believes the jury was influenced by a relentless barrage of social media posts condemning Heard and supporting Depp.

Commenting on Heard's treatment by Depp's fan, she said that "It was like a Roman coliseum is the best way to describe the atmosphere here. And I have to believe that the jury, even though they're told not to go and look at anything, you know, they have weekends, they have families, they have social media."<sup>9</sup>

### Conclusion:

Media does help in popularising a particular culture and we see how with the advent of social media and with internet access the whole Marxist idea of having an economic base through which popular culture flourishes has been diluted to a certain extent. Through a close analysis of the *John C. Depp II v. Amber Laura Heard* Case, we saw how content creators benefited out of

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<sup>8</sup> Alldredge, J. (2015). The "CSI effect" and its potential impact on juror decisions. *Themis Research Journal of Justice Studies and Forensic Science*, 3(1).  
<https://doi.org/10.31979/themis.2015.0306>

<sup>9</sup> CBC. (2022, June 2). Social media attacks on Amber Heard may have influenced jury in libel trial, her lawyer says. *CBC*.  
<https://www.cbc.ca/news/entertainment/depp-heard-lawyers-comment-1.6474915>

the case, and every minute detail of the case became a topic of worldwide discussion.

Through the example of few products of popular culture, like social media, movies, cosmetics and fashion etc. we see how these elements affected and dominated the *John C. Depp II v. Amber Laura Heard* Case. Many small and trivial incidents like the conundrum around the cosmetics which Heard used to cover bruise, Depp openly accepting that he was an addict etc. created a lot of media sensationalism.

Lastly, we don't have enough data to conclude whether the CSI effect would

have affected the jurors, but certainly with the amount of buzz and media sensationalism which was created by this trial, it cannot be said with absolute certainty that the jurors were not following any news outside the courtroom. They had friends and family, so indirectly they might have been consuming the narrative and opinions that were circulated through social media. But, nothing conclusive can be drawn with regard to the third research question on whether CSI Effect and Media Sensationalism affected the jury or not.

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